



2024

Spring Training



WASATCH FRONT REGIONAL COUNCIL



MAG

UTAH LEAGUE OF
CITIES AND TOWNS

Transportation Update

Quick Session Overview

- \$28+ billion budget
- 862 bills + 78 resolutions introduced
- 591 bills passed — a record high
- ULCT tracked 247 bills — a record high

ULCT Legislative Wrap Up:

Coming Soon; see ulct.org/wrap or scan QR code



Quick Session Overview: themes

- 1) Record year
- 2) “Partnership not preemption”
- 3) “The state doesn’t have a surplus and neither do cities”
- 4) “Affordable home ownership and sustainable infrastructure”
- 5) Data matters
- 6) Election year
- 7) Year-round session



\$1.2+ Billion for Transportation



Transportation Funding
\$775M 1X and
\$330M ongoing



TTIF Commuter Rail
\$45M ongoing to
TTIF for FrontRunner

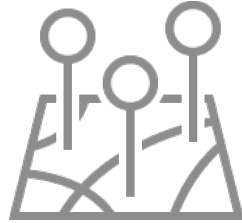


**Point of the Mountain
Transit Stop**
\$50M



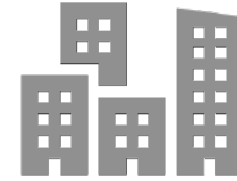
**Other Legislatively
Directed Projects**
\$75M+

Growth and Planning Appropriations



Power District Transportation Study **\$500K ONE-TIME**

- Develop and evaluate technical options for roadway, transit and trails to support economic development in the area
- WFRC lead study in coordination with UDOT, UTA, Salt Lake City, and public/private sector



Market Capacity Analysis **\$250K ONE-TIME**

- Evaluate how and where growth and development will and should unfold
- Aligns market demand with planned growth and infrastructure capacity
- UEOC recommended study
- GOEO lead agency – WFRC Partner





2024

**Transportation
Bills that
Passed**

2024 Bills that Passed

HB 430

SB 179

SB 51

SB 28

SB 135

HB 449

HCR 11

HB 335

HB 488

HB 430: Local Government Transportation Services

Rep. Candice Pierucci and Sen. Kirk Cullimore

- City/cities propose a transit innovation grant pilot
 - Proposal must show how it would increase ridership, integrate with service
- UDOT/Transportation Commission administers grant program
 - Consult with COGs, MPOs, UTA in developing rules to rank, prioritize, fund
- Transit innovation grants can be funded with:
 - 4th Qtr Local Option Sales Tax (requires 10% of .10% in Weber, Davis, SL, UT)
 - 5th 5th Local Option Sales Tax (\$3M from CFCHPF)
 - Transit Transportation Investment Fund
- Requires UTA to provide report of revenues collected and service utilized by each city

Why you should care: your city could apply for a pilot grant & watch for UTA report

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SB 179: Transportation Amendments

Sen. Wayne Harper and Rep. Kay Christofferson

- Removes TTIF match requirements for projects proposed by UDOT.
- Persons cannot store flammable, explosive, or combustible materials directly beneath roads and bridges owned by UDOT or UTA.
- Commission to develop an electronic titling system.
- UDOT to provide public transit services in consultation with any relevant public transit provider.
- Modifies state park access highways.
- Modifies the requirements for a person challenging the dedication of a highway, street, or road to the public.
- Modifies clean vehicles decal/transmission requirements.

Why you should care: impacts TTIF monies ... and don't plan for explosions

2024 Bills that Passed

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HCR 11

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HB 488

SB 51: Road Construction Bid Limits

Sen. Winterton and Rep. Watkins

- Raises the class B&C roads construction maintenance bid limit for 2024 to \$350,000
- Ties the bid limit growth formula to the National Highway Construction Cost Index

Why you should care:

A higher threshold for road maintenance bids makes small projects more efficient

2024 Bills that Passed

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SB 28: Scenic Byway Program Amendments

Sen. Wayne Harper and Rep. Kay Christofferson

- Extends the Utah Scenic Byway Program sunset date to 2030
- Maintains the current composition of a scenic byway commission
- Modifies the process for designating scenic byways:
 - Commission makes a recommendation to the Transportation Interim Committee
 - Transportation Interim Committee considers the designation and makes their own recommendation to the broader legislature
 - Legislature approves, approves conditionally, or denies designation by resolution

Why you should care:

The scenic byway designation program would have otherwise expired this year.

