



CITY COUNCIL
AGENDA SUMMARY FORM
COMMUNITY DEVELOPMENT DEPARTMENT

MEETING DATE:	October 6, 2021
AGENDA ITEM:	AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING TEXT AMENDMENTS TO THE TAYLORSVILLE MUNICIPAL CODE CHAPTER 13.35: NOTICE REQUIREMENTS, TO UPDATE THE CITY'S PUBLIC NOTICING STANDARDS TO ALIGN WITH STATE LAW.
FILE #:	13Z21
PUBLIC HEARING REQUIRED:	☐ Yes ☒ No
ORDINANCE REQUIRED:	☒ Yes ☐ No
RESOLUTION REQUIRED:	☐ Yes ☒ No
AUTHOR:	Jim Spung, AICP, Senior Planner
PRESENTER:	Wayne Harper, Economic & Community Development Director
SUMMARY:	The City of Taylorsville is requesting a text amendment to the Taylorsville Municipal Code Chapter 13.35: Notice Requirements, to Update the City's Public Noticing Standards to Align with State Law. In its 2021 session, the Utah legislature passed new law updating the public hearing noticing procedures required by municipalities. The most notable change is the elimination of the public hearing newspaper notice for General Plan, zoning map, and land use regulation amendments. In lieu of a newspaper notice, a notice must be published on the Utah Public Notice Website, be mailed to each affected entity (if applicable) and posted on the City's website. This legislation became effective on July 1, 2021; however, the City Code has not yet been updated. A brief summary of the new legislation is provided below. Exhibit B includes the complete language for affected sections of Utah Code. • The city must now send a "notice of intent" to prepare a General Plan or comprehensive General Plan amendment; • A published newspaper notice is no longer required for amendments to a General Plan, land use regulation (e.g. zoning text amendment), or zoning map amendment; • A "courtesy notice" is now required for zoning map amendments; • Specifies information and content that must be included for public hearing notices. In addition to the updates noted above, this proposed text amendment updates and clarifies subdivision noticing requirements in current Sections 13.35.060(B) and

	13.35.080(B). These sections include outdated standards for public noticing requirements for subdivision amendment applications that include the vacation, alteration, amendment, or closure of a public street. Rather than including specific standards in the Taylorsville Land Development Code, the proposed text amendment simply refers users to the section of State Code that specifies noticing requirements (Utah Code §10-9a-208).
STAFF RECOMMENDATION:	Staff recommends approval of Ordinance No. 21-14 based on the findings outlined in this report.
PLANNING COMMISSION RECOMMENDATION:	☒ Approve ☐ Deny
PLANNING COMMISSION VOTE:	7-0
SUMMARY OF PUBLIC COMMENTS:	None.
ATTORNEY'S OFFICE	☒ Yes ☐ No
ATTACHMENTS:	Ordinance No. 21-14 with corresponding Exhibit A Exhibit B: Utah Code Language: §10-9a-203; §10-9a-204; and §10-9a-205

TAYLORSVILLE, UTAH
ORDINANCE NO. 21-14

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING TEXT
AMENDMENTS TO THE TAYLORSVILLE MUNICIPAL CODE CHAPTER 13.35:
NOTICE REQUIREMENTS, TO UPDATE THE CITY'S PUBLIC NOTICING
STANDARDS TO ALIGN WITH STATE LAW.**

WHEREAS, the Taylorsville City Council (the "Council") met in regular session on October 6, 2021, to consider, among other things, approving a text amendment to the Taylorsville Municipal Code Chapter 13.35: *Notice Requirements*, to Update the City's Public Noticing Standards to Align with State Law; and

WHEREAS, pursuant to TAYLORSVILLE MUNICIPAL CODE Section 13.35.030, notice of a public hearing before the City's Planning Commission was published in the *Deseret News* on September 3, 2021; and

WHEREAS, the notice of a public hearing before the City's Planning Commission was also published on the Utah Public Notice Website on September 1, 2021; and

WHEREAS, the City's Planning Commission held a properly noticed public hearing on the proposed amendments on September 14, 2021, during which the Planning Commission voted 7-0 to recommend that the Council approve the proposed text amendment; and

WHEREAS, although not required by City ordinances, the City Council heard courtesy public comment on the proposed amendments during its regularly scheduled meeting on October 6, 2021; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to approve the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the proposed text amendments to the Taylorsville Municipal Code Chapter 13.35: *Notice Requirements*, to Update the City's Public Noticing Standards to Align with State Law, are hereby approved, as articulated in Exhibit "A."

