Local leaders want to work together with state leaders to ensure the quality of life for our collective constituents. We know that government closest to the people governs best. Elected city leaders and qualified staff are the boots on the ground, tackling emergencies, growth, public safety, recreation, waste, and housing with solutions as unique as their communities. Our cities provide services that enhance quality of life, create the framework for economic opportunity, and reflect hometown pride. Whether its public safety, local festivals, or land use planning, neighbors build a community with their city leaders who live next door. These elected city officials govern the Utah League of Cities and Towns, supporting advocacy at the Capitol for your hometown problem solvers.

#CitiesWork
Planning for Growth

- Utah is facing multiple challenges from population growth. While we have the fastest growing population in the country, the recession that began in 2007 severely disrupted housing production and caused a housing unit shortfall. The costs of land, labor, and materials combined with the shortfall have driven up prices, and the market has not produced sufficient housing for low and moderate income Utahns. In addition to the shortage of affordable units, we also face overall housing affordability challenges as the cost of housing outpaces the growth in incomes.

- Cities are responsible for providing services and infrastructure—not one of which is free of costs—for today’s and tomorrow’s residents. Cities are also trying to balance growth with new development and resident frustrations about the pressure that growth brings on roads, water, and other public services. In 2018, ULCT members endorsed a resolution recognizing that cities hold some keys to housing costs—zoning, fees, and permitting processes—and committed to prioritizing planning for growth. Our members resolved to review zoning, ordinances, and other processes to sensibly facilitate housing units, but also recognized that cities do not hold all the keys to tackle complex housing challenges. As a result, ULCT is supportive of legislation to facilitate partnerships between the state and local governments to enhance infrastructure, promote economic vitality, preserve open space, and plan for growth. However, ULCT will not support legislation that interferes with our local land use planning and zoning duties to ensure the health, safety, and welfare of our residents.

Key Stats:

- When asked who residents trust the most with planning for long-term needs of a growing community, 58% of respondents said their town while 6% said the legislature and 5% said the governor. – “Utah Housing Gap 2018,” Y2 Analytics

- The strain new housing places on infrastructure is 78% more likely to make current residents oppose higher-density housing developments. – “Utah Housing Gap 2018,” Y2 Analytics Public Opinion Research

- Perceived broken promises from housing developers and local government make residents 75% more likely to oppose higher-density housing developments. – “Utah Housing Gap 2018,” Y2 Analytics Public Opinion Research

Link: https://www.ulct.org/home/showpublisheddocument?did=1036
Planning for Growth

City spotlight: Affordable housing for low-income residents

In 2019, Tooele City amended its impact fee ordinance to allow impact fee waivers for new affordable housing, allowing up to $10,000 in impact fee waivers. The ordinance sets rigorous standards that provide assurance that savings will be passed on to lower income tenants and buyers. In 2020, the Utah Housing Corporation applied for the new impact fee waiver for 12 new affordable single-family units currently under construction. Working with the corporation, the Tooele City Council approved a waiver of $7,000 per dwelling unit, waiving for the affordable units almost the balance of the city’s single-family $9,405 impact fee.

Multi-faceted problems require multi-partner investment

Utah’s affordable housing shortage and housing affordability challenges are a combination of many factors: rising labor and construction costs, diminishing available land, zoning, financial speculation, worries about growth, and changing markets exacerbated by concerns over housing density and COVID-19. True affordable housing solutions can be achieved through equal participation of cities, the state, and the private sector. Each party has a part to play while respecting each other’s role.

Private sector: Skilled labor shortages, the rising cost of land and materials, speculative real estate investment, and the ripple effects of the 2009 recession on housing stock are just some of the free market factors exacerbating our housing shortage. To tackle cost-driving factors, meaningful affordable housing solutions require innovation by the private sector like those recognized by the Ivory Prize.

Municipal plan review process. The legislature passed SB 241 in 2017, requiring cities to meet 14 and 21-day requirements to review development plans. ULCT supported the bill. ULCT committed via HB 374 (2020) to track plan review data. The average length of time across cities reporting under HB 374 was 8.34 business days for detached single family, two family, and townhome construction, and 9.5 business days for multi-family construction, well short of the statutory review deadline of 14 days. While the vast majority of cities are complying, ULCT is working internally to address those cities that fell short of the deadlines.

