

Superseded 5/10/2016

10-9a-503 Land use ordinance or zoning map amendments -- Limited prohibition on designation of historic district or area.

- (1) The legislative body may amend:
 - (a) the number, shape, boundaries, or area of any zoning district;
 - (b) any regulation of or within the zoning district; or
 - (c) any other provision of a land use ordinance.
- (2) The legislative body may not make any amendment authorized by this section unless the amendment was proposed by the planning commission or was first submitted to the planning commission for its recommendation.
- (3) The legislative body shall comply with the procedure specified in Section 10-9a-502 in preparing and adopting an amendment to a land use ordinance or a zoning map.
- (4)
 - (a) Notwithstanding Subsection (1), on or after May 10, 2011, and before May 14, 2013, within an area designated on the National Register of Historic Places that has on or before March 1, 2011, a land use application pending to designate the area as a local historic district or area, the legislative body of a city of the first class in a county of the first class may not:
 - (i) establish the local historic district or area;
 - (ii) adopt or amend a land use ordinance affecting the area except as provided in Subsection (4)(c); and
 - (iii) authorize a demolition permit for more than 75% of the above grade area of any structure on property located within the area.
 - (b) A land use application in an area subject to Subsection (4)(a):
 - (i) shall be stayed from any further proceedings conducted by the municipality before May 15, 2013; and
 - (ii) is not subject to Section 10-9a-509 or 10-9a-509.5.
 - (c) The provisions of this Subsection (4) do not apply to an adopted or amended land use ordinance applicable generally throughout a municipality unless the ordinance is enacted to contravene the purpose of this Subsection (4)(a).