This ordinance, assigned Ordinance No. 21-14, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2021.

TAYLORSVILLE CITY COUNCIL

By: _____
Curt Cochran, Council Chair

VOTING:

Meredith Harker	Yea ____	Nay ____
Ernest Burgess	Yea ____	Nay ____
Daniel Armstrong	Yea ____	Nay ____
Curt Cochran	Yea ____	Nay ____
Anna Barbieri	Yea ____	Nay ____

PRESENTED to Mayor of Taylorsville for her approval this _____ day of _____, 2021.

APPROVED this _____ day of _____, 2021.

Mayor Kristie S. Overson

ATTEST:

Jamie Brooks, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2021.

POSTED this _____ day of _____, 2021.

Title 13: Land Development Code

Chapter 13.35 Notice Requirements

13.35.010 APPLICANT NOTICE; WAIVER OF REQUIREMENTS:

- A. For each land use application the city shall:
 - 1. Notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application;
 - 2. Provide to each applicant a copy of each staff report regarding the applicant or the pending application at least three (3) business days before the public hearing or public meeting; and
 - 3. Notify the applicant of any final action on a pending application.
- B. The applicant may waive the requirements of subsection A1, A2, or A3 of this section. (Ord. 12-15, 7-11-2012)

13.35.020 THIRD PARTY NOTICE:

- A. For those sections of this title that require notice to adjacent property owners (except as provided below), the city shall:
 - 1. Mail notice three (3) business days before the public hearing or public meeting to the record owner of each parcel within three hundred feet (300') of the property that is the subject of the hearing; or
 - 2. Post notice on the property with a sign no smaller than eleven inches by seventeen inches (11" x 17") and of sufficient durability, print quality, and location that is reasonably calculated to give notice to passersby.
- B. The mailed notice to third party property owners under subsection A1 of this section shall include both property owners within the city boundaries and property owners within adjacent jurisdictions within three hundred feet (300') of the subject property. (Ord. 12-15, 7-11-2012)

13.35.030 GENERAL PLAN:

~~A. Notice Of General Plan Amendment:~~

- ~~1. The planning commission shall provide notice of the date, time, and place of the first public hearing to consider any modification of all or any portion of the general plan recommendation.~~
- ~~2. The city shall provide ten (10) calendar days' notice before the public hearing of its intent to amend the general plan by:~~
 - ~~a. Publishing in a newspaper of general circulation;~~
 - ~~b. Publishing in the Utah public notice website;~~
 - ~~c. Mailing to each affected entity;~~
 - ~~d. Posting in at least three (3) public locations; and~~
 - ~~e. Publishing on the city's official website.~~

~~B.A. General Plan Consideration; Notice Required:~~

- 1. After a proposed ~~g~~General ~~p~~Plan or ~~g~~General ~~p~~Plan amendment for all or part of the city has been prepared, the ~~p~~Planning ~~c~~Commission shall schedule and hold a public hearing to consider the proposed plan or plan amendment after notice is given as set forth below.
- 2. After the ~~p~~Planning ~~c~~Commission has forwarded the proposed ~~g~~General ~~p~~Plan or amendment to the ~~c~~City ~~c~~Council, the ~~c~~Council shall hold a public meeting on the proposal after notice is given as set forth below.

3. The city shall provide:

- a. Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan; and
- b. Notice of each public meeting on the subject.

C. Notice For Public Hearings: Each notice of a public hearing to consider the original adoption or any modification of all or any portion of a general plan shall be at least ten (10) calendar days before the public hearing and shall be:

- 1. Published in a newspaper of general circulation in the area;
- 2. Mailed to each affected entity; and
- 3. Posted in at least three (3) public locations within the city or on the city's official website.

