

13.100.102 APPENDIX C – NOTICING

ACTION:	POSTED (ON THE CITY WEBSITE OR IN AT LEAST THREE (3) PUBLIC PLACES WITHIN THE CITY:	MAILING:	PUBLISHED (IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN CITY AND ON THE UTAH PUBLIC NOTICE WEBSITE):
Zoning and Rezoning	14 days prior to the first hearing before Planning Commission and City Council. Any subsequent hearings shall be posted at least 24 hours prior to hearing.	Required mailing 14 days prior to the first hearing to each Affected Entity and to each Property Owner whose property is at least partially within the area to be zoned or rezoned.	14 days prior to the first hearing before the Planning Commission and City Council.
General Plan Amendments	14 days prior to the first hearing before the Planning Commission and City Council. Any subsequent hearings shall be posted at least 24 hours prior to hearing.	Required mailing 14 days prior to the first hearing to each Affected Entity.	14 days prior to the first hearing. Any subsequent hearings shall be so published at least 24 hours prior to hearing.
Appeals of Admin Decision, or Planning Commission decisions or City Council Call-Up and Reconsideration	14 days prior to the date set for the appeal, reconsideration, or call-up hearing	Courtesy mailing 14 days prior to the appeal, reconsideration, or call-up hearing, to all parties who received mailed notice for the action being appealed	14 days prior to the date set for the appeal, reconsideration, or call-up hearing
Conditional Use Permit	14 days prior to the first hearing before the Planning Commission.	Courtesy mailing 14 days prior to the first hearing before the Planning Commission, to Property Owners within 500 ft.	14 days prior to the first hearing before the Planning Commission.
<i>Administrative Conditional Use Permit*</i>	10 days prior to Final Action.	Courtesy mailing 10 days prior to Final Action, to adjacent Property Owners.	No published notice required.
<i>Administrative Permit*</i>	10 days prior to Final Action.	Courtesy mailing 10 days prior to Final Action, to adjacent affected Property Owners.	No published notice required.
Variance Requests, Non-conforming Use Modifications and Appeals to Board of Adjustment	14 days prior to the first hearing before the Board of Adjustment.	Courtesy mailing 14 days prior to the first hearing before the Board of Adjustment, to owners within 500 ft.	14 days prior to the first hearing before the Board of Adjustment.
Annexations	Varies, depending on number of Owners and current State law. Consult with the Legal Department.		
Subdivision Plat Applications	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing to Property Owners within 500 ft.	14 days prior to the first hearing before the Planning Commission and City Council.
Condominium Plats	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing to Property Owners within 500 ft.	14 days prior to the first hearing before the Planning Commission and City Council.
Condominium Plat Amendments	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing, to Property Owners within 500 ft.	14 days prior to the first hearing before the Planning Commission and City Council.
Subdivision Plat Amendments	14 days prior to the first hearing.	Courtesy mailing 14 days prior to the first hearing, to Property Owners within 500 ft.	14 days prior to the first hearing before the Planning Commission and City Council.
Implementing an Amendment to Adopted Specifications for Public Improvements that Apply to a Subdivision or Development		The City shall give a thirty (30) day mailed notice and an opportunity to comment to anyone who has requested the notice in writing.	
Vacating or Changing a Public Street, Right-of-Way, or Easement	14 days prior to each hearing before the City Council on or near the Street, Right-of-Way, or easement in a manner that is calculated to alert the public.	Required mailing to each Property Owner of record of each Parcel or Lot that is accessed by the Public Street, Right-of-Way or easement at least 14 days prior to the hearing before the City Council.	14 days prior to the hearing before the City Council.
1) For all Applications, notice will be given to the Applicant of date, time, and place of the public hearing and public meeting to consider the Application and of any Final Action on a pending Application. 2) All notices, unless otherwise specified in this Code or by State law, must state the general nature of the proposed action; describe the land affected; and state the time, place and date of the hearing. Once opened, the hearing may be continued, if necessary, without re-publication of notice until the hearing is closed. 3) A copy of each Staff report regarding the Applicant, or the pending Application, shall be provided to the Applicant at least three (3) business days before the public hearing or public meeting. 4) If notice provided per this Section is not challenged within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper. 5) All days listed are the minimum number of days required. <i>*potential noticing types – demolition, building permits etc</i>			

General Public Notice Requirements.

- (a) For each land use application which requires a public hearing or public meeting, public notice shall be done as provided within this chapter, except as required by Utah State Code.
- (b) For each land use application which requires a public hearing or public meeting, and public notice is not specified by Utah State Code, the City shall provide notice (including the type of meeting, date, time, location, description of land use application, and City contact information) as follows:
 - (1) *Notice of Public Hearing.* The City shall provide notice of a public hearing at least three days before the hearing that shall be posted in at least three public locations within the City, on the City's official website, and on the Utah Public Notice Website.
 - (2) *Notice for Public Meetings.* The City shall provide notice of a public meeting at least 24 hours before the meeting that shall be posted in at least three public locations within the City, on the City's official website, and on the Utah Public Notice Website.

Third-Party Public Notice.

- (a) For each land use application that requires a public meeting or hearing that concerns a specific parcel of property, public third-party notice shall be done as provided within this chapter, except as required by Utah State Code. The City shall:
 - (1) Mail notice at least five days before the public hearing or public meeting to the record owner of each parcel within 500 feet of the property that is the subject of the hearing, including property owners within the City boundaries and property owners within adjacent jurisdictions; or
 - (2) Post notice at least ten days before the public hearing or public meeting on the property with a sign of sufficient size, durability, print quality, and location that is reasonably calculated to give notice to passersby.
 - a. The City shall take a photo verifying that the notice has been posted. The City shall inspect and verify, with another photo, at least one other time during notice period. This verification shall be included in the application packet for the public meeting/hearing.
 - b. This posted notice should include the following: type of meeting, date, time, location, description of land use application, and City contact information.
 - c. If this posted notice is destroyed, vandalized or disappears during the notice period, the City's ability to hold the public meeting/hearing will not be delayed, and it will not affect the validity of decisions made at the public meeting/hearing.
- (b) For all rezone, residential subdivision, and commercial site plan (within 250 feet of a residential zone district boundary) land use applications that require a public meeting or hearing, the City shall mail notice to adjacent property owners and post notice on the property as required by State Code and this section.

State Code Required Notices.

- (a) *General Plan.*
See U.C.A. 1953, §10-9a-203 and 10-9a-204.
- (b) *Zone District Map and Land Development Code.*
See U.C.A. 1953, §10-9a-205
- (c) *Subdivision Amendments.*
See U.C.A. 1953, §10-9a-207.
- (d) *Street Vacations, Alteration, Amendments or Closure.*
See U.C.A. 1953, §10-9a-207 and §10-9a-208.
- (e) *Miscellaneous Notice Requirements*
See U.C.A. 1953, § 10-9a-206, § 10-9a-210, § 10-9a-211, § 10-9a-212, and § 10-9a-213.
- (f) *Applicant Notice—Waiver of Requirements.*
See U.C.A. 1953, § 10-9a-202.
- (g) *Notice Challenge.*
See U.C.A. 1953, § 10-9a-209.