

TRANSFERABLE DEVELOPMENT AGREEMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to transferable development rights.

Highlighted Provisions:

This bill:

▶ allows a municipality and county to enter into an agreement to allow the transfer of development rights between their respective jurisdictions.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-9a-509.7, as last amended by Laws of Utah 2012, Chapter 231

17-27a-509.7, as last amended by Laws of Utah 2012, Chapter 231

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9a-509.7** is amended to read:

10-9a-509.7. Transferable development rights.

(1) A municipality may adopt an ordinance:

(a) designating sending zones and receiving zones within the municipality; and



28 (b) allowing the transfer of a transferable development right from a sending zone to a
29 receiving zone.

30 (2) A municipality may not allow the use of a transferable development right unless the
31 municipality adopts an ordinance described in Subsection (1).

32 (3) A municipality may enter into, in accordance with Title 11, Chapter 13, Interlocal
33 Cooperation Act, an interlocal agreement with a county to designate or use sending and
34 receiving zones located in the county's jurisdiction and allow the transfer of transferable
35 development rights between sending and receiving zones that are located in the respective
36 municipality's and county's jurisdictions.

37 Section 2. Section **17-27a-509.7** is amended to read:

38 **17-27a-509.7. Transferable development rights.**

39 (1) A county may adopt an ordinance:

40 (a) designating sending zones and receiving zones within the unincorporated area of
41 the county; and

42 (b) allowing the transfer of a transferable development right from a sending zone to a
43 receiving zone.

44 (2) A county may not allow the use of a transferable development right unless the
45 county adopts an ordinance described in Subsection (1).

46 (3) A county may enter into, in accordance with Title 11, Chapter 13, Interlocal
47 Cooperation Act, an interlocal agreement with a municipality to designate or use sending and
48 receiving zones located in the municipality's jurisdiction and allow the transfer of transferable
49 development rights between sending and receiving zones that are located in the respective
50 county's and municipality's jurisdictions.

Legislative Review Note
as of 2-9-15 11:07 AM

Office of Legislative Research and General Counsel