

PROPOSED CHANGES TO NOTIFICATION AND APPEALS REGULATIONS

Issue	Current Requirement	Proposed Changed	Staff Reasoning	Task Force Remarks
1. Timeframe for noticing public hearings	City currently requires 14 days notice prior to a public hearing	Change Notification of public hearings from 14 days to 12 days	<ul style="list-style-type: none"> • State law requires a minimum of 10 days notification for public hearings. • In the past, the 14 day requirement has resulted in missed opportunities for a Commission to request an item be scheduled for a public hearing at their next meeting because the 14 day notification requirement means the notice is sent the day before the Commission would make that decision. Therefore, if the Commission wanted a public hearing scheduled for the next meeting, they would have to wait for two meetings (one month) to hold the public hearing. 	Do not support shortening the notice to 10 days. Groups need time to notify others to comment at the public hearings. Perhaps there is a way to shorten the noticing where the scheduling conflict is resolved, but there is still adequate notice (especially if it is a second public hearing.)
2. Written Signature from Community Council's prior to complete application.	Applicant must include a signed statement from the appropriate neighborhood organization signifying that the applicant has met with the organization and explained the development proposal for which approval is being sought prior to the application being deemed complete.	Change language to state that Section 2.62 of the City Code relating to Recognized Organizations has to be followed.	<ul style="list-style-type: none"> • Process has changed since 1995; take in application first and planner schedules item with community council. • Several community councils do not provide written documentation to the Planning Division. • Some projects, such as zoning text amendments, are city-wide where an open house is held and all of the Community Councils and special interest groups are invited to attend in order to obtain public input prior to any public hearing. • City Code Section 2.62, as amended, requires that the Planning Division notify Recognized Organizations of Conditional Uses, Zoning Amendments and Alley Vacations. • Planning Division will continue to have applicants meet with applicable Community Councils of development projects that affect their geographic areas; 	Supports proposal
3. When decisions become official	PC decisions become final upon approval of minutes, typically two weeks to one month, after the public decision was rendered.	PC, BOA and HLC decisions to become official upon posting of the Notice of Decision.	<ul style="list-style-type: none"> • Because decisions can be appealed and because building permits will now be withheld during the appeal period, it is important for the final decision date to be clear and known. 	Supports proposal

			<ul style="list-style-type: none"> • 	
4. Timeframe for Appeals	Aggrieved Party has 30 days to appeal a decision to a city appeal board.	Change Appeal time from 30 days to 10 days	<ul style="list-style-type: none"> • City will hold off issuing permits on projects until the appeal period has expired. • To decrease the burden on the applicant to obtain a permit in a timely manner, we will decrease the timeframe to 10 days • Appeals to the district court will maintain a 30-day deadline 	<p>Require submittal of the intent to appeal within 10 days but still allow the appellant additional time (not to exceed 30 days) to submit information supporting the appeal. (After the 10 day period, if no appeal intent has been submitted, the permit would be issued).</p> <p>Clarify who can appeal a project (consistency of who has standing).</p>
5. Board of Adjustment	21A.06.040 refers to the BOA	Appeal Authority	<ul style="list-style-type: none"> • “Board of Adjustment” is no longer used in state code. It is now referred to as “Appeal Authority.” 	Supports proposal
6. Source for obtaining property records	Records of the County Assessor	Salt Lake City Geographic Information Systems records	<ul style="list-style-type: none"> • Currently applicants have to travel to the County building to obtain this information. SLC has the same information. We can make this more convenient for the applicant by allowing use of our information and we can charge for this information as part of the application fee. • If City generates labels it helps ensure the correct mailing radius is used in generating the labels. 	Supports proposal
7. Notice to Homeowner’s Association	Notice must be sent to each owner if the project is adjacent to a condominium	Notice may be sent to the HOA Board in lieu of every, individual condominium owner	<ul style="list-style-type: none"> • Because the HOA Board is typically the governing body for the condominium, staff believes this is sufficient notice. 	Supports proposal
8. Publishing BOA agenda in newspaper	The city shall publish a notice of the BOA agenda in a newspaper of general circulation in Salt Lake City.	Delete this requirement	<ul style="list-style-type: none"> • The current requirement is only required for the BOA and not the HLC or PC. • State Law does not require this type of notification. • City will still provide mailing to affected surrounding property owners, post a sign on the property, e-mail notice to those on the Planning Division List Serve and post the notice on the City and State Websites. • The newspaper notice is ineffective in notifying people and is expensive. 	Supports proposal