D. Notice For Public Meetings: Each notice of a public meeting to consider the original adoption or any modification of all or any portion of a general plan shall be at least twenty four (24) hours before the meeting and shall be:

- 1. Published in a newspaper of general circulation in the area; and
- 2. Posted in at least three (3) public locations within the city or on the city's official website. (Ord. 12-15, 7-11-2012)

B. Notice of Intent

1. Before preparing a proposed General Plan or a comprehensive General Plan amendment, the city shall provide ten (10) calendar days' notice of the city's intent to prepare the proposed General Plan or comprehensive General Plan amendment:

- a. To each affected entity, as defined in Utah Code §10-9a-103(3);
- b. To the Utah Geospatial Resource Center created in Utah Code §63A-16-505;
- c. To the Wasatch Front Regional Council; and
- d. On the Utah Public Notice Website created under Utah Code §63A-16-601.

2. Each notice required by subsection (E)(1) shall:

- a. Indicate that the city intends to prepare a General Plan or a General Plan amendment, as applicable;
- b. Describe or provide a map of the geographic area that will be affected by the General Plan or amendment;
- c. Be sent by mail, e-mail, or other effective means;
- d. Invite the affected entities to provide information for the city to consider in the process of preparing, adopting, and implementing a General Plan or amendment concerning:
 - (1) Impacts that the use of land proposed in the proposed General Plan or amendment may have; and
 - (2) Uses of land within the city that the affected entity is considering that may conflict with the proposed General Plan or amendment; and
- e. Include the address of an Internet website, if the city has one, and the name and telephone number of an individual where more information can be obtained concerning the city's proposed General Plan or amendment.

C. Notice of Public Hearing

1. The city shall provide:

- a. Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a General Plan; and
- b. Notice of each public meeting on the subject.

2. Each notice of a public hearing shall be at least ten (10) calendar days before the public hearing and shall be:

Title 13: Land Development Code

Chapter 13.35 Notice Requirements

13.35.040 ZONE DISTRICT MAP AND LAND DEVELOPMENT CODE:

- a. Published on the Utah Public Notice Website created in Utah Code §63A-16-601;
- b. Mailed to each affected entity, as defined in Utah Code §10-9a-103(3); and
- c. Posted:
 - (1) In at least three (3) public locations within the city; or
 - (2) On the city's official website.

D. Notice of Public Meeting

Each notice of a public meeting shall be at least twenty-four (24) hours before the meeting and shall be:

1. Published on the Utah Public Notice Website created in Utah Code §63A-16-601; and
2. Posted:
 - a. In at least three (3) public locations within the city; or
 - b. On the city's official website.

13.35.040 ZONE DISTRICT MAP AND LAND DEVELOPMENT CODE:

A. Zone District Map ~~A~~and Land Development Code Consideration:

1. The ~~p~~Planning ~~e~~Commission shall hold a public hearing to consider and make recommendations to the ~~e~~City ~~e~~Council on a proposed ~~I~~Land ~~d~~Development ~~e~~Code, zone district map or amendment thereto after notice is given as set forth below.
2. After the ~~p~~Planning ~~e~~Commission has forwarded the proposed zone district map or ~~I~~Land ~~d~~Development ~~e~~Code or amendment and its recommendation to the ~~e~~City ~~e~~Council, the ~~e~~Council shall consider each proposed ~~I~~Land ~~d~~Development ~~e~~Code, zone district map or amendment thereto at a public meeting after notice is given as set forth below.

B. Notice of Public Hearing

Each notice of a public hearing required by subsection (B) above shall be:

1. Mailed to each affected entity, as defined in Utah Code §10-9a-103(3), at least ten (10) calendar days before the public hearing; and
2. Posted:
 - a. In at least three (3) public locations within the city; or
 - b. On the city's official website; and
3. Posted on the Utah Public Notice Website created in Utah Code §63A-16-601, at least ten (10) calendar days before the public hearing; or
4. Mailed at least ten (10) days before the public hearing to:
 - a. Each property owner whose land is directly affected by the land use ordinance change; and
 - b. The record owner of each parcel within three hundred feet (300') of the property that is the subject of the hearing.