SB 135: Advanced Air Mobility Amendments

Sen. Wayne Harper and Rep. Kay Christofferson

- Creates regulatory framework for “roadable aircraft” (flying cars)
- Requires local governments to adopt airport overlay zones within 500 feet of public vertiports
 - *Similar to overlay requirement around large airports*
- States that flights over lands and waters of the state is lawful unless the flight is low enough to interfere with existing uses or could be imminently dangerous to persons or property
- Prohibits public entities from using certain foreign-made drones for inspection of critical infrastructure unless:
 - The drone is not connected to internet;
 - All data (images, video, geospatial data, and flight logs) are removed before connection to the internet
 - If video inspection is used, the software for the inspection must be developed in the US or approved under the National Defense Authorization Act

Why you should care:
Vertiport changes and drone data protection

2024 Bills that Passed

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HB 449: Pedestrian Safety and Facilities Act Modifications

Rep. Nelson Abbott and Sen. Kathleen Riebe

- Class B&C funds may now be used for bicyclist safety traffic devices in addition to pedestrian traffic safety devices
- Highway authorities shall consider bicycle safety in addition to pedestrian safety in highway engineering and planning where bicycle traffic may be a significant factor in a project

Why you should care:

More B&C fund flexibility & active
transportation planning

2024 Bills that Passed

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HCR 11: Concurrent Resolution Recognizing the Importance of Cross-Issue Growth Impacts

Rep. Bridger Bolinder & Sen. Kirk Cullimore

- Recognizes multifaceted challenges of growth
- Encourages private, public, and community partners to consider all growth issues when making policy or funding decisions

Why you should care:

Local governments are balancing growth with quality of life

2024 Bills that Passed

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HB 335: State Grant Process Amendments

Rep. Val Peterson & Sen. Jerry Stevenson

- Creates reporting and process requirements for state granted funds
- State grant recipients must propose a budget and deliverables prior to receiving the grant
- State funds must be disbursed on a schedule that provides accountability and responsible oversight for the use of funds
- Multiyear state grants may no longer exceed five years
- Clarifies that legislative auditor may review all state grant funds
- Provides additional guidance and requirements for state agencies

Why you should care:

You may encounter additional requirements for state grants

2024 Bills that Passed

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HB 488: Transportation Funding

Rep. Robert Spendlove & Sen. Kirk Cullimore

- Provides new funding to the TTIF
 - \$45M ongoing for commuter rail improvements
- Expands local option sales tax uses
 - SLCo uses of the county "5th 5th" portion now includes public safety in addition to transportation
 - Expands .30% (2nd quarter) uses to public safety in 3rd-6th class counties
- Provides funding for specific projects from the County of the First Class Highway Projects Fund, and Rail Restricted Account
 - ~\$44M from CFCHPF for projects in SLCo
- SLCo: if "5th 5th" is imposed...
 - Funds 5600 W. express bus service with a portion of SLCo 5th 5th
 - Creates the County of the First Class Infrastructure Bank, funds new IB with portion of 5th 5th, funds specific projects with repayments to the IB
- Adjusts funding going to the Cottonwood Canyons Transportation Investment Fund

Why you should care:

Changes to county-imposed sales taxes for transportation



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Housing &

Infrastructure

Bills that

Passed

4 Major Housing & Infrastructure Bills

H + T Infrastructure/Growth Legislation

- Transportation infrastructure is a key part of planning for growth.
- These bills provide tools for local government & the development community to overcome infrastructure barriers.

1. SB 208 Housing and Transit Reinvestment Zone Amendments (Sen. Wayne Harper)

- *Modifies HTRZs housing requirement*

3. SB 168 Affordable Building Amendments (Sen. Lincoln Fillmore)

- *Creates Home Ownership Promotion Zones (HOPZ) to fund infrastructure for affordable, owner-occupied housing*

2. SB 268 First home Investment Zone Act (Sen. Wayne Harper)

- *Creates FHIZ tax increment tool to fund infrastructure for centered development.*

4. HB 13 Infrastructure Financing Districts (Rep. Dunnigan)

- *Authorizes IFD financing tool for funding infrastructure improvements in new development.*

SB 208: Housing and Transit Reinvestment Zone

Sen. Wayne Harper and Rep. Stephen Whyte

- Enhances the "but for" test
 - "data showing the cost difference between what type of development could feasibly be developed absent the HTRZ and the type of development that is proposed to be developed with the HTRZ tax increment"
- Consideration for owner-occupied housing
- Increases % of required affordable units
- Addresses phasing of housing units
- Increases HTRZ committee members
 - 1 more House, 1 more Senate, 1 more school district

Why you should care: Success of HTRZ set stage for other increment bills ... and 2024 interim



