

1 **DENSITY CREDIT FOR LAND DONATED TO**
2 **SCHOOL DISTRICT**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David N. Cox**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies county and municipal land use provisions.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ prohibits counties and municipalities from failing to approve a subdivision plat for
13 failure to comply with density requirements if the plat includes land that is being
14 donated to a school district for future school building construction and the plat
15 otherwise complies with all applicable requirements.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **10-9-812**, Utah Code Annotated 1953

23 **17-27-812**, Utah Code Annotated 1953

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **10-9-812** is enacted to read:

27 **10-9-812.** **Plat with land being donated to a school district.**



28 A municipality may not fail to approve a subdivision plat on the ground that it
29 establishes more residential building lots than allowed under the zoning designation applicable
30 to the land described in the plat if:

31 (1) the number of residential building lots conforms to the applicable zoning
32 designation, taking into account all the land described on the plat;

33 (2) the plat includes land that the owner is donating to a school district for the purpose
34 of a future school building that the school district intends to construct; and

35 (3) the plat otherwise complies with all applicable requirements of this chapter and
36 municipal ordinances.

37 Section 2. Section **17-27-812** is enacted to read:

38 **17-27-812. Plat with land being donated to a school district.**

39 A county may not fail to approve a subdivision plat on the ground that it establishes
40 more residential building lots than allowed under the zoning designation applicable to the land
41 described in the plat if:

42 (1) the number of residential building lots conforms to the applicable zoning
43 designation, taking into account all the land described on the plat;

44 (2) the plat includes land that the owner is donating to a school district for the purpose
45 of a future school building that the school district intends to construct; and

46 (3) the plat otherwise complies with all applicable requirements of this chapter and
47 county ordinances.

Legislative Review Note
as of 2-7-05 9:40 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0333

Density Credit for Land Donated to School District

10-Feb-05

1:48 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst