

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**

Room W125, West Office Building, State Capitol Complex
Monday, January 30, 2006

MEMBERS PRESENT: Rep. Brad L. Dee, Chair
 Rep. M. Susan Lawrence, Vice Chair
 Rep. Ralph Becker
 Rep. D. Gregg Buxton
 Rep. Julie Fisher
 Rep. Kerry W. Gibson
 Rep. Ann W. Hardy
 Rep. Kory M. Holdaway
 Rep. Brad King
 Rep. Ronda Rudd Menlove
 Rep. LaWanna Lou Shurtliff

STAFF PRESENT: Joseph Wade, Policy Analyst
 Doris Donat, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Dee called the meeting to order at 8:38 a.m.

MOTION: Rep. Holdaway moved to approve the minutes of January 26, 2006. The motion passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Menlove, and Rep. Shurtliff absent for the vote.

1st Sub. H.B. 132 Local Land Use Requirements (Rep. M. Morley)

Rep. Morley introduced and explained the substitute bill to the Committee.

Note: The Committee adopted the 1st substitute bill in its January 26th meeting.

MOTION: Rep. Buxton moved to amend 1st Sub. H.B. 132 as follows:

1. Page 1, Lines 14 through 15:

14 application because of an applicant's failure to comply with a requirement that is not
15 expressed in statute or ordinance; and

2. Page 2, Line 32:

32 Section {~~11~~} 1 . Section **10-9a-103** is amended to read:

3. *Page 7, Line 205:*

205 Section ~~{22}~~ 2 . Section **10-9a-509** is amended to read:

4. *Page 8, Line 218:*

218 requirement that is not expressed in **this chapter or** the municipality's ordinances.

5. *Page 8, Line 233:*

233 (ii) in **this chapter or** the municipality's ordinances.

6. *Page 8, Line 237:*

237 (ii) in **this chapter or** the municipality's ordinances.

7. *Page 8, Line 240:*

240 Section ~~{33}~~ 3 . Section **17-27a-103** is amended to read:

8. *Page 14, Line 419:*

419 Section ~~{17-27a-307}~~ **17-27a-306** , with planning and zoning functions as exercised through the township

9. *Page 14, Line 427:*

427 Section ~~{44}~~ 4 . Section **17-27a-508** is amended to read:

10. *Page 15, Line 440:*

440 requirement that is not expressed in **this chapter or** the ~~{municipality's~~ **county's** ordinances.

11. *Page 15, Line 455:*

455 (ii) in **this chapter or** the county's ordinances.

12. *Page 15, Line 459:*

459 (ii) in **this chapter or** the county's ordinances.

The motion passed unanimously, with Rep. Fisher, Rep. Menlove, and Rep. Shurtliff absent for the vote.

MOTION: Rep. Hardy moved to further amend 1st Sub. H.B. 132 as follows:

1. *Page 4, Lines 92 through 97:*

- 92 (13) "Land use application" means an application required by a municipality's land use
93 ordinance[-] and includes an application for:
94 (a) a change in zoning designation;
95 (b) a conditional use permit;
96 (c) a variance; {~~or~~}
97 (d) a building permit ; or
(e) subdivision approval .

The motion passed unanimously, with Rep. Fisher and Rep. Shurtliff absent for the vote.

MOTION: Rep. Hardy moved to further amend 1st Sub. H.B. 132 as follows:

1. *Page 10, Line 304 through Page 11, Line 309:*

- 304 (16) "Land use application" means an application required by a county's land use
305 ordinance[-] and includes an application for:
306 (a) a change in zoning designation;
307 (b) a conditional use permit;
308 (c) a variance; {~~or~~}
309 (d) a building permit ; or
(e) subdivision approval .

The motion passed unanimously, with Rep. King and Rep. Shurtliff absent for the vote.

Spoke to the bill: Gary Crane, Attorney, Layton City
Jodi Hoffman, Utah League of Cities and Towns

MOTION: Rep. Holdaway moved that the committee recommend 1st Sub. H.B. 132 favorably as amended. The motion passed unanimously, with Rep. King and Rep. Shurtliff absent for the vote.

H.B. 292 Use of Eminent Domain (Rep. A. Tilton)

Rep. Tilton introduced and explained the bill to the Committee.

MOTION: Rep. Lawrence moved to move to the next item on the agenda. The motion

passed unanimously, with Rep. Becker, Rep. King, and Rep. Shurtliff absent for the vote.

H.B. 135 Performance Audits of Local Governments (*Rep. P. Wallace*)

Rep. Wallace introduced and explained the bill to the Committee.

Spoke to the bill: Lincoln Shurtz, Utah League of Cities and Towns
 John Schaff, Auditor General, Office of Legislative Auditor General
 Karl Hendrickson, Legal Counsel, Utah Association of Counties

MOTION: Rep. Shurtliff moved to adjourn the meeting. The vote was unanimous. Rep. Dee
 adjourned the meeting at 9:50 a.m.

Rep. Brad L. Dee, Chair