

**Utah League of Cities and Towns
Legislative Policy Committee Minutes
Monday, December 11, 2017 - 12:00PM**

1. Welcome, logistics, farewells, policy guide, and adoption of minutes

- a. Mayor Pike welcomed all attendees and recognized both outgoing and incoming city leaders. He then turned the time over to Cameron Diehl who introduced the ULCT-UAC policy guide. Mr. Diehl emphasized the definition of “local control” that’s included in the policy guide. He also mentioned the prospect of producing a sort of report card for legislators at the end of the session.

2. Transportation Task Force workgroup recommendations on land use and governance

- a. Cameron Diehl briefed the committee on the Transportation Task Force Workgroup’s recommendations for land use revisions. These include:
 - i. Maintaining State’s planned level of commitment to infrastructure investment including class A (state portion) of gas tax revenue.
 - ii. Increase flexibility of use of state TIF for highest value projects, regardless of mode (highways, active transportation, transit, freight, rural).
 - iii. Incorporation of land use and economic development into prioritization criteria (e.g. state sets broad goals, Transportation Commission develops criteria in cooperation w/ MPOs, locals, stakeholders).
- b. Mr. Diehl also explained that the Transportation Task Force is considering both incentives and disincentives for Corridor/Area Planning (C/AP). Incentives may include prioritization points for programming transportation projects, financial and technical assistance for Transportation and Land Use Connection, and access to additional funding source for transportation. Disincentives could look like state mandates for C/AP, fees levied by the state for local governments who disagree with C/AP.
- c. Next, Mr. Diehl discussed some possible reforms of governance structure for the Utah Transit Authority board. UTA’s current board has 16 members and local governments have strong representation, according to population and sales tax contribution. The Task Force is considering reducing the board to 3 members, appointed by the state.

3. Fireworks draft proposal

- a. Cameron Diehl updated the committee on Rep. Dunnigan’s Fireworks proposed fireworks legislation, which:
 - i. Expands the environment conditions that warrant fireworks prohibitions to include existing or historical boundaries, within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas, and dry grass covered areas (in addition to brush or forest areas),
 - ii. Shortens the dates for which fireworks are permitted to July 2-5 from July 1-7 and July 22-25 instead of July 21-27,
 - iii. Expands penalties to \$1,000 fines for illegal discharge and civil liabilities for causing a fire, and
 - iv. Changes notice maps and penalties to retailers and the public.

4. Tax Reform (state and federal update)

- a. Cameron Diehl updated the committee on the status of the federal tax reform:

- i. Private activity bonds were eliminated in the House bill, preserved in the Senate bill,
 - ii. Advanced refunding bonds would be eliminated in both bills,
 - iii. State and Local tax deduction will have a \$10,000 cap,
 - iv. Historic tax credits were eliminated in House bill, preserved in Senate bill,
 - v. New Markets tax credits eliminated in House bill, preserved in Senate bill, and
 - vi. Publicly issued municipal bonds are preserved in both bills.
- b. Roger Tew explained what state tax reform may look like in the upcoming legislative session. The legislature wants to pass an omnibus tax reform bill to identify and capture new revenue sources. The passage of federal tax reform may increase pressure on state tax reform to fill revenue gaps.

5. Land Use Task Force Update

- a. Cameron Diehl updated the committee on the seven proposals from the Land Use Task Force:
 - i. Impact fee standing - Defining impact fee standing for a claimant as a person who paid for or an original owner. A claimant may bring a challenge for 1 year for spent/encumbered impact fees; 2 years for unspent/non-encumbered impact fees.
 - ii. Assurances – clarifies that an applicant may post an improved completion assurance for all or part of landscaping/infrastructure. The land use authority shall allow the assurance and shall establish a system for the partial release as portions of required improvements are completed and accepted.
 - iii. Vesting – clarifies that an applicant vests upon submission of complete application and fees paid; “you get what you applied for.” Cities need to have a complete application standard/process.
 - iv. CUP – a CUP discussion was proposed last week.
 - v. Subdivision Task Force – will begin during 2018 interim.
 - vi. Land use training – a mandatory land use training, similar training to the Open and Public Meetings act.
 - vii. OPRO Funding – Identifying possible funding increases for the Property Rights Ombudsman.
 - viii. SB 241 – Initial Plan Review. The 14/21 day review time limit in SB 241 from 2017 will be in the upcoming bill. Plan Review must follow a specified checklist and must be stamped by a licensed architect or engineer.

6. Preview of other upcoming issues

- a. Small cells primer – Cameron Diehl explained that the communications industry is pushing small cell infrastructure via Sate-level preemption over local control of rights of way.

7. Adjournment