

26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **17C-1-102**, as last amended by Laws of Utah 2010, Chapter 279

33 **17C-1-204**, as last amended by Laws of Utah 2009, Chapter 387

34 **17C-1-401**, as last amended by Laws of Utah 2010, Chapter 279

35 **17C-1-402**, as last amended by Laws of Utah 2009, Chapter 387

36 **17C-1-409**, as last amended by Laws of Utah 2010, Chapter 279

37 **17C-1-603**, as renumbered and amended by Laws of Utah 2006, Chapter 359

38 **17C-2-206**, as last amended by Laws of Utah 2010, Chapter 279

39 **17C-2-303**, as last amended by Laws of Utah 2008, Chapter 125

40 **17C-3-205**, as last amended by Laws of Utah 2010, Chapter 279

41 **17C-4-204**, as enacted by Laws of Utah 2006, Chapter 359

42 ENACTS:

43 **17C-2-207**, Utah Code Annotated 1953

43a **§→ 17C-2-701, Utah Code Annotated 1953 ←§**

44 **17C-3-206**, Utah Code Annotated 1953



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

47 Section 1. Section **17C-1-102** is amended to read:

48 **17C-1-102. Definitions.**

49 As used in this title:

50 (1) "Adjusted tax increment" means:

51 (a) for tax increment under a pre-July 1, 1993₂ project area plan, tax increment under

52 Section 17C-1-403, excluding tax increment under Subsection 17C-1-403(3); and

53 (b) for tax increment under a post-June 30, 1993₂ project area plan, tax increment under

54 Section 17C-1-404, excluding tax increment under Section 17C-1-406.

55 (2) "Affordable housing" means housing to be owned or occupied by persons and

56 families of low or moderate income, as determined by resolution of the agency.

150 (b) "Inactive airport site" includes a perimeter of up to 2,500 feet around the land
151 described in Subsection [~~(22)~~] (23)(a).

152 [~~(23)~~] (24) (a) "Inactive industrial site" means land that:

153 (i) consists of at least 1,000 acres;

154 (ii) is occupied by an inactive or abandoned factory, smelter, or other heavy industrial
155 facility; and

156 (iii) requires remediation because of the presence of hazardous waste or solid waste.

157 (b) "Inactive industrial site" includes a perimeter of up to 1,500 feet around the land
158 described in Subsection [~~(23)~~] (24)(a).

159 [~~(24)~~] (25) "Income targeted housing" means housing to be owned or occupied by a
160 family whose annual income is at or below 80% of the median annual income for the county in
161 which the housing is located.

162 [~~(25)~~] (26) "Incremental value" means a figure derived by multiplying the marginal
163 value of the property located within an urban renewal project area on which tax increment is
164 collected by a number that represents the percentage of adjusted tax increment from that project
165 area that is paid to the agency.

166 [~~(26)~~] (27) "Loan fund board" means the Olene Walker Housing Loan Fund Board,
167 established under Title 9, Chapter 4, Part 7, Olene Walker Housing Loan Fund.

168 [~~(27)~~] (28) "Marginal value" means the difference between actual taxable value and
169 base taxable value.

170 [~~(28)~~] (29) "Military installation project area" means a project area or a portion of a
171 project area located within a federal military installation ordered closed by the federal Defense
172 Base Realignment and Closure Commission.

173 (30) (a) "Municipal building" means a building owned and operated by a municipality
174 for the purpose of providing one or more primary municipal functions, including:

175 (i) a fire ~~station~~ **→ [state] station ←** ;

176 (ii) a police station;

177 (iii) a city hall; or

178 (iv) a court or other judicial building.

179 (b) "Municipal building" does not include a building the primary purpose of which is
180 cultural or recreational in nature.

801 proposed project area; or

802 (b) the proposed project area includes some or all of a superfund site, inactive
803 industrial site, or inactive airport site.

804 (2) No single parcel comprising 10% or more of the acreage of the proposed project
805 area may be counted as satisfying Subsection (1)(a)(iii) or (iv) unless at least 50% of the area of
806 that parcel is occupied by buildings or improvements.

807 (3) (a) For purposes of Subsection (1), if a developer involved in the urban renewal
808 project has caused a condition listed in Subsection (1)(a)(iv) within the proposed project area,
809 that condition may not be used in the determination of blight.

810 (b) Subsection (3)(a) does not apply to a condition that was caused by an owner or
811 tenant who becomes a developer.

811a **§→ Section 10. Section 17C-2-701 is enacted to read:**

811b **Part 7. Urban Renewal Project Area Property**

811c **17C-2-701. Railroad crossings within urban renewal project area.**

811d **(1) Notwithstanding Section 54-4-15 or other provision of law, and except as provided**
811e **in Subsection (2), the Department of Transportation created in Section 72-1-201 may not**
811f **prohibit or close, temporarily or permanently, a public road or highway crossing by a railroad**
811g **or street railroad that is located within the boundaries of an urban renewal project area that**
811h **includes some or all of an inactive industrial site.**

811i **(2) The Department of Transportation may prohibit or close a crossing described in**
811j **Subsection (1) if the Department obtains the advance written consent of the agency that**
811k **created the urban renewal project area where the crossing is located. ←§**

812 Section **§→ [10] 11 ←§** . Section 17C-3-205 is amended to read:

813 **17C-3-205. Amending an economic development project area budget.**

814 (1) An agency may by resolution amend an economic development project area budget
815 as provided in this section.

816 (2) To amend an adopted economic development project area budget, the agency shall:

817 (a) advertise and hold one public hearing on the proposed amendment as provided in
818 Subsection (3);

819 (b) if approval of the taxing entity committee was required for adoption of the original
820 project area budget, obtain the approval of the taxing entity committee [if] to the same extent
821 that the agency was required [under Section 17C-3-203] to obtain the consent of the taxing
822 entity committee for the project area budget as originally adopted;

823 (c) if approval of the taxing entity committee is required under Subsection (2)(b),