

Superseded 5/12/2015

17-27a-404 Public hearing by planning commission on proposed general plan or amendment -- Notice -- Revisions to general plan or amendment -- Adoption or rejection by legislative body.

- (1)
 - (a) After completing its recommendation for a proposed general plan, or proposal to amend the general plan, the planning commission shall schedule and hold a public hearing on the proposed plan or amendment.
 - (b) The planning commission shall provide notice of the public hearing, as required by Section 17-27a-204.
 - (c) After the public hearing, the planning commission may modify the proposed general plan or amendment.
- (2) The planning commission shall forward the proposed general plan or amendment to the legislative body.
- (3)
 - (a) As provided by local ordinance and by Section 17-27a-204, the legislative body shall provide notice of its intent to consider the general plan proposal.
 - (b)
 - (i) In addition to the requirements of Subsections (1), (2), and (3)(a), the legislative body shall hold a public hearing in Salt Lake City on provisions of the proposed county plan regarding Subsection 17-27a-401(3). The hearing procedure shall comply with this Subsection (3)(b).
 - (ii) The hearing format shall allow adequate time for public comment at the actual public hearing, and shall also allow for public comment in writing to be submitted to the legislative body for not fewer than 90 days after the date of the public hearing.
 - (c)
 - (i) The legislative body shall give notice of the hearing in accordance with this Subsection (3) when the proposed plan provisions required by Subsection 17-27a-401(3) are complete.
 - (ii) Direct notice of the hearing shall be given, in writing, to the governor, members of the state Legislature, executive director of the Department of Environmental Quality, the state planning coordinator, the Resource Development Coordinating Committee, and any other citizens or entities who specifically request notice in writing.
 - (iii) Public notice shall be given by publication:
 - (A) in at least one major Utah newspaper having broad general circulation in the state;
 - (B) in at least one Utah newspaper having a general circulation focused mainly on the county where the proposed high-level nuclear waste or greater than class C radioactive waste site is to be located; and
 - (C) on the Utah Public Notice Website created in Section 63F-1-701.
 - (iv) The notice shall be published to allow reasonable time for interested parties and the state to evaluate the information regarding the provisions of Subsection 17-27a-401(3), including:
 - (A) in a newspaper described in Subsection (3)(c)(iii)(A), no less than 180 days before the date of the hearing to be held under this Subsection (3); and
 - (B) publication described in Subsection (3)(c)(iii)(B) or (C) for 180 days before the date of the hearing to be held under this Subsection (3).
- (4)
 - (a) After the public hearing required under this section, the legislative body may make any revisions to the proposed general plan that it considers appropriate.
 - (b) The legislative body shall respond in writing and in a substantive manner to all those providing comments as a result of the hearing required by Subsection (3).

- (5)
 - (a) The county legislative body may adopt or reject the proposed general plan or amendment either as proposed by the planning commission or after making any revision the county legislative body considers appropriate.
 - (b) If the county legislative body rejects the proposed general plan or amendment, it may provide suggestions to the planning commission for its consideration.
- (6) The legislative body shall adopt:
 - (a) a land use element as provided in Subsection 17-27a-403(2)(a)(i);
 - (b) a transportation and traffic circulation element as provided in Subsection 17-27a-403(2)(a)(ii);
and
 - (c) after considering the factors included in Subsection 17-27a-403(2)(b), a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.