

Land Use

Proposed Legislation (HB 2001)	Current Law (SB 234 4th Sub)
Narrows the appeal authority of the board, and establishes the Inland Port Board as the appeal board of last resort.	Current law allows any property owner to appeal any administrative decision, regardless of use.
Clarifies that appeals cannot be made on building plan review, fees, administering construction codes of public utilities. Assures that the City will be able to protect the health, safety and welfare of residents and businesses.	This enhances public safety concerns over the current law, which could allow for developers to appeal these key public safety decisions.
Increases transparency and predictability by listing the standards and processes that the port authority board must follow directly in the statute: <ul style="list-style-type: none"> Requires the board follow criteria and issue decisions in writing and provide it to the public. Requiring public noticing and hearings on appeals 	Currently adopted law has no due process requirement, and does not require the Board issue any decision in writing or provide that to the public.
Any party “with standing” can appeal.	Currently adopted law only allows property owners of jurisdictional land to appeal.
Is consistent in terminology and process with existing state land use code.	Currently adopted law has some conflicts with existing state land use code.

Tax Increment

Proposed Legislation (HB 2001)	Current Law (SB 234 4th Sub)
Includes language to assure that the municipality or taxing entity will be compensated via property tax increment, in an amount to be determined, for services provided on jurisdictional land. Requires the municipality where the land is located to provide the services.	Current law is not clear who is responsible to provide services to the jurisdictional land and how it will be paid for.
Establishes a process to address any cost increases incurred by the municipality to provide services above regularly anticipated levels.	Current law doesn’t account for the potential for future cost increase for services that would normally be covered by increases in property tax revenue.
Establishes an ongoing funding stream from tax increment generated on jurisdictional land (10%) to increase affordable housing in the City.	Current law provides no funding for affordable housing from the likely increase in property tax increment.
Requires the Board to report to any taxing entity in jurisdictional land as to the use of tax increment funds, increasing transparency and accountability to the public. This is consistent with what is required of the RDA for annual reporting.	Current law only requires reporting of increment collected to the state auditor and executive appropriations committee.
Establishes a process for the Board to consult with applicable taxing entities to get their input on how to spend property tax increment in jurisdictional land.	Current law does not specify how this input should occur.

Boundary

Proposed Legislation (HB 2001)	Current Law (SB 234 4th Sub)
Clarifies the boundary of Jurisdictional Land to exclude already-developed land. This increases predictability for private sector investment that has already been made, and shrinks the amount of land under considerations.	Current law includes land that is already developed and built out.

Board

Proposed Legislation (HB 2001)	Current Law (SB 234 4th Sub)
Solidifies Council Member representation on the board (disclosing property ownership) to ensure community voices are heard and that ethics standards are adhered to.	Current law would not allow for the current Council Member to serve because of business property unrelated to inland port owned by the Council Member in the 5 mile buffer.
Adds the ability for the board to appoint advisory committees for key topics to formalize regular input from key stakeholders like community organizations, environmental organizations, business organizations, etc. for important topics.	Current law does not have a formal and regular input method for these topics.
Further clarifies the policy and public purpose of the Board to emphasize the broader public benefit of the entity for local businesses and the region.	Current law focused more on the operations of the inland port itself.

Environmental Concerns

Proposed Legislation (HB 2001)	Current Law (SB 234 4th Sub)
Includes a requirement for the Board to work with “neighboring property owners to develop policies and implement practices to mitigate potential negative impacts from the development of authority jurisdictional land.”	Current law does not have this requirement.
Embeds sustainability into the port authority. The port authority must monitor and report on emissions, and must incorporate strategies that use best available technology to mitigate environmental impacts from development on jurisdictional land.	Current law does not require the board to consider sustainability as a part of their core operations.
Removes all wetlands designated in the City’s master plan (almost 4,000 acres) and zoning from jurisdictional lands.	Current law mentions respecting the established development line but creates ambiguity about future protection of the wetlands.
Adds requirements that the authority create a sustainability plan as a part of their business plan in consultation and collaboration with the state experts at the Department of Environmental Quality (DEQ). The Sustainability plan is required to inventory and monitor emissions regulated under state law and summarize the authority’s compliance with applicable state and federal regulations.	Current law does not require the Board to adhere to a Sustainability plan or coordinate with DEQ.
Adds into statute that anyone appealing a City decision must provide documentation that they meet or exceed federal standards, and the extent to which they are using best available technology to mitigate impacts. This adds a layer of disclosure and transparency for any use seeking an appeal from the board.	Current law does not have any standards or requirements for disclosure in terms of environmental practices.