

CHAPTER 17.14 NOTICING

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Section 17.14.10 Notice of Public Meeting

1. Notice of meetings for a public body shall be in conformance with the "Open and Public Meetings Act" as found in Utah Code 52-4. For use in this chapter of the Lindon City Code, definitions as found in Utah Code 10-9-103 and 52040103 are adopted by reference.
2. Unless otherwise specified in this chapter, for all meetings of a public body, an agenda of the meeting shall be posted not less than 24 hours before the meeting.
3. The agenda shall be posted at the Lindon City Center and, beginning April 1, 2008, shall be posted on the Utah Public Notice Website. Said notice shall also be provided to at least one newspaper of general circulation within Lindon City.
4. The city may establish additional means of informing the public about City activities and events through citizen enrolled electronic communication or other methods of information distribution.

Section 17.14.15

**Applicant Notice -
Waiver of Requirements**

1. For each land use application, Lindon City shall:
 - a. Notify the applicant of the date, time, and place of each public hearing and public meeting to consider an application.
 - b. Provide to each applicant a copy of each staff report regarding the applicant or the pending application at least three business days before the public hearing or public meeting, and
 - c. Notify the applicant of any final action on a pending application.
2. If Lindon City fails to comply with the requirements of Subsection (1)(a) or (b) or both, an applicant can waive the failure so that the application may stay on the public hearing or public meeting agenda and be considered as if the requirements had been met.

Section 17.14.20

**Note of Intent to Prepare
a General Plan or
Comprehensive Plan
Amendments**

1. Before preparing a proposed General Plan or comprehensive General Plan amendment, the City shall provide 10 calendar days notice of its intent to prepare a proposed General Plan or a comprehensive General Plan amendment to: each affected entity within the City, Mountainland Association of Governments, the Utah State Automated Geographic Reference Center, and the State Planning Coordinator.
2. Each notice shall:
 - a. Indicate that the City intends to prepare a General Plan or a comprehensive plan amendment, as the case may be;
 - b. Describe or provide a map of the geographic area that will be affected by the General Plan or amendment;
 - c. Be sent by mail or e-mail;
 - d. Invite the affected entities to provide information for the municipality to consider in the process of preparing, adopting, and implementing a General Plan or amendment concerning:

- i. Impacts that the use of land proposed in the proposed General Plan or amendment may have; and,
- ii. Uses of the land within the City that the affected entity is considering that may conflict with the proposed General Plan or amendment; and,
- e. Include the City website address and a name and telephone number of a person where more information can be obtained concerning the City's proposed General Plan or amendment.

Section 17.14.30 Notice of Public Hearing and Public Meetings to Consider General Plan or Modifications

1. The City shall provide:
 - a. Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of General Plan; and,
 - b. Notice of each public meeting on the subject
2. Each notice of public hearing under Subsection (1)(a) shall be at least ten calendar days before the public hearing and shall be:
 - a. Published in a newspaper of general circulation within Lindon City;
 - b. Mailed to each affected entity;
 - c. Posted in at least three public locations with the City or on the City website.
3. Each Notice of a public meeting under subsection (1)(b) shall be at least 24 hours before the meeting and shall be:
 - a. Posted in at least 3 public locations within the City or on the City website; and,
 - b. submitted to a newspaper of general circulation within Lindon City.

Section 17.14.40 Notice of Public Hearing and Public Meetings on Adoption or Modification of Land Use Ordinance

1. The city shall give;
 - a. Notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use ordinance; and,
 - b. Notice of each public meeting on the subject.
2. Each notice of a public hearing under Subsection (1)(a) shall be:
 - a. Mailed to each affected entity at least ten calendar days before the public hearing;
 - b. Posted in at least 3 public locations within the City or on the City website;
 - c. Published in a newspaper of general circulation in the City at least 10 calendar days before the public hearing; or,
 - i. Mailed at least 3 calendar days before the public hearing to:
 - A. Each property owner whose land is directly affected by the land use ordinance change; and
 - B. Each adjacent property owner within 300 feet.
3. Each notice of public meeting under Subsection (1)(b) shall be at least 24 hours before the meeting and shall be posted in at least 3 public locations within the City.

Section 17.14.50 Third Party Notice

1. Third Party Notice shall be required by the City for all new site plan, conditional uses, subdivision, variances, alteration of non-conforming uses, zone map and general plan map changes, appeals heard by the Board of Adjustments, and for other land use applications that the Planning Director determines to have more than routine significance and for which the surrounding property owners should be notified in order to protect the public interest.
2. Not less than 10 calendar days before the first public meeting or public hearing required for land use applications listed in Subsection (1), each notice shall:

- a. Be mailed and addressed to the record owner of each parcel within 300 feet of the subject property; or
 - b. Be posted on the subject property with a sign of sufficient size, durability, print quality, and location that it is reasonably calculated to give notice to passers-by.
3. If the City mails notice to third party property owners within subsection (2)(a), it shall mail equivalent notice to property owners within an adjacent jurisdiction. (Ordinance 2009-8, adopted 7/21/2009)

Section 17.14.60 Notice for an amendment to a subdivision.

- 1. For an amendment to a subdivision, the City shall provide notice of the date, time, and place of at least one public meeting that is:
 - a. Mailed not less than 10 calendar days before the public meeting and addressed to the record owner of each parcel within 300 feet of that property; or
 - b. Posted not less than 10 calendar days before the public meeting on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that it is reasonably calculated to give notice to passers-by.
- 2. The City shall provide notice as required by LCC 17.14.70 for a subdivision that involves a vacation of a street, right-of-way or easement. (Ordinance 2009-8, adopted 7/21/2009)

Section 17.14.70 Hearing and Notice for Proposal to Vacate a Public Street, Right-of-Way, or Easement

For any proposal to vacate, alter, or amend a public street, right-of-way or easement, the City Council shall hold a public hearing and shall give at least 10 days notice of the date, place, and time of the hearing by;

- 1. Mailing notice to the record owner of each parcel that is accessed by the public street, right-of-way or easement;
- 2. Mailing notice to each affected entity.
- 3. Publishing notice in a newspaper of general circulation in the City; and
- 4. Posting notice on or near the street, right-of-way or easement in a manner that is calculated to alert the public. (Ordinance 2009-8, adopted 7/21/2009)

Section 17.14.80 Notice Challenge

If notice given under authority of this part is not challenged under Utah Code 10-9a-801 within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper.

Section 17.14.90 Special Notice Requirements

Group homes and care facilities have special notice requirements found in LCC 17.70 and 17.72. Reimbursement Agreements have special notice requirements found in LCC 17.68.050 and 17.68.070. (Ordinance 2008-1, approved 02/19/2008)