

Effective 5/10/2016

17C-4-108 Amending a community development project area plan.

- (1) Except as provided in Subsection (2) and Section 17C-4-109, the requirements under this part that apply to adopting a community development project area plan apply equally to a proposed amendment of a community development project area plan as though the amendment were a proposed project area plan.
- (2)
 - (a) Notwithstanding Subsection (1), a community development project area plan may be amended without complying with the requirements of Chapter 1, Part 8, Hearing and Notice Requirements, if the proposed amendment:
 - (i) makes a minor adjustment in the boundary description of a project area boundary requested by a county assessor or county auditor to avoid inconsistent property boundary lines; or
 - (ii) subject to Subsection (2)(b), removes a parcel from a project area because the agency determines that the parcel is:
 - (A) tax exempt; or
 - (B) no longer necessary or desirable to the project area.
 - (b) An amendment removing a parcel from a community development project area under Subsection (2)(a)(ii) may be made without the consent of the record property owner of the parcel being removed.
- (3)
 - (a) An amendment approved by board resolution under this section may not take effect until adopted by ordinance of the legislative body of the community in which the project area that is the subject of the project area plan being amended is located.
 - (b) Upon a community legislative body passing an ordinance adopting an amendment to a community development project area plan, the agency whose project area plan was amended shall comply with the requirements of Sections 17C-4-106 and 17C-4-107 to the same extent as if the amendment were a project area plan.
- (4)
 - (a) Within 30 days after the day on which an amendment to a project area plan becomes effective, a person may contest the amendment to the project area plan or the procedure used to adopt the amendment to the project area plan if the amendment or procedure fails to comply with a provision of this title.
 - (b) After the 30-day period described in Subsection (4)(a) expires, a person may not contest the amendment to the project area plan or procedure used to adopt the amendment to the project area plan for any cause.

Amended by Chapter 350, 2016 General Session