LAND USE NOTICE AMENDMENTS
2018 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Margaret Dayton
House Sponsor:
LONG TITLE
General Description:
This bill amends certain county and municipality land use notice provisions.
Highlighted Provisions:
This bill:
<ul> <li>requires counties and municipalities to publish certain land use ordinance</li> </ul>
information.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
AMENDS:
10-9a-205, as last amended by Laws of Utah 2017, Chapter 84
17-27a-205, as last amended by Laws of Utah 2017, Chapter 84
Be it enacted by the Legislature of the state of Utah:
Section 1. Section <b>10-9a-205</b> is amended to read:
10-9a-205. Notice of public hearings and public meetings on adoption or
modification of land use regulation.
(1) Each municipality shall give:



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<ul> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the</li> <li>adoption or any modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards</li> <li>than this chapter requires, notice of the stricter requirements or higher standards and a citation</li> <li>to the applicable provision of this chapter; and</li> <li>(b) notice of each public meeting on the subject.</li> <li>(2) Each notice of a public hearing under Subsection (1)(a) shall be:</li> <li>(a) mailed to each affected entity at least 10 calendar days before the public hearing;</li> <li>(b) posted:</li> <li>(c) (i) (A) published in a newspaper of general circulation in the area at least 10</li> <li>calendar days before the public hearing; and</li> <li>(B) published on the Utah Public Notice Website created in Section 63F-1-701, at leas</li> <li>(i) mailed at least 10 days before the public hearing to:</li> <li>(A) each property owner whose land is directly affected by the land use ordinance</li> </ul>	
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<ul> <li>39 (c) (i) (A) published in a newspaper of general circulation in the area at least 10</li> <li>40 calendar days before the public hearing; and</li> <li>41 (B) published on the Utah Public Notice Website created in Section 63F-1-701, at lea</li> <li>42 10 calendar days before the public hearing; or</li> <li>43 (ii) mailed at least 10 days before the public hearing to:</li> </ul>	
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43 (ii) mailed at least 10 days before the public hearing to:	st
44 (A) each property owner whose land is directly affected by the land use ordinance	
45 change; and	
46 (B) each adjacent property owner within the parameters specified by municipal	
47 ordinance.	
48 (3) Each notice of a public meeting under Subsection (1)(b) shall be at least 24 hours	
49 before the meeting and shall be posted:	
50 (a) in at least three public locations within the municipality; or	
51 (b) on the municipality's official website.	
52 (4) (a) A municipality shall send a courtesy notice to each owner of private real	
53 property whose property is located entirely or partially within a proposed zoning map	
54 enactment or amendment at least 10 days before the scheduled day of the public hearing.	
55 (b) The notice shall:	
56 (i) identify with specificity each owner of record of real property that will be affected	
57 by the proposed zoning map or map amendments;	
58 (ii) state the current zone in which the real property is located;	

