

1 **UTAH SCENIC BYWAY AMENDMENTS**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Dennis E. Stowell**

5 House Sponsor: Christopher N. Herrod

7 **LONG TITLE**

8 **Committee Note:**

9 The Transportation Interim Committee recommended this bill.

10 **General Description:**

11 This bill modifies the Designation of State Highways Act by amending provisions
12 relating to scenic byway designations.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ defines corridor management plan;
- 16 ▶ requires the Legislature to approve the corridor management plan that will be
17 submitted with the application for a highway to be nominated for designation as a

18 National Scenic Byway or All-American Road; ~~§~~→ [and]

18a ▶ provides that the Legislature may:

- 18b • approve the corridor management plan;
- 18c • approve the corridor management plan with conditions specified by the

18d Legislature; or

- 18e • deny the corridor management plan;

18f ▶ provides that upon a decision by the Legislature, the nominating entity is not
18g required to move forward with the nomination for the National Scenic Byway or All-American

18h Road designation; and ←§

- 19 ▶ makes technical changes.

20 **Monies Appropriated in this Bill:**

21 None



22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 **AMENDS:**

26 **72-4-301**, as last amended by Laws of Utah 2009, Chapter 393

27 **72-4-301.5**, as enacted by Laws of Utah 2009, Chapter 393

28

29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **72-4-301** is amended to read:31 **72-4-301. Definitions.**

32 As used in this part:

33 (1) "Committee" means the Utah State Scenic Byway Committee created in Section
34 72-4-302.35 (2) "Corridor management plan" means a written document:36 (a) required to be submitted for a highway to be nominated as a National Scenic Byway
37 or All-American Road that specifies the actions, procedures, controls, operational practices,
38 and administrative strategies to maintain the scenic, historic, recreational, cultural,
39 archeological, and natural qualities of a scenic byway; and40 (b) adopted by each municipality or county affected by the corridor management plan.41 [~~2~~] (3) "Non-scenic area" means:42 (a) any property that is unzoned or zoned for commercial or industrial use adjoining a
43 highway that does not contain at least one of the intrinsic qualities described in Subsection
44 72-4-303(1)(b) immediately upon the property; or45 (b) any property that is unzoned or zoned for commercial or industrial use that contains
46 an intrinsic quality described in Subsection 72-4-303(1)(b) immediately upon the property but
47 the intrinsic quality does not represent the primary use of the property.48 [~~3~~] (4) "Segmentation" means:49 (a) removing the scenic byway designation from a portion of an existing scenic byway
50 that adjoins a non-scenic area; or51 (b) excluding a portion of a highway from a scenic byway designation where the
52 highway adjoins a non-scenic area.53 Section 2. Section **72-4-301.5** is amended to read:54 **72-4-301.5. Designation of highways as a National Scenic Byway or All-American**
55 **Road.**56 ~~§~~→ (1) ←~~§~~ Except as provided in Section 72-4-304, a highway or state scenic byway may
56a not be57 nominated for designation as a National Scenic Byway or All-American Road unless the
58 [~~nomination~~] corridor management plan that will be submitted with the application for the

59 highway or state scenic byway to be nominated for designation as a National Scenic Byway or
60 All-American Road is approved by the Legislature.
60a **§→ (2)(a) In accordance with Subsection (1), the Legislature may:**
60b **(i) approve the corridor management plan;**
60c **(ii) approve the corridor management plan with conditions specified by the Legislature;**
60d **or**
60e **(iii) deny the corridor management plan.**
60f **(b) Upon a decision by the Legislature under Subsection (2)(a), the nominating entity is**
60g **not required to move forward with the nomination for the National Scenic Byway or**
60h **All-American Road designation. ←§**

Legislative Review Note
as of 10-26-09 10:15 AM

Office of Legislative Research and General Counsel

S.B. 15 - Utah Scenic Byway Amendments

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
