



**HB-236  
LAND DEVELOPMENT REVISIONS  
Representative Melvin R. Brown**

The Utah League of Cities and Towns **unanimously opposes HB-236 Land Use Amendments**. HB-236 is an ill-crafted tool to fix a narrow problem in Summit County.

The tool proposes a narrow, one-dimensional definition of a site plan that does not mesh with modern land use practice. It then proposes to null the legal effect of all local site plan warranties. In practice, the use and definition of site plans vary from jurisdiction to jurisdiction. In some jurisdictions, site plans form the basis for long-term and necessary commitments to a variety of regulations. They can be as simple as a sketch to show the orientation of a structure or as complex as a warranty of a broad variety of information, including:

1. background topography at two foot contours;
2. boundary survey;
3. proposed finished grades to USGS elevations (to calculate height compliance and runoff);
4. proposed building footprints;
5. proposed access slopes (for fire access and interaction with public rights of way);
6. superimposed roof plans to demonstrate ridgeline compliance;
7. existing physical encroachments on and off site;
8. proposed utility locations (to provide GIS information for blue stakes inquiries);
9. existing and proposed vegetation (which forms the basis for calculating water impact fees);
10. proposed drainage facilities (that allow modern development to interact with one another without imposing unwarranted impacts);
11. proposed on and off-site circulation and parking; and
12. proposed ground surface treatment, (which forms the basis for calculating storm water impact and impact fees)

HB236 proposes that site plans are not legally enforceable documents. However, if that were true, a city could not properly calculate the impact of a development, could not hold a developer to its commitments, and could not fairly apportion the impact of the development on the cost of infrastructure.

HB 236 also prohibits landscaping requirements on lots with slopes less than 12%. Landscaping is an expected minimum commitment of development in virtually every population center in Utah. The requirement maintains property values for entire neighborhoods.

The ULCT would like to work with Rep. Brown to help him address the specific issues with which he has a concern in a manner that does not undermine fundamental aspects of land use regulation in cities and towns.

As drafted, the ULCT cannot support HB236.

**THE UTAH LEAGUE OF CITIES AND TOWNS STRONGLY OPPOSES HB236**