C. Notice of Public Meeting

Each notice of a public meeting required by subsection (A)(2) shall be posted at least twenty-four (24) hours before the public meeting:

1. In at least three (3) public locations within the city; or
2. On the city's official website.

D. Zoning Map Enactment or Amendment – Courtesy Notice

The city shall send a courtesy notice to each owner of private real property whose property is located entirely or partially within a proposed zoning map enactment or amendment at least ten (10) days before the scheduled day of the public hearing.

1. The notice shall:

- a. Identify with specificity each owner of record of real property that will be affected by the proposed zoning map or map amendments;
 - b. State the current zone in which the real property is located;
 - c. State the proposed new zone for the real property;
 - d. Provide information regarding or a reference to the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the zoning map or map amendment is adopted;
 - e. State that the owner of real property may no later than ten (10) days after the day of the first public hearing file a written objection to the inclusion of the owner's property in the proposed zoning map or map amendment;
 - f. State the address where the property owner should file the protest;
 - g. Notify the property owner that each written objection filed with the municipality will be provided to the City Council; and
 - h. State the location, date, and time of the public hearing to consider the zoning map or map amendment.
2. The courtesy notice required by this subsection (D) may be included in or part of the mailed notice described in subsection (B)(4) above, rather than sent separately.
- B. ~~Notice Required: The city shall provide notice of the date, time and place of the first public hearing to consider the adoption or any modification of the land development code or zone district map and shall give notice of each public meeting on the subject.~~
- C. ~~Public Hearing Notice: Each notice of a public hearing to consider the adoption or amendment of a land use ordinance or zone district map shall be:~~
1. ~~Mailed to each affected entity at least ten (10) calendar days before the public hearing;~~
 2. ~~Posted in at least three (3) public locations within the city or on the city's official website; and~~
 3. ~~Published or mailed:~~
 - a. ~~Published in a newspaper of general circulation in the area at least ten (10) calendar days before the public hearing; or~~
 - b. ~~Mailed at least three (3) days before the public hearing to:~~
 - (1) ~~Each property owner whose land is directly affected by the code or zone district map change; and~~
 - (2) ~~Each adjacent property owner within three hundred feet (300') of the land directly affected.~~
- D. ~~Public Meeting Notice: The city shall provide notice for each public meeting on the subject at least twenty four (24) hours before the meeting and shall post the notice:~~
1. ~~In at least three (3) public locations within the city; or~~
 2. ~~On the city's official website. (Ord. 12-15, 7-11-2012)~~

13.35.050 SUBDIVISION REGULATIONS:

A. Subdivision Regulations Consideration:

1. The ~~p~~Planning ~~e~~Council shall hold a public hearing to consider and recommend to the ~~e~~City ~~e~~Council proposed ordinances regulating the subdivision of land or amendments thereto after notice is given as set forth below.
2. After the ~~p~~Planning ~~e~~Council has forwarded the proposed ordinances regulating the subdivision of land or amendments thereto and its recommendation to the ~~e~~City ~~e~~Council, the ~~e~~Council shall consider each proposed ordinance regulating the subdivision of land or amendment thereto at a public meeting after notice is given as set forth below.

