

Amendments to House Bill No. 629  
3rd Reading Copy

Requested by Representative Austin Knudsen

For the Senate Local Government Committee

Prepared by Leanne Kurtz  
April 6, 2011 (11:30am)

1. Page 1, line 27.

**Strike:** "EXCEPT AS PROVIDED IN SUBSECTION (2), THE"

**Insert:** "The"

2. Page 1, line 29.

**Strike:** "IN" through "SUBDIVISION"

**Strike:** "76-3-609"

**Insert:** "this section"

3. Page 2.

**Following:** line 20

**Insert:** "(2) The governing body shall approve, conditionally approve, or deny a subdivision application under this section within 35 working days of a determination by the reviewing agent or agency that the application contains required elements and sufficient information for review. The determination and notification to the subdivider must be made in the same manner as provided in 76-3-604(1) through (3).

(3) The following requirements do not apply to subdivisions reviewed pursuant to this section:

(a) the requirement to prepare an environmental assessment; and

(b) the requirements of 76-3-621.

(4) The governing body or its authorized agent or agency may not hold a public hearing or a subsequent public hearing under 76-3-615.

(5) (a) The governing body may adopt regulations that establish requirements for the expedited review of subdivisions reviewed pursuant to this section.

(b) Expedited review requirements must include the provisions of Title 76, chapter 4, part 1, whenever approval is required by those provisions.

(6) (a) Review and approval, conditional approval, or denial of a subdivision under this chapter may occur only under those regulations in effect at the time that a subdivision application is determined to contain sufficient information for review as provided in subsection (2).

(b) If regulations change during the period that the application is reviewed for required elements and sufficient information, the determination of whether the application contains the required elements and sufficient information must be based on the new regulations."

**Renumber:** subsequent subsections

4. Page 3, line 30 through page 4, line 16.

**Strike:** subsection (1) in its entirety

**Insert:** "(1) The rent or lease of one or more buildings or structures or one or more parts of buildings or structures, whether existing or proposed, on a single parcel of land or on multiple parcels of land in the same ownership is not a division of land, as that term is defined in 76-3-103, and is not subject to the requirements of this chapter if the parcel or parcels and the buildings or structures are in conformance with applicable local zoning regulations.

(2) Where applicable local zoning regulations are not in effect, the provisions of subsection (1) apply if:

(a) the parcel or parcels resulted from a subdivision under parts 5 and 6 of this chapter and the subdivision application, preliminary plat, or other information reviewed by the governing body incorporated multiple buildings or structures on individual lots; or

(b) the parcel or parcels did not result from a subdivision under parts 5 and 6 of this chapter and there are no more than four buildings or structures designed for use as dwellings or places of business, including the parcel owner's primary residence, or the buildings or structures do not have sewage disposal facilities."

**Renumber:** subsequent subsections

5. Page 4, line 23.

**Strike:** "AND"

**Insert:** "(iv) a fourplex, whether a dwelling or a place of business, must be counted as four exemptions; and"

**Renumber:** subsequent subsection

6. Page 4, line 24.

**Strike:** "THREE"

**Insert:** "four"

7. Page 4, line 26.

**Strike:** "AN EXEMPTION FOR"

**Insert:** "The exemption allows for four buildings or structures on"

**Strike:** "MAY BE USED ONLY ONCE"

8. Page 4, line 28.

**Strike:** "THREE"

**Insert:** "four"

9. Page 16, line 14 through line 16.

**Strike:** section 13 in its entirety

**Insert:** "NEW SECTION. **Section 13. Grandfather clause.** The rent or lease of buildings or structures or parts of buildings or structures that is occurring before [the effective date of this act] is not subject to the provisions of [this act]."

- END -