

## HB0249S01 compared with HB0249

~~{deleted text}~~ shows text that was in HB0249 but was deleted in HB0249S01.

inserted text shows text that was not in HB0249 but was inserted into HB0249S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Dean Sanpei proposes the following substitute bill:

### SINGLE FAMILY ZONING DESIGNATION

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Dean Sanpei**

Senate Sponsor: ~~{\_\_\_\_\_}~~ Wayne L. Niederhauser

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#### LONG TITLE

##### General Description:

This bill amends ~~{the definition of "single-family limit"}~~ provisions related to a residential single family designation.~~{"~~

##### Highlighted Provisions:

This bill:

- ▶ amends the definition of "single-family limit";
- ▶ allows a local government or a potentially aggrieved person to request an advisory opinion on compliance with provisions related to a single family designation; and
- ▶ makes technical corrections.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

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None

### Utah Code Sections Affected:

AMENDS:

**10-9a-505.5**, as enacted by Laws of Utah 2010, Chapter 352

**13-43-205**, as last amended by Laws of Utah 2011, Chapters 47 and 385

**17-27a-505.5**, as enacted by Laws of Utah 2010, Chapter 352

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

Section 1. Section **10-9a-505.5** is amended to read:

**10-9a-505.5. Limit on single family designation.**

(1) As used in this section, "single-family limit" means the number of unrelated individuals allowed to occupy [a] each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.

(2) A municipality may not adopt a single-family limit that is less than:

(a) three, if the municipality has within its boundary:

(i) a state university; or

(ii) a private university with a student population of at least 20,000; or

(b) four, for each other municipality.

Section 2. Section **13-43-205** is amended to read:

**13-43-205. Advisory opinion.**

A local government or a potentially aggrieved person may, in accordance with Section 13-43-206, request a written advisory opinion:

(1) from a neutral third party to determine compliance with:

(a) Section 10-9a-505.5 and Sections 10-9a-507 through 10-9a-511;

(b) Section 17-27a-505.5 and Sections 17-27a-506 through 17-27a-510; and

(c) Title 11, Chapter 36a, Impact Fees Act; and

(2) (a) at any time before a final decision on a land use application by a local appeal authority under Section 10-9a-708 or 17-27a-708; or

(b) at any time before the deadline for filing an appeal with the district court under Section 10-9a-801 or 17-27a-801, if no local appeal authority is designated to hear the issue that is the subject of the request for an advisory opinion.

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Section ~~{2}~~3. Section **17-27a-505.5** is amended to read:

### **17-27a-505.5. Limit on single family designation.**

(1) As used in this section, "single-family limit" means the number of unrelated individuals allowed to occupy ~~[a]~~ each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.

(2) A county may not adopt a single-family limit that is less than:

(a) three, if the county has within its unincorporated area:

(i) a state university; or

(ii) a private university with a student population of at least 20,000; or

(b) four, for each other county.

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### **Legislative Review Note**

~~as of 12-28-11 3:13 PM~~

~~Office of Legislative Research and General Counsel}~~