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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 04/14/2011 | . | |
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The Committee on Environmental Preservation and Conservation
(Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 4879 - 4929
and insert:

(6) STATE LAND PLANNING AGENCY REVIEW.—

(a) For plan amendments being reviewed under this section,
the state land planning agency shall review a proposed plan
amendment upon request of a regional planning council, affected
person, or local government transmitting the plan amendment. The
request from the regional planning council or affected person
must be received within 30 days after transmittal of the
proposed plan amendment pursuant to subsection (3). A regional



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13 planning council or affected person requesting a review shall do
14 so by submitting a written request to the agency with a notice
15 of the request to the local government and any other person who
16 has requested notice.

17 (b) For plan amendments being reviewed under this section,
18 the state land planning agency may review any proposed plan
19 amendment regardless of whether a request for review has been
20 made, if the agency gives notice to the local government, and
21 any other person who has requested notice, of its intention to
22 conduct such a review within 35 days after receipt of the
23 complete proposed plan amendment.

24 (c) ~~The state land planning agency shall establish by rule~~
25 ~~a schedule for receipt of comments from the various government~~
26 ~~agencies, as well as written public comments, pursuant to~~
27 ~~subsection (4).~~ If the state land planning agency elects to
28 review the amendment or the agency is required to review the
29 amendment as specified in paragraph (a), the agency shall issue
30 a report giving its objections, recommendations, and comments
31 regarding the proposed amendment within 60 days after receipt of
32 the complete proposed amendment by the state land planning
33 agency. When a federal, state, or regional agency has
34 implemented a permitting program, the state land planning agency
35 shall not require a local government to duplicate or exceed that
36 permitting program in its comprehensive plan or to implement
37 such a permitting program in its land development regulations.
38 Nothing contained herein shall prohibit the state land planning
39 agency in conducting its review of local plans or plan
40 amendments from making objections, recommendations, and comments
41 or making compliance determinations regarding densities and



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42 intensities consistent with the provisions of this part. In
43 preparing its comments, the state land planning agency shall
44 only base its considerations on written, and not oral, comments,
45 from any source.

46 (d) The state land planning agency review shall identify
47 all written communications with the agency regarding the
48 proposed plan amendment. If the state land planning agency does
49 not issue such a review, it shall identify in writing to the
50 local government all written communications received 30 days
51 after transmittal. The written identification must include a
52 list of all documents received or generated by the agency, which
53 list must be of sufficient specificity to enable the documents
54 to be identified and copies requested, if desired, and the name
55 of the person to be contacted to request copies of any
56 identified document. The list of documents must be made a part
57 of the public records of the state land planning agency.

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete lines 74 - 75

62 and insert:

63 compliance"; removing references to procedural rules