Title 13: Land Development Code

Chapter 13.35 Notice Requirements

13.35.060 SUBDIVISION PLATS AND AMENDMENTS:

- ~~B. — Notice Required: The city shall give notice of the date, time and place of the first public hearing to consider the adoption or modification of subdivision ordinances and shall give notice of each public meeting on the subject.~~
- ~~C. — Public Hearing Notice: Each notice of a public hearing to consider ordinances that regulate the subdivision of land within the city or amendments shall be:~~
- ~~1. — Mailed to each affected entity at least ten (10) calendar days before the public hearing;~~
 - ~~2. — Be posted:~~
 - ~~a. — In at least three (3) public locations within the city; or~~
 - ~~b. — On the city's official website; and~~
 - ~~3. — Published or mailed:~~
 - ~~a. — Published in a newspaper of general circulation in the area at least ten (10) calendar days before the public hearing; or~~
 - ~~b. — Mailed at least three (3) days before the public hearing to:~~
 - ~~(1) — Each property owner whose land is directly affected by the subdivision ordinance change; and~~
 - ~~(2) — The mailed notice to third party property owners under subsection 13.35.020A1 of this chapter shall include both property owners within the city boundaries and property owners within adjacent jurisdictions within three hundred feet (300') of the subject property.~~
- ~~D. — Public Meeting Notice: Each notice of a public meeting to consider ordinances that regulate the subdivision of land within the city or amendments shall be at least twenty four (24) hours before the meeting and shall be posted:~~
- ~~1. — In at least three (3) public locations within the city; or~~
 - ~~2. — On the city's official website. (Ord. 12-15, 7-11-2012)~~

B. Notice of Public Hearing

Each notice of a public hearing required by subsection (A)(1) above shall be in accordance with the noticing procedures established in subsection 13.35.040B.

C. Notice of Public Meeting

Each notice of a public meeting required by subsection (A)(2) above shall be in accordance with the noticing procedures established in subsection 13.35.040C.

13.35.060 SUBDIVISION PLATS AND AMENDMENTS:

A. Subdivision Plat Consideration:

1. The ~~p~~Planning ~~e~~Commission shall hold a public hearing to consider a preliminary subdivision plat or an amendment to a preliminary subdivision plat after notice is given as set forth below.
2. If an entire subdivision is vacated, the ~~e~~City ~~e~~Council shall consider the matter at a public meeting and pass a resolution containing a legal description of the entire vacated subdivision to be recorded in the ~~e~~County ~~r~~Recorder's ~~e~~Office.

B. Public Hearing Notice:

B. The city shall give notice of the date, time, and place of a public hearing as follows:

1. Mailed not less than ten (10) calendar days before the public hearing and addressed to the record owner of each parcel within the subdivision plat and the record owner of each parcel within three hundred feet (300') of the property proposed for subdivision or an amendment to a subdivision; or

Title 13: Land Development Code

Chapter 13.35 Notice Requirements

13.35.070 CONDOMINIUM PLATS AND AMENDMENTS:

2. Posted not less than ten (10) calendar days before the public hearing on the property proposed for subdivision or amendment, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passersby; and
 - ~~3. If a proposed amendment involves the vacation, alteration, amendment, or closure of a street, the city shall:~~
 - ~~a. Publish the notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation; and~~
 - ~~b. 3. Mail notice to each affected entity hold a public hearing and give notice of the date, place, and time of the public hearing in accordance with Utah Code §10-9a-208.~~
 4. If a preliminary plat is being considered that describes a multiple-unit residential development or a commercial or industrial development, notice shall be mailed not less than three (3) calendar days before the public hearing to each affected entity.
- C. By Petition: If a petition has been filed to amend a subdivision pursuant to Utah Code §10-9a-608 ~~Utah Code Annotated~~, the public hearing shall be within forty five (45) days after the petition has been filed if:
1. An owner within the plat notifies the city of their objection to a proposed vacation, alteration, or amendment of a subdivision plat, in writing, within ten (10) calendar days of mailed notification; or
 2. All the owners in the subdivision have not signed the revised plat.
- D. Public Meeting Notice: Each notice of a public meeting to consider the vacation of an entire subdivision shall be at least twenty-four (24) hours before the meeting and shall be posted:
1. In at least three (3) public locations within the city; ~~and/or~~
 2. On the city's official website. ~~(Ord. 12-15, 7-11-2012)~~

13.35.070 CONDOMINIUM PLATS AND AMENDMENTS:

If required by other provisions of this code or state law, the ~~p~~Planning ~~e~~Commission shall consider a condominium plat at a public hearing and comply with the noticing requirements therein. If a public hearing is not required, the ~~p~~Planning ~~e~~Commission shall consider the condominium plat at a public meeting. ~~(Ord. 12-15, 7-11-2012)~~

