

On page 2, line 8, of the Introduced bill, after "chapter " delete "that provides for conditional uses of real property "

On page 2, line 10, of the Introduced bill, after "that " delete "conditional"

On page 2, line 10, of the Introduced bill, after "A " delete "conditional "

On page 2, line 12, of the Introduced bill, after "met. " delete "The certification process may include adoption of a simple majority affirmative vote requirement pursuant to subdivision 11-2-53(3) for approval or confirmation that the specified criteria are met."

On page 2, line 17, of the Introduced bill, after "certification " delete "by a zoning officer "

On page 2, line 19, of the Introduced bill, delete "project " and insert "applicant "

On page 2, line 19, of the Introduced bill, delete "and is deemed to meet the requirements set forth in § 11-2-17. 3, but" and insert ". A special permitted use"

On page 3, line 26, of the Introduced bill, delete ", that is not" and insert " to grant or deny the permit. No other appeal such as any relating to"

On page 3, line 27, of the Introduced bill, after "decision" insert " is authorized by this section"

On page 3, line 28, of the Introduced bill, delete "fourteen " and insert "twenty-one "

On page 4, line 15, of the Introduced bill, after "official" delete " or commission on appeal, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance,"

On page 4, line 30, of the Introduced bill, after "official" delete " or commission on appeal"

On page 5, line 7, of the Introduced bill, after "severally, " delete "or any taxpayer, "

On page 5, line 17, of the Introduced bill, delete "petition presented" and insert " petitioner"

On page 5, line 17, of the Introduced bill, delete "be accompanied by a bond in the amount of two hundred fifty dollars with one or more sureties to be approved by the county auditor conditioned that the appellant shall prosecute the appeal without delay and pay all costs that the appellant may be adjudged to pay in the circuit court. The bond shall be executed to the county and may be sued in the name of the county upon breach of any condition in the bond" and insert " pay all transcript costs required to complete the record of proceedings of the board appealed from"

On page 5, line 23, of the Introduced bill, after "bond." insert "

**Section 12.** That § 11-2-61.1 be AMENDED:

**11-2-61.1. Appeal of grant or denial of conditional use permit.**

Any appeal of a decision ~~relating to the grant or denial of~~granting or denying a conditional use permit shall be brought under a petition, duly verified, for a writ of certiorari directed to the approving authority and, notwithstanding any provision of law to the contrary, shall be determined under a writ of certiorari standard regardless of the form

of the approving authority. The court shall give deference to the decision of the approving authority in interpreting the authority's ordinances.

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