

	SECTION	CHANGE	INTERPRETATIONS TO BE DETERMINED LOCALLY WITH COUNSEL
DEFINITIONS	Sec. 36-66-3(1.1)	Defines “quasi-judicial officers, boards, or agencies” as those entities rendering decisions on variances, special administrative permits, special exceptions, conditional use permits, or other zoning decisions.	Need to determine how to handle the difference between a conditional use and a special use. No definition provided for each of the application types in the list of quasi-judicial decisions in the amendment.
	Sec. 36-66-3(4)	Defines “zoning decision” as a rezoning, text amendment, special use, and concurrent variances - Incorporates “repeal” of decisions and conditions in the definition of “zoning decision” - Incorporates variances concurrent with special uses of property and rezonings in the definition of “zoning decision”	Consider whether administrative variances and procedures for minor modifications can be reviewed at the administrative level without a public hearing since alterations of conditions are considered "zoning decisions."
REQUIRED HEARINGS	Sec. 36-66-4(a)	Only one hearing is required for text amendments, rezonings, special uses, and concurrent variances. Only one hearing is required for any combination thereof.	
	Sec. 36-66-4(g)	One hearing per proposed action required for all quasi-judicial decisions.	Consider whether this requires the opening and closing of a separate hearing for each variance request. Compare the language to the zoning decision language in (a) of that section for context.
	Sec. 36-66-4(h)(1), (2), and (3):	Text amendments that involve allowing multi-family (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts – does not apply to SFR uses being changed to MFR uses for owner-initiated applications.	No definition of MF in ZPL.
			Determine if this section should apply to planned unit development districts.
			Note that the requirement specifies "uses," not zoning. The exemption specifies "owner-initiated applications only."
	Decisions to be adopted at two regular meetings that are to be a minimum of 21 days apart.		
	Prior to two-read adoption, two additional public hearings required: - Hearings shall be held 3-9 months prior to date of final adoption - At least one hearing shall be held between 5 p.m. and 8 p.m.		

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NOTICE	Sec. 36-66-4(g)	Quasi-judicial decisions: 30 days notice	
		Quasi-judicial decisions: Requires written notification to property owner and newspaper ad	Note the added requirement to send written notice to the property owner.
	Sec. 36-66-4(h)(1), (2), and (3)	Applies to same scenarios as above - Text amendments that involve allowing multi-family (MF) uses in a single-family residential (SFR) district; abolition of SFR classifications in jurisdictions; or when properties are granted ability to deviate from existing zoning requirements in single-family residential zoning districts – does not apply to SFR uses being changed to MFR uses for owner-initiated applications.	No definition of MF in ZPL.
			Determine if this section should apply to planned unit development districts.
			Note that the requirement specifies "uses," not zoning. The exemption specifies "owner-initiated applications only.
			Determine if "premises" is referring also to situations where properties impacted by text amendments have to be posted under the cited scenarios.
	Post notice on each affected "premises." If there are more than 500 parcels, posting is only required every 500 feet.		
	Newspaper ad - Minimum of 15 days/not more than 45 days from hearing (unchanged) - Prominent notice of purpose (provide full description of intent of change) - 9 column inches - Shall not located in classified section - State that a copy of proposed ordinance is on file (to be furnished upon request at no cost).		

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WRITTEN POLICY	Sec. 36-66-5	Policies and procedures outlined in ZPL shall be incorporated into ordinance (a portion is existing but requirements specific to quasi-judicial decisions has been added).	
		Incorporate requirements for designating hearing procedures, criteria for review, and providing printed copies of procedures at quasi-judicial hearings.	
DELEGATION OF DECISION MAKING POWER TO OFFICER, BOARD, OR AGENCY	Sec. 36-66-4(g)	Specific changes are noted elsewhere in chart - this line item is added specifically to contemplate whether the requirements are different in the authority is not delegated.	Identify whether local interpretation is that requirements related to quasi-judicial decisions are not required when decisions are made by governing body (i.e.: the authority is not delegated to a subordinate board).

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APPEALS	Sec. 36-66-5.1	Zoning decisions – subject to de novo review that reviews the record and any new evidence.	Note implications for conditional use permits and special uses based on how prior sections are interpreted.
		Quasi-judicial decisions – subject to appellate review – reviews only the record.	
		Government to designate (by ordinance or resolution) - Officer of quasi-judicial board to receive service (at office during regular hours) - Elected official or designee for quasi-judicial appeals	
		Appeal stays all actions	
EFFECTIVE DATE	Sec. 36-66-5	No text amendments adopted after July 1, 2022 are procedurally correct unless adoption procedures comply with the aforementioned changes.	
	Sec. 36-66-2(a)	No zoning or quasi-judicial decision prior to July 1, 2023 is rendered invalid or void because of failure to update ordinances.	