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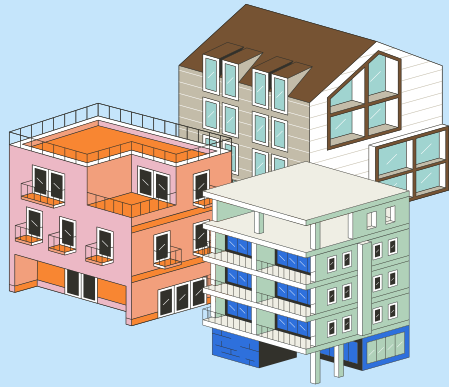
SB 268: First Home Investment Zone Act (FHIZ)

Sen. Wayne Harper and Rep. Cal Musselman

City option; proposal includes a center AND extra-territorial areas

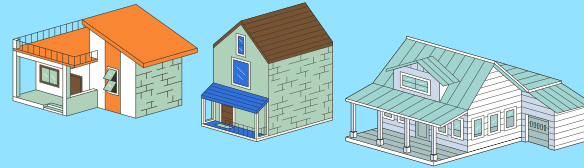


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FHIZ Center

51% of developable acreage within the center must be used for housing



Extra-Territorial Areas

- Can count "extra-territorial" areas toward the housing requirements
- Extra-territorial housing units must meet density + affordable home ownership criteria
 - 6 units to acre
 - 100% owner-occupied
 - 20% affordable

Overall Project

- 30 units to the acre for overall project
- HTRZ committee approval, then up to 60% of tax increment for 25/45 years
- Parameters/caps in SL Co (11 FHIZs/HTRZs max; city can do FHIZ only if city's RDA does not have excessive unencumbered revenue in RDA)

SB 168: Affordable Building Amendments

Sen. Lincoln Fillmore and Rep. Stephen Whyte

Commission on Housing Affordability/Unified Economic Opportunity Commission bill:

Three major components:

1. Defines the regulatory process for modular (pre-fabricated) building construction.
2. Authorizes the Home Ownership Prosperity Zone (HOPZ) tool.
3. Makes technical changes to the First Time Homebuyer Assistance Program and real estate reinvestment covenants



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2. Home Ownership Prosperity Zone (HOPZ) tool.

Optional tax increment tool for cities

Criteria:

- Zone is **less than 10 contiguous acres**
- Cities must zone for at least **6 units per acre**
- **60% of the housing units must be at 80% of the county median sales price**
- All housing units must be **owner-occupied for at least 5 years**

Tax increment:

- Other taxing entities are required to participate
- 60% of increment for system or project infrastructure for up to 15 years

Parameters:

- Only 50 acres per school district of only one city
- Only 100 aggregate acres per school district of 2+ cities

Why you should care:

developer may bring you a proposal;
carrots, not sticks; use it!



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HB 13: Infrastructure Financing Districts

Rep. Jim Dunnigan and Sen. Kirk Cullimore

Creates a type of special district to finance public infrastructure

- **Key point:** property owners must have land use approval
- IFDs are created by petition with **consent of 100% of the surface property owners.**
- Governed by an appointed board.
- IFDs may issue bonds to pay for infrastructure on the public bond market to access lower interest rates.
- IFDs are authorized to impose a **.0004 property tax mill levee**
- Bonds are repaid through an assessment on each residence.

Why you should care:

developer may use an IFD so ensure your land use & infra plans are ready



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HB 13: Infrastructure Financing Districts

Rep. Jim Dunnigan and Sen. Kirk Cullimore

- **Creates a type of special district to finance public infrastructure**
- **Protections for city/residents:**
 - **Must** have land use approval
 - Infrastructure must be **built to city standards**
 - Assessments must be paid prior to C of O issuance
 - Property tax may not be used to repay the bonds
 - Districts dissolved within 180 days of debt repayment

Why you should care:

developer may use an IFD so ensure your land use & infra plans are ready



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2024

Transportation Bills that Failed

HB 367 (local fees)

SB 155 (RUC, registration fees)

HB 367: Local Government Fees Amendments

Rep. Karen Peterson and Sen. Wayne Harper

ULCT Board principles, summer 2023

1. fee v. tax; preserve user fee
 - *done*
2. TUF specific; doesn't impact other revenues
 - *restricts some fee authority on broadband, public safety*
3. Make process "doable, but not easy"
 - *done, required study, 10 year sunset*
4. Transparent process
 - *done, required enhanced notice and annual review*
5. Req'd needs analysis
 - *done*
6. local discretion to set fees
 - *done; methodology details left to locals*
7. accountability of funds (dedicated account)
 - *done*
8. supplement, not supplant, other funds
 - *done; "maintenance of effort"*

