

UTAH SCENIC BYWAY AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dennis E. Stowell

House Sponsor: Christopher N. Herrod

LONG TITLE

Committee Note:

The Transportation Interim Committee recommended this bill.

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines corridor management plan;
- ▶ requires the Legislature to approve the corridor management plan that will be submitted with the application for a highway to be nominated for designation as a National Scenic Byway or All-American Road; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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



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

Section 1. Section **72-4-301** is amended to read:

72-4-301. Definitions.

As used in this part:

(1) "Committee" means the Utah State Scenic Byway Committee created in Section 72-4-302.

(2) "Corridor management plan" means a written document:

(a) required to be submitted for a highway to be nominated as a National Scenic Byway or All-American Road that specifies the actions, procedures, controls, operational practices, and administrative strategies to maintain the scenic, historic, recreational, cultural, archeological, and natural qualities of a scenic byway; and

(b) adopted by each municipality or county affected by the corridor management plan.

~~(2)~~ (3) "Non-scenic area" means:

(a) any property that is unzoned or zoned for commercial or industrial use adjoining a highway that does not contain at least one of the intrinsic qualities described in Subsection 72-4-303(1)(b) immediately upon the property; or

(b) any property that is unzoned or zoned for commercial or industrial use that contains an intrinsic quality described in Subsection 72-4-303(1)(b) immediately upon the property but the intrinsic quality does not represent the primary use of the property.

~~(3)~~ (4) "Segmentation" means:

(a) removing the scenic byway designation from a portion of an existing scenic byway that adjoins a non-scenic area; or

(b) excluding a portion of a highway from a scenic byway designation where the highway adjoins a non-scenic area.

Section 2. Section **72-4-301.5** is amended to read:

72-4-301.5. Designation of highways as a National Scenic Byway or All-American Road.

Except as provided in Section 72-4-304, a highway or state scenic byway may not be nominated for designation as a National Scenic Byway or All-American Road unless the ~~[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.

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

Office of Legislative Research and General Counsel