

17-41-302 Notice of proposal for creation of agriculture protection area or industrial protection area -- Responses.

- (1) Each applicable legislative body shall provide notice of the proposal by:
 - (a)
 - (i) publishing notice:
 - (A) in a newspaper having general circulation within:
 - (I) the same county as the land proposed for inclusion within an agriculture protection area or industrial protection area, as the case may be, if the land is within the unincorporated part of the county; or
 - (II) the same city or town as the land proposed for inclusion within an agriculture protection area or industrial protection area, as the case may be, if the land is within a city or town; and
 - (ii) as required in Section 45-1-101;
 - (b) posting notice at five public places, designated by the county or municipal legislative body, within or near the proposed agriculture protection area or industrial protection area; and
 - (c) mailing written notice to each owner of land within 1,000 feet of the land proposed for inclusion within an agriculture protection area or industrial protection area.
 - (2) The notice shall contain:
 - (a) a statement that a proposal for the creation of an agriculture protection area or industrial protection area has been filed with the applicable legislative body;
 - (b) a statement that the proposal will be open to public inspection in the office of the applicable legislative body;
 - (c) a statement that any person or entity affected by the establishment of the area may, within 15 days of the date of the notice, file with the applicable legislative body:
 - (i) written objections to the proposal; or
 - (ii) a written request to modify the proposal to exclude land from or add land to the proposed agriculture protection area or industrial protection area, as the case may be;
 - (d) a statement that the applicable legislative body will submit the proposal to the advisory committee and to the planning commission for review and recommendations;
 - (e) a statement that the applicable legislative body will hold a public hearing to discuss and hear public comment on:
 - (i) the proposal to create the agriculture protection area or industrial protection area;
 - (ii) the recommendations of the advisory committee and planning commission; and
 - (iii) any requests for modification of the proposal and any objections to the proposal; and
 - (f) a statement indicating the date, time, and place of the public hearing.
 - (3)
 - (a) Any person wishing to modify the proposal for the creation of the agriculture protection area or industrial protection area shall, within 15 days after the date of the notice, file a written request for modification of the proposal, which identifies specifically the land that should be added to or removed from the proposal.
 - (b) Any person wishing to object to the proposal for the creation of the agriculture protection area or industrial protection area shall, within 15 days after the date of the notice, file a written objection to the creation of the agriculture protection area or industrial protection area.

Amended by Chapter 388, 2009 General Session