Why you should care: if your city is considering a TUF, use HB 367 & be in touch with ULCT

SB 155: Road Usage Charge Program Amendments

Sen. Harper and Rep. Christofferson

- Would have raised vehicle registration fees
- Would have created a formula for annual vehicle registration fee adjustments
- Would have allowed owners of hybrid vehicles to withdraw from the road user charge program
- Would have raised the annual and per-mile road user charge rates

Why you should care: local gov't will share in RUC program revenue

Interim Agenda

- Annexation/incorporation
- Fees (transportation utility)
- Gravel Pits
- MIHP data collection, next steps
- Noticing Provisions
- Storm water (HB 507)
- Subdivisions for non-MIHP communities (Dec 31 deadline)
- Tax increment financing
- 2025 deadline for water conservation elements in general plans
- 2025 deadline for station area plans
- Whatever comes out of the Unified Economic Opportunity Commission
- Transportation Utility Fees

What do you want ULCT & MPOs to prioritize for 2025?

What problem needs solving?

What ideas do you have to solve them?

ULCT Board will prioritize later this spring.

Contact Karson
at keilers@ulct.org

HB 462 (2022) Station Area Plan Reminder

The deadline is approaching for municipalities with fixed guideway public transit stations to adopt Station Area Plans (SAPs)

- Municipalities with four or fewer stations must have all their SAPs adopted by the end of 2025
- Municipalities with more than four stations must have at least four stations completed by the end of 2025 and must complete at least two per year until all stations have a SAP
- Contact WFRC or MAG for more information

Contact ULCT

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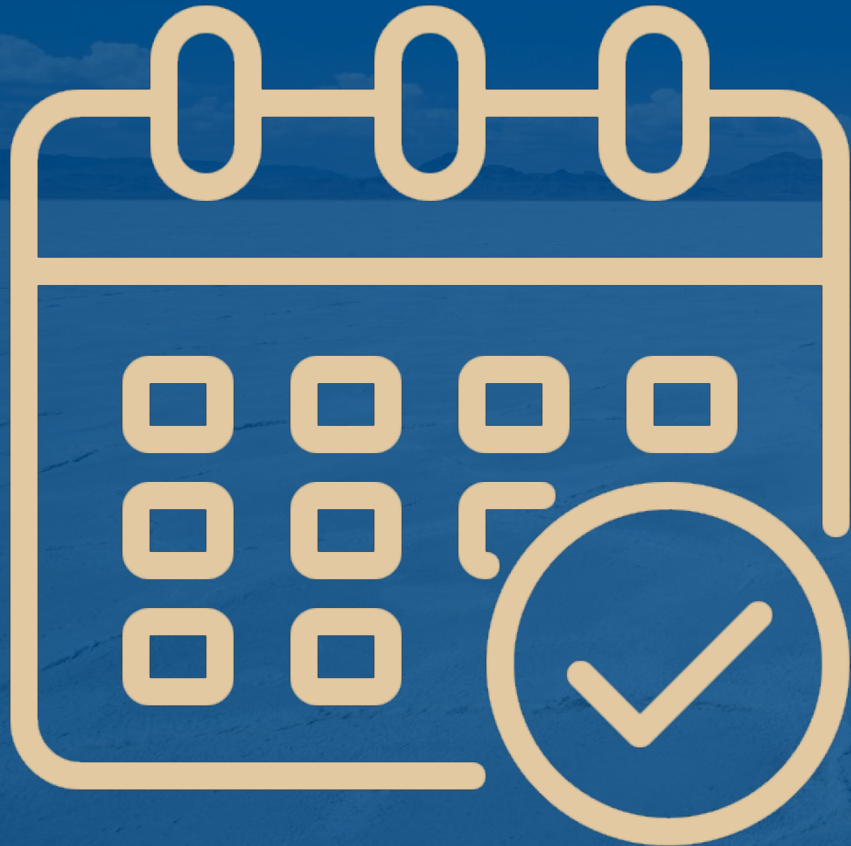
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IMPORTANT DATES 2024



- **March 28:** Spring Training on Government Admin Bills, noon (zoom)

- **April 17-19:** ULCT Midyear Conference, St. George
- **April 23:** MIHP training, Noon (zoom)

- **May 8-10:** APA Conference, Cedar City
- **May/June:** Regional Meetings w/AOGs
- **May 14-15:** Likely Legislative Interim Meetings (first interim LPC is TBD)