

**Effective 5/10/2016**

**Chapter 17**  
**Point of the Mountain Development Commission Act**

**63C-17-101 Title.**

This chapter is known as the "Point of the Mountain Development Commission Act."

Enacted by Chapter 156, 2016 General Session

**63C-17-102 Definitions.**

As used in this chapter:

- (1) "Commission" means the Point of the Mountain Development Commission, created in Section 63C-17-103.
- (2) "Project area" means the area surrounding the border between Salt Lake County and Utah County, commonly referred to as the Point of the Mountain.

Enacted by Chapter 156, 2016 General Session

**63C-17-103 Creation of Point of the Mountain Development Commission -- Members.**

- (1) There is created the Point of the Mountain Development Commission consisting of the following 15 members:
  - (a) two members shall be members of the Senate appointed by the president of the Senate;
  - (b) two members shall be members of the House of Representatives appointed by the speaker of the House of Representatives;
  - (c) one member shall be the mayor of Lehi City, Utah, or the mayor's designee;
  - (d) one member shall be the mayor of Draper City, Utah, or the mayor's designee;
  - (e) one member shall be the mayor of Salt Lake County, or the mayor's designee;
  - (f) one member shall be an appointee of the Utah County Commission;
  - (g) two members shall be mayors of communities in or close to the project area who shall be appointed by the Utah League of Cities and Towns;
  - (h) one member shall be an appointee of the Economic Development Corporation of Utah;
  - (i) one member, who is a member of the Board of the Governor's Office of Economic Development, shall be appointed by the governor;
  - (j) one member, who is an employee of the Governor's Office of Economic Development, shall be an appointee of the governor;
  - (k) one member shall be a member of the public, representing the school boards in or close to the project area, jointly appointed by the president of the Senate and the speaker of the House of Representatives; and
  - (l) one member shall be a member of the public, representing the information technology sector with a physical presence within the project area, jointly appointed by the president of the Senate and the speaker of the House of Representatives.
- (2)
  - (a) The president of the Senate and the speaker of the House of Representatives shall jointly designate a member of the Legislature appointed under Subsection (1)(a) or (b) as a cochair of the commission.
  - (b) The governor shall designate a representative from the Governor's Office of Economic Development appointed under Subsection (1)(i) or (j) as a cochair of the commission.

- (3) Any vacancy shall be filled in the same manner under this section as the appointment of the member whose vacancy is being filled.
- (4) Each member of the commission shall serve until a successor is appointed and qualified.
- (5) A majority of members constitutes a quorum. The action of a majority of a quorum constitutes the action of the commission.

Enacted by Chapter 156, 2016 General Session

**63C-17-104 Commission duties.**

- (1) The commission shall evaluate, study, prepare one or more reports, and make recommendations concerning the future planning and development of the project area. The study shall focus on the three key areas described in Subsections (2), (3), and (4).
- (2) The commission shall study and develop strategies to engage the public and collaborate with stakeholders, including:
  - (a) providing a public forum to gather insight from citizens; and
  - (b) evaluating the costs and benefits of growth, land use, and economic development strategies in the project area and the impacts of those strategies on residents of the project area and the state.
- (3)
  - (a) The commission shall study and make recommendations regarding future transportation and infrastructure needs within the project area, including:
    - (i) evaluation of projected population, housing, and employment growth;
    - (ii) identification of transportation infrastructure needs, including:
      - (A) development, construction, operation, and maintenance of highways and streets, on both the local and state jurisdictional levels;
      - (B) development, construction, operation, and maintenance of public transit; and
      - (C) development, construction, operation, and maintenance of active transportation facilities, including trails; and
    - (iii) evaluation of projected costs related to transportation and other infrastructure needs.
  - (b) In performing the study described in Subsection (3)(a), the commission shall coordinate with transportation agencies, including:
    - (i) the Wasatch Front Regional Council;
    - (ii) the Mountainland Association of Governments;
    - (iii) the Utah Department of Transportation; and
    - (iv) the Utah Transit Authority.
- (4) The commission shall study and make recommendations regarding financing economic development of, and the infrastructure investment in, the project area, including:
  - (a) evaluation of economic growth projections; and
  - (b) evaluation of financing tools to encourage and facilitate economic growth in the project area, including:
    - (i) property tax increment financing, with the requirement that the property tax increment remain within the jurisdiction in which the property tax increment is created;
    - (ii) assessment districts;
    - (iii) bonding;
    - (iv) partnerships between public and private entities;
    - (v) excise taxes, including transient room taxes and taxes on community resorts;
    - (vi) redevelopment agency funds;
    - (vii) federal funding;

- (viii) private capital;
  - (ix) investment strategies used by other governmental entities for purposes of economic development; and
  - (x) other innovative financing strategies.
- (5) The commission may hire or direct the hiring of one or more consultants, or enter into agreements and otherwise collaborate with governmental entities and other stakeholders, with experience or expertise in a subject under consideration by the commission, to assist the commission in fulfilling the commission's duties under this part.
- (6) In carrying out the study, the commission shall consider the following objectives for the project area and the state as a whole:
- (a) maximizing job creation;
  - (b) ensuring a high quality of life for residents in and surrounding the project area;
  - (c) strategic residential and commercial growth;
  - (d) preservation of natural lands and expansion of recreational opportunities;
  - (e) provision of a variety of community and housing types that match workforce needs; and
  - (f) planning for future transportation infrastructure and other investments to enhance mobility and protect the environment.
- (7) The commission shall report the commission's interim findings and recommendations to the Transportation Interim Committee, the Economic Development and Workforce Services Interim Committee, the Revenue and Taxation Interim Committee, the Executive Appropriations Committee, and the governor before December 1, 2016.
- (8) The commission's recommendations under this section are advisory only.

Enacted by Chapter 156, 2016 General Session

**63C-17-105 Commission staff and expenses.**

The Office of Legislative Research and General Counsel, in coordination with the Governor's Office of Economic Development, shall provide staff support for the commission.

Enacted by Chapter 156, 2016 General Session

**63C-17-106 Compensation and expenses of commission members.**

- (1) Salaries and expenses of commission members who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.
- (2) A commission member who is not a legislator may not receive compensation or benefits for the member's service on the commission, but may receive per diem and reimbursement for travel expenses incurred as a commission member at the rates established by the Division of Finance under:
- (a) Sections 63A-3-106 and 63A-3-107; and
  - (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Enacted by Chapter 156, 2016 General Session

**63C-17-107 No effect on local land use authority.**

- (1) This chapter does not limit or otherwise affect a municipality's authority under Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act, with respect to private development on land within the jurisdiction of the municipality.

(2) This chapter does not limit or otherwise affect a county's authority under Title 17, Chapter 27a, County Land Use, Development, and Management Act, with respect to private development on land within the jurisdiction of the county.

Enacted by Chapter 156, 2016 General Session