

## **Noticing Code Discussion**

The Utah State code was modified in 2023 and removed public notice mailing requirements. The municipalities are able to set their own standards for mailing public notices. The city modified the noticing code at that time and removed the requirement for a 300 foot radius mailing for land use applications. However, staff has continued to send 300 foot radius mailings for Zone Map amendments.

### **UTAH STATE CODE REQUIREMENTS**

#### **Mailing to Affected Entities**

For public hearings on land use regulations (e.g., zoning changes, plan amendments), a notice must be mailed to each “affected entity” at least 10 calendar days before the hearing.

- An “affected entity” typically includes service providers and government bodies identified in local code (e.g., county, utility districts).
- Utah law requires mailing to affected entities but not necessarily to every property owner, unless local ordinance adds other requirements.

#### **Courtesy Mailings to Property Owners**

- Utah code permits a municipality to send a courtesy notice to property owners whose property is directly affected by a proposed zoning map or map amendment.
  - This notice must also be mailed at least 10 days before the hearing.
  - It must identify the current and proposed zoning, describe how the property is affected, and state where objections may be filed.

#### **Municipal Notice Requirements**

This state law requirement is the minimum requirement; cities may add additional or more specific requirements. Some examples of those requirements are:

- Clearfield City and Roy City require mailing to property owners within 300 feet of subject property by U.S. mail, 10 days before public hearing.
- Layton City and Riverdale do not require mailing to property owners. They may mail a courtesy notice within a certain distance (typically, 300 feet) but it is courtesy only and the distance is set by staff on a case by case basis since it is only a courtesy.

<b><u>APPLICATION TYPE</u></b>	<b><u>Meeting Type</u></b>	<b><u>South Weber City Public Notice</u></b>	<b><u>Days of Notice</u></b> (prior to meeting or hearing)	<b><u>Distance of Notice</u></b>	<b><u>Compliance with State Code</u></b>
<b>General Plan and General Plan Amendment</b>	Public Hearing	Notice on City and State websites.	10 days	None	Yes
<b>Land Use Regulation</b>	Public Hearing	Notice on State and City Websites.	10 days	None	Yes
<b>Subdivision Plat and Subdivision Plat Amend.</b>	Public Meeting	Notice on State and City Websites.	10 days	Mailed notice to all properties within 300'.	Yes
<b>Zoning map change</b>	Public Hearing	Notice on State and City Websites. Post on or close to Property.	10 days	Mailed notice to all properties within 300'.	Yes
<b>Conditional Use Permit</b>	Public Meeting	Notice on State and City Websites.	10 days	None	Yes
<b>Site Plan</b>	Public Meeting	Notice on State and City Websites.	10 days	None	Yes
<b>Variance</b>	Public Meeting	Notice on State and City Websites.	10 days	None	Yes
<b>STATE CODE</b>  <b>Posting Requirements for specific location Land Use Applications</b>	Post the public notice in connection with the affected area		10 days	Post in a public location in or near the affected area that is reasonably likely to be seen by: (A) residents of the affected area; or (B) if there are no residents within the affected area, individuals who pass through or near the affected area;	