

**Mountainland Metropolitan Planning Organization**  
*Acting For and in Behalf of*  
**Utah County Council of Governments**

**Transportation Corridor Preservation Fund**  
**Policies**

**Adopted November 5, 2015**

This document lays out policies regarding use of the Local Transportation Corridor Preservation Fund, as authorized by Utah Code, Title 72-2-117.5, as amended.

**Corridor Preservation – Definition**

Corridor Preservation is the identification and acquisition of land for a highway corridor sufficiently in advance of actual roadway construction to:

1. Assure that land will be available for roadway construction by protection of potential highway corridors from incompatible development; and
2. Secure land at significantly reduced costs versus those typically encountered when funded highway projects seek needed rights of way.

Corridor Preservation is therefore a tool of long-range transportation planning rather than a strategy for meeting present highway project needs. Consequently, Corridor Preservation Funds will have a 4 to 30 year outlook; funded highway projects in the current 4-year Transportation Improvement Program (TIP), and projects anticipated to be constructed beyond the statutory limit of 30 years, are ineligible

**Highway Corridor Preservation Projects – Planning and Prioritization**

The Mountainland Metropolitan Planning Organization (MMPO) prepares and maintains an inventory of corridor preservation needs related to the MMPO Regional Transportation Plan. From this inventory a prioritized corridors list will be created and submitted for endorsement to the MPO Regional Planning Committee. Upon endorsement, the list will be submitted to the Utah County Commission for approval by majority vote. No more than one such list may be submitted or authorized per calendar year. Any project considered for funding must be located within the approved prioritized corridors.

**Prioritization Considerations for Master Projects List**

- Areas with rapidly expanding population and anticipated changes to intensity of land use such as imminent development pressure,
- Consistent with the Mountainland MPO Regional Transportation Plan (RTP)
- Projects will be limited to roads classified as collectors and above on both the state and local systems.

## **Prioritization for Allocation of Funds**

Once this master list has been approved, applications for funds from project sponsors may be accepted.

The MMPO staff will review all applications for consistency with Utah Code and the prioritized corridors list, and make recommendations for funding to the MMPO Technical Advisory Committee based on the following considerations:

- The willingness of applicant to complete studies and impact statements that meet UDOT standards.
- The applicant's attempts at preservation of corridor rights-of-way by the use of local planning and zoning powers:
  - Developer dedication
  - Zoning ordinance
  - Transfer of development rights
  - Annexation agreements
  - Compliance with city circulation master plan as required by state code

Applications that demonstrate the prior use of or attempts to use these mechanisms for acquisition will receive higher priority consideration for funding.

Due to the limited available funds, it is anticipated that the majority of corridor preservation efforts will be accomplished through local planning and zoning rather than outright purchase.

- Corridor is part of applicant's official master plan.
- The availability of other public and private matching funds for a project.
  - No minimum cash match is required, although projects with relatively higher cash match may receive more favorable consideration.
- The cost effectiveness of the preservation project.
- Long and short-term maintenance costs for property acquired.
  - An amount up to 5% of the original purchase price may be requested for normal maintenance costs. Maintenance above this amount will be the responsibility of the applicant.

Projects endorsed by the MMPO Technical Advisory Committee shall be submitted to the MPO Regional Planning Committee for review and approval. Expenditure of funds will be reviewed and approved by the Utah County Commission as per adopted interlocal agreement.

## **General Policy Requirements**

### **Applications for Funds**

- Any municipal, county, or state highway authority within Utah County may make application to the Local Transportation Corridor Preservation Fund.
- An appraisal of the subject parcel(s) is to be completed by a certified appraiser and submitted with the application. Reimbursement for appraisals may be requested with approved applications.
- Applications may be considered on an as-needed basis.
- Application materials will be maintained and distributed by the MMPO. Completed applications must be submitted to the MMPO staff.

### **Willing Sellers**

- Fund monies may *not* be used to acquire property or interests in property through eminent domain.

### **Disposal of Excess Property**

- Property purchased with fund monies in excess of what is needed for the highway project will be sold by the applicant at prevailing market prices, and *all* proceeds returned to the Local Transportation Corridor Preservation Fund.

### **Rental of Property**

- Homes and commercial structures purchased by the applicant may be leased to third parties until such time as the property is needed for the corridor. Rents may be used for reasonable maintenance costs. Any excess rents will be returned to the Fund.

### **Local Government Acquisition for State Highway Projects**

Local highway authorities may use Corridor Preservation Funds for *state highway* corridors, though UDOT should be encouraged to make application instead.

An applicant seeking to acquire property for a *state highway* corridor must first have:

- A transportation corridor property acquisition policy or ordinance that meets UDOT and Federal standards for real property acquisition; and
- an access management policy or ordinance consistent with the following:
  - Be for the purpose of balancing the need for reasonable access to land uses with the need to preserve the smooth flow of traffic on the highway system in terms of safety, capacity, and speed; and
- includes provisions:
  - (A) limiting the number of conflict points at driveway locations;
  - (B) separating conflict areas;

- (C) reducing the interference of through traffic;
- (D) spacing at-grade signalized intersections; and
- (E) providing for adequate on-site circulation and storage

- An executed Cooperative Agreement with UDOT covering the right of way functions (e.g., appraisal, acquisition, relocation) performed by the local agency are determined by mutual agreement with UDOT. This is true for any type of acquisition, including donation.
- Both local government and state highway projects may be funded, though local projects should receive a higher priority.
- All acquisitions will require execution of a reimbursement agreement between the applicant and Utah County for unused funds or funds generated through sale of excess property. Acquisitions located on state highways will be required to implement a reimbursement agreement between UDOT and Utah County prior to tendering offers to purchase or other legally binding acts. Such agreements shall be recorded with the deed.