

17-41-402 Limitations on local regulations.

- (1) A political subdivision within which an agriculture protection area or industrial protection area is created or with a mining protection area within its boundary shall encourage the continuity, development, and viability of agriculture, industrial, or mining use, respectively, within the area by not enacting a local law, ordinance, or regulation that would unreasonably restrict a farm structure or farm practice or, in the case of an industrial protection area, an industrial use of the land within the area or, in the case of a mining protection area, a mining use within the protection area unless the law, ordinance, or regulation bears a direct relationship to public health or safety.
- (2) A political subdivision may not change the zoning designation of or a zoning regulation affecting land within an agriculture protection area unless the political subdivision receives written approval for the change from all the landowners within the agriculture protection area affected by the change.
- (3) Except as provided by Section 19-4-113, a political subdivision may not change the zoning designation of or a zoning regulation affecting land within an industrial protection area unless the political subdivision receives written approval for the change from all the landowners within the industrial protection area affected by the change.
- (4) A political subdivision may not change the zoning designation of or a zoning regulation affecting land within a mining protection area unless the political subdivision receives written approval for the change from each mine operator within the area.

Amended by Chapter 376, 2009 General Session