13.35.080 STREET VACATIONS, ALTERATIONS, AMENDMENTS OR CLOSURES (NOT WITHIN A SUBDIVISION PLAT):

- A. Consideration Of Public Street Vacations, Alterations, Amendments, Or Closures:
1. Consideration of vacation, alteration, amendment or closure of public streets that are within a subdivision plat shall comply with the hearing and notice provisions set forth for subdivision plat amendments above.
 2. For consideration of the vacation, alteration, amendment, or closure of public streets that are not within a subdivision plat, the planning commission shall hold a public hearing to consider the vacation, alteration, amendment, or closure.
- B. ~~Public Hearing Notice: The planning commission~~city shall give notice of the date, place, and time of a public hearing ~~before it to for the Planning Commission to~~ consider a vacation, alteration, amendment, or closure of a public street ~~in accordance with Utah Code §10-9a-208 as follows:~~
- C. ~~Mailing notice not less than ten (10) calendar days before the hearing addressed to the record owner of each parcel adjacent to the portion of the public street proposed to be vacated, altered, amended or closed and the record owner of each parcel within three hundred feet (300') of the portion of the public street which is proposed to be vacated, altered, amended, or closed and to each affected entity. The mailed notice to third party property owners under subsection 13.35.020A1 of this chapter shall include~~

~~both property owners within the city boundaries and property owners within adjacent jurisdictions within three hundred feet (300') of the subject property; and~~

~~D.B. Publish notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the municipality in which the land subject to the proposal is located. (Ord. 12-15, 7-11-2012)~~

13.35.090 GENERAL NOTICE REQUIREMENTS:

For those sections of this title which require public hearings or public meetings for which the notice requirements are not specified, notice shall be as follows:

- A. Application Concerning Specific Parcel Of Property; Notice Of Public Hearing: For an application that concerns a specific parcel of property, the city shall provide notice of the date, time, and place of a public hearing that is:
 - 1. Posted not less than ten (10) calendar days before the public hearing in at least three (3) public locations within the city or on the city's official website;
 - 2. Mailed not less than ten (10) calendar days before the public hearing and addressed to the record owner of each parcel directly affected by the application and of each parcel within three hundred feet (300') of that property. The mailed notice to third party property owners under subsection 13.35.020A1 of this chapter shall include both property owners within the city boundaries and property owners within adjacent jurisdictions within three hundred feet (300') of the subject property; or
 - 3. Posted not less than ten (10) calendar days before the public hearing, on the property to which the application pertains, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passersby.
- B. Application Not Concerning Specific Parcel Of Property; Notice Of Public Hearing: For an application that does not concern a specific parcel of property (i.e., text change), the city shall provide notice of the date, time, and place of a public hearing that is posted not less than ten (10) calendar days before the public hearing in at least three (3) public locations within the city or on the city's official website.
- C. Notice For Public Meetings: The city shall provide notice of a public meeting at least twenty four (24) hours before the meeting that shall be posted in at least three (3) public locations within the city or on the city's official website. (Ord. 12-15, 7-11-2012)

13.35.100 NOTICE CHALLENGE:

If notice given under authority of this chapter is not challenged pursuant to the provisions of this code within thirty (30) calendar days after the meeting or action for which notice is given, then notice is considered adequate and proper. (Ord. 12-15, 7-11-2012)

Effective 7/1/2021

10-9a-203 Notice of intent to prepare a general plan or comprehensive general plan amendments in certain municipalities.

- (1) Before preparing a proposed general plan or a comprehensive general plan amendment, each municipality within a county of the first or second class shall provide 10 calendar days notice of the municipality's intent to prepare a proposed general plan or a comprehensive general plan amendment:
 - (a) to each affected entity;
 - (b) to the Utah Geospatial Resource Center created in Section 63A-16-505;
 - (c) to the association of governments, established pursuant to an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, of which the municipality is a member; and
 - (d) on the Utah Public Notice Website created under Section 63A-16-601.
- (2) Each notice under Subsection (1) shall:
 - (a) indicate that the municipality intends to prepare a general plan or a comprehensive general plan amendment, as the case may be;
 - (b) describe or provide a map of the geographic area that will be affected by the general plan or amendment;
 - (c) be sent by mail, e-mail, or other effective means;
 - (d) invite the affected entities to provide information for the municipality to consider in the process of preparing, adopting, and implementing a general plan or amendment concerning:
 - (i) impacts that the use of land proposed in the proposed general plan or amendment may have; and
 - (ii) uses of land within the municipality that the affected entity is considering that may conflict with the proposed general plan or amendment; and
 - (e) include the address of an Internet website, if the municipality has one, and the name and telephone number of an individual where more information can be obtained concerning the municipality's proposed general plan or amendment.

