

*From
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SUBSTITUTE LANGUAGE FOR
HB 4746 / SB 470

(3) AN ORDINANCE SHALL NOT TOTALLY EXCLUDE THE EXTRACTION OF A VALUABLE NATURAL RESOURCE IN A LOCAL UNIT OF GOVERNMENT IF THE PROPERTY OWNER DEMONSTRATES THAT THERE IS A DEMONSTRATED UNMET NEED FOR SUCH EXTRACTION IN THE LOCAL UNIT OF GOVERNMENT OR THE SURROUNDING AREA, AND ALSO DEMONSTRATES THAT THE PROPOSED EXTRACTIVE USE WOULD BE IN THE PUBLIC INTEREST. IN DETERMINING WHETHER THE PROPOSED USE WOULD BE IN THE PUBLIC INTEREST, THE FOLLOWING SHALL BE INCLUDED IN THE ANALYSIS:

- (a) LIKELY ADVERSE IMPACT ON RESIDENTIAL AND OTHER USES IN THE AREA OF THE PROPERTY AND USES ABUTTING THE HAUL ROUTE SERVING THE PROPERTY;
- (b) IMPACT ON PEDESTRIAN SAFETY, TRAFFIC SAFETY, AND OTHER HEALTH, SAFETY, AND WELFARE;
- (c) RELATIONSHIP WITH EXISTING LAND USES AND SYSTEM OF TRANSPORTATION;
- (d) IMPACT ON PROPERTY VALUES IN THE AREA AND ALONG THE HAUL ROUTE; AND,
- (e) IMPACT ON THE COMMUNITIES PLANS FOR ECONOMIC DEVELOPMENT.