

1st Sub. H.B. 88
LAND USE AMENDMENTS

Senator **David P. Hinkins** proposes the following amendments:

1. *Page 2, Lines 44 through 45:*

44 (1) "Adequate protests" means protests that are:
45 (a) filed with a planning commission no later than ~~{-60-}~~ 10 days after the day of the public

2. *Page 13, Line 386:*

386 commission shall send a written courtesy notice to each owner of private real property whose property
is

3. *Page 13, Line 393 through Page 14, Line 409:*

393 (2) The written notice shall:
394 (a) identify, with specificity, the owner's real property that will be affected by the
395 proposed zoning map or map amendment;
396 (b) state the current zone in which the real property is located;
397 (c) state the proposed new zone for the real property, including proposed regulations,
398 prohibitions, and permitted uses, that the property will be subject to if the zoning map or map
399 amendment is adopted;
400 (d) (i) state that the owner of real property may no later than ~~{-60-}~~ 10 days after the day of
401 the public hearing described in Section 10-9a-502 file a protest to the inclusion of the owner's
402 property in the proposed zoning map or map amendment; and
403 (ii) state the date of the protest filing deadline;
404 (e) state the address of where the protest should be filed with the planning commission; and
405 ~~{ (f) notify the property owner that if adequate protests are filed with the planning~~
406 ~~commission, the commission may not recommend and the legislative~~ ~~fi~~ ~~→~~ body ~~←~~ ~~fi~~ may
406a not adopt the zoning
407 map or map amendment; and
408 ~~— (g) }~~ (f) state the location, date, and time of the public hearing described in Section
409 10-9a-502.

4. *Page 14, Line 427 through Page 15, Line 432*
House Floor Amendments
3-11-2013:

427 (2) If adequate protests are filed in accordance with Section 10-9a-502.5 to a zoning
428 map or map amendment proposed by the municipality , the planning commission shall ;
429 (a) ~~{ the planning commission may not recommend to the legislative body the zoning~~
430 ~~map or map amendment }~~ consider the protests when making a final decision on whether to propose
a zoning map or map amendment to the legislative body ; and
431 (b) ~~{ the legislative body may not consider or adopt the proposed zoning map or map~~
432 ~~amendment under Subsection (3) }~~ forward a summary of the protests for the legislative body for
consideration when the legislative body makes a final decision on the proposed zoning map or map
amendment .

5. Page 15, Line 450:

450 (3) An owner may withdraw a protest at any time before the expiration of the ~~{60}~~ 10 -day

6. Page 15, Line 455:

455 (b) the inclusion ~~{on}~~ of the owner's property within the zone.

7. Page 16, Lines 484 through 485:

484 (1) "Adequate protests" means protests that are:
485 (a) filed with a planning commission no later than ~~{60}~~ 10 days after the day of the public

8. Page 28, Line 847:

847 commission shall send a written courtesy notice to each owner of private real property whose property
is

9. Page 28, Line 853 through Page 29, Line 869:

853 (2) The written notice shall:
854 (a) identify, with specificity, the owner's real property that will be affected by the
855 proposed zoning map or map amendment;
856 (b) state the current zone in which the real property is located;
857 (c) state the proposed new zone for the real property, including proposed regulations,
858 prohibitions, and permitted uses, that the property will be subject to if the zoning map or map
859 amendment is adopted;
860 (d) (i) state that the owner of real property may no later than ~~{60}~~ 10 days after the day of
861 the public hearing described in Section 17-27a-502 file a protest to the inclusion of the owner's
862 property in the proposed zoning map or map amendment; and
863 (ii) state the date of the protest filing deadline;
864 (e) state the address of where the protest should be filed with the planning commission; and
865 ~~{ (f) notify the property owner that if adequate protests are filed with the planning~~

866 commission, the commission may not recommend and the legislative ~~fi~~ body ~~←fi~~ may
866a not adopt the zoning
867 map or map amendment; and
868 ~~(g)~~ (f) state the location, date, and time of the public hearing described in Section
869 17-27a-502.

10. Page 29, Lines 887 through 892
House Floor Amendments
3-11-2013:

887 (2) If adequate protests are filed in accordance with Section 17-27a-502.5 to a zoning
888 map or map amendment proposed by the county , the planning commission shall ;
889 (a) { the planning commission may not recommend to the legislative body the zoning
890 map or map amendment } consider the protests when making a final decision on whether to propose a
zoning map or map amendment to the legislative body ; and
891 (b) { the legislative body may not consider or adopt the proposed zoning map or map
892 amendment under Subsection (3) } forward a summary of the protests to the legislative body for
consideration when the legislative body makes a final decision on the proposed zoning map or map
amendment .

11. Page 30, Line 909:

909 (3) An owner may withdraw a protest at any time before the expiration of the {60} 10 -day

12. Page 30, Line 914:

914 (b) the inclusion {on} of the owner's property within the zone.