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59	(iii) state the proposed new zone for the real property;
60	(iv) provide information regarding or a reference to the proposed regulations,
61	prohibitions, and permitted uses that the property will be subject to if the zoning map or map
62	amendment is adopted;
63	(v) state that the owner of real property may no later than 10 days after the day of the
64	first public hearing file a written objection to the inclusion of the owner's property in the
65	proposed zoning map or map amendment;
66	(vi) state the address where the property owner should file the protest;
67	(vii) notify the property owner that each written objection filed with the municipality
68	will be provided to the municipal legislative body; and
69	(viii) state the location, date, and time of the public hearing described in Section
70	10-9a-502.
71	(c) If a municipality mails notice to a property owner in accordance with Subsection
72	(2)(c)(ii) for a public hearing on a zoning map or map amendment, the notice required in this
73	Subsection (4) may be included in or part of the notice described in Subsection (2)(c)(ii) rather
74	than sent separately.
75	Section 2. Section 17-27a-205 is amended to read:
76	17-27a-205. Notice of public hearings and public meetings on adoption or
76 77	17-27a-205. Notice of public hearings and public meetings on adoption or modification of land use regulation.
77	modification of land use regulation.
77 78	modification of land use regulation. (1) Each county shall give:
77 78 79	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the</li> </ul>
77 78 79 80	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> </ul>
77 78 79 80 81	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards</li> </ul>
77 78 79 80 81 82	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards than this chapter requires, notice of the stricter requirements or higher standards and a citation</li> </ul>
77 78 79 80 81 82 83	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards than this chapter requires, notice of the stricter requirements or higher standards and a citation to the applicable provision of this chapter; and</li> </ul>
77 78 79 80 81 82 83 84	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards than this chapter requires, notice of the stricter requirements or higher standards and a citation to the applicable provision of this chapter; and</li> <li>(b) notice of each public meeting on the subject.</li> </ul>
<ol> <li>77</li> <li>78</li> <li>79</li> <li>80</li> <li>81</li> <li>82</li> <li>83</li> <li>84</li> <li>85</li> </ol>	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards than this chapter requires, notice of the stricter requirements or higher standards and a citation to the applicable provision of this chapter; and</li> <li>(b) notice of each public meeting on the subject.</li> <li>(2) Each notice of a public hearing under Subsection (1)(a) shall be:</li> </ul>
77 78 79 80 81 82 83 84 85 86	<ul> <li>modification of land use regulation.</li> <li>(1) Each county shall give:</li> <li>(a) (i) notice of the date, time, and place of the first public hearing to consider the adoption or modification of a land use regulation; and</li> <li>(ii) if the proposed land use ordinance enacts stricter requirements or higher standards than this chapter requires, notice of the stricter requirements or higher standards and a citation to the applicable provision of this chapter; and</li> <li>(b) notice of each public meeting on the subject.</li> <li>(2) Each notice of a public hearing under Subsection (1)(a) shall be:</li> <li>(a) mailed to each affected entity at least 10 calendar days before the public hearing;</li> </ul>

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90	(c) (i) published:
91	(A) in a newspaper of general circulation in the area at least 10 calendar days before
92	the public hearing; and
93	(B) on the Utah Public Notice Website created in Section 63F-1-701, at least 10
94	calendar days before the public hearing; or
95	(ii) mailed at least 10 days before the public hearing to:
96	(A) each property owner whose land is directly affected by the land use ordinance
97	change; and
98	(B) each adjacent property owner within the parameters specified by county ordinance.
99	(3) Each notice of a public meeting under Subsection (1)(b) shall be at least 24 hours
100	before the hearing and shall be posted:
101	(a) in at least three public locations within the county; or
102	(b) on the county's official website.
103	(4) (a) A county shall send a courtesy notice to each owner of private real property
104	whose property is located entirely or partially within the proposed zoning map enactment or
105	amendment at least 10 days before the scheduled day of the public hearing.
106	(b) The notice shall:
107	(i) identify with specificity each owner of record of real property that will be affected
108	by the proposed zoning map or map amendments;
109	(ii) state the current zone in which the real property is located;
110	(iii) state the proposed new zone for the real property;
111	(iv) provide information regarding or a reference to the proposed regulations,
112	prohibitions, and permitted uses that the property will be subject to if the zoning map or map
113	amendment is adopted;
114	(v) state that the owner of real property may no later than 10 days after the day of the
115	first public hearing file a written objection to the inclusion of the owner's property in the
116	proposed zoning map or map amendment;
117	(vi) state the address where the property owner should file the protest;
118	(vii) notify the property owner that each written objection filed with the county will be
119	provided to the county legislative body; and
120	(viii) state the location, date, and time of the public hearing described in Section

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- 121 17-27a-502.
- 122 (c) If a county mails notice to a property owner in accordance with Subsection (2)(c)(ii)
- 123 for a public hearing on a zoning map or map amendment, the notice required in this Subsection
- 124 (4) may be included in or part of the notice described in Subsection (2)(c)(ii) rather than sent
- 125 separately.

Legislative Review Note Office of Legislative Research and General Counsel