Amended by Chapter 84, 2021 General Session

Amended by Chapter 162, 2021 General Session

Amended by Chapter 345, 2021 General Session

Effective 7/1/2021

10-9a-204 Notice of public hearings and public meetings to consider general plan or modifications.

- (1) Each municipality shall provide:
 - (a) notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan; and
 - (b) notice of each public meeting on the subject.
- (2) Each notice of a public hearing under Subsection (1)(a) shall be at least 10 calendar days before the public hearing and shall be:
 - (a) published on the Utah Public Notice Website created in Section 63A-16-601;
 - (b) mailed to each affected entity; and
 - (c) posted:
 - (i) in at least three public locations within the municipality; or
 - (ii) on the municipality's official website.
- (3) Each notice of a public meeting under Subsection (1)(b) shall be at least 24 hours before the meeting and shall be:
 - (a) published on the Utah Public Notice Website created in Section 63A-16-601; and
 - (b) posted:
 - (i) in at least three public locations within the municipality; or
 - (ii) on the municipality's official website.

Amended by Chapter 84, 2021 General Session

Amended by Chapter 345, 2021 General Session

Amended by Chapter 355, 2021 General Session

Effective 7/1/2021

10-9a-205 Notice of public hearings and public meetings on adoption or modification of land use regulation.

- (1) Each municipality shall give:
 - (a) notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use regulation; and
 - (b) notice of each public meeting on the subject.
- (2) Each notice of a public hearing under Subsection (1)(a) shall be:
 - (a) mailed to each affected entity at least 10 calendar days before the public hearing;
 - (b) posted:
 - (i) in at least three public locations within the municipality; or
 - (ii) on the municipality's official website; and
 - (c)
 - (i) posted on the Utah Public Notice Website created in Section 63A-16-601, at least 10 calendar days before the public hearing; or
 - (ii) mailed at least 10 days before the public hearing to:
 - (A) each property owner whose land is directly affected by the land use ordinance change; and
 - (B) each adjacent property owner within the parameters specified by municipal ordinance.
- (3) Each notice of a public meeting under Subsection (1)(b) shall be posted at least 24 hours before the meeting:
 - (a) in at least three public locations within the municipality; or
 - (b) on the municipality's official website.
- (4)
 - (a) A municipality shall send a courtesy notice to each owner of private real property whose property is located entirely or partially within a proposed zoning map enactment or amendment at least 10 days before the scheduled day of the public hearing.
 - (b) The notice shall:
 - (i) identify with specificity each owner of record of real property that will be affected by the proposed zoning map or map amendments;
 - (ii) state the current zone in which the real property is located;
 - (iii) state the proposed new zone for the real property;
 - (iv) provide information regarding or a reference to the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the zoning map or map amendment is adopted;
 - (v) state that the owner of real property may no later than 10 days after the day of the first public hearing file a written objection to the inclusion of the owner's property in the proposed zoning map or map amendment;
 - (vi) state the address where the property owner should file the protest;
 - (vii) notify the property owner that each written objection filed with the municipality will be provided to the municipal legislative body; and
 - (viii) state the location, date, and time of the public hearing described in Section 10-9a-502.
 - (c) If a municipality mails notice to a property owner in accordance with Subsection (2)(c)(ii) for a public hearing on a zoning map or map amendment, the notice required in this Subsection (4) may be included in or part of the notice described in Subsection (2)(c)(ii) rather than sent separately.

Amended by Chapter 84, 2021 General Session

Amended by Chapter 345, 2021 General Session
Amended by Chapter 355, 2021 General Session