Municipal impact fees. Some have argued that municipal fees are a major driver of housing costs. In actuality, “after adjusting for inflation, total impact fees decreased by 3% for multi-family units from 2007 to 2018, and by 13% for single-family units.”


Link: https://ivory-innovations.org/
“We want to be partners, not adversaries with the Legislature and we want to have a dialogue with you and collaborate to arrive at the best policy decisions for our state. We prize local control because that matters to our constituents.... Let’s get to know each other. Working together, we can make things better for everyone.” – Mayor Jeff Silvestrini, City of Millcreek

State: For those for whom low-income affordable housing is truly out of reach, only subsidized housing can help these households get their foot in the door. Despite considerable concern by state leaders for our state’s housing challenges, state financial assistance to help those in 30%-50% of median income has not kept up with need. Household incomes have not kept pace with housing costs, resulting in an increased housing cost burden for Utahns. One way to help reduce the burden for households is to reduce transportation costs, which can include ensuring the availability of housing near transportation corridors and access to transit.

We welcome partnerships with the state to provide:

- Funding for preservation and/or development of true affordable housing for the state’s lowest income earners.
- Alignment of state transportation funding with local land use planning, as accomplished in SB 34 (2018) and SB 136 (2017) that ULCT supported.
- Technical and training assistance to cities, particularly small cities with limited staff, to enhance planning for all types of land use and transportation.
- Investment in transit to improve community development around transit centers, alleviating growing transportation challenges.
- Creative solutions to facilitate inclusionary housing, invest in infrastructure and sufficient economic development and re-development tools, and connect transit-oriented developments.

NIMBYism: If not planned properly, growth may bring traffic congestion, crowded recreation, and competition for finite resources. Recent incidents of NIMBYism show that Utah residents are worried. 5 Cities believe that welcoming residents to the land use process builds stronger communities, but it takes considerably more time, resources, and political will. We welcome partnerships with the state and developers to improve communication to residents to mitigate the impacts of growth while preserving Utah’s quality of life and bolster resources for local and regional planning. State mandates would only further frustrate residents and exacerbate opposition to growth.

Economic development and infrastructure

Housing, infrastructure, and economic development are all challenges with population growth. The ULCT membership endorsed a community-first resolution, stating that economic development “approaches differ by municipalities’ ages and cycles of developments.”

5 Y2 Analytics Utah Housing Gap 2018 Public Opinion Research
Link: https://www.ulct.org/home/showpublisheddocument?id=1088
has a “purpose of economic sustainability, opportunity, and balance to residents” and “the success of projects is contingent ... on the infrastructure.” ULCT supports a community-first model of economic development, collaboration at all levels of government with local implementation, and a comprehensive review of current economic development tools and programs within the model.

Respecting the role of local government

Cities are doing our part to prepare for population growth. We are concerned that state interference in how cities work could undermine the primary duty of municipalities: ensuring their residents’ health, safety, and welfare.

**Inspections:** Will your sewage back up into your basement? Do your windows allow egress in a fire? ULCT is aware of potential 2021 legislation to eliminate building inspections or allow builders to inspect their own construction, which would jeopardize the health, safety, and welfare of residents. While many builders build with safety in mind, cost-cutting at the expense of public safety can be catastrophic. **Municipal code officials provide independent safety inspections to ensure new development is safe for occupation.**

**Impact Fees:** Impact fees have increased significantly in other states, but a 2019 Utah Foundation study found that Utah impact fees have fallen when adjusted for inflation. Cities charge impact fees to pay for infrastructure requisite to new development. Although new residents disproportionately pay these fees when they consider the cost of a new a home, the alternative financing for growth planning is through property taxes, increasing all residents’ housing costs. **Cities are responsible for balancing the needs of today’s and tomorrow’s residents. ULCT opposes legislation that would interfere with the ability of cities to provide critical services.**


Recent legislation and appropriations that ULCT supported:

- **SB 136 (2018):** Transportation Governance Amendments modernized the UDOT prioritization process and now requires UDOT to consider local land use planning and economic development potential when prioritizing state transportation dollars. SB 136 also created the Transit Transportation Investment Fund to allow state investment in transit projects for the first time.

- **HB 430 (2018):** Affordable Housing Amendments created the Commission on Housing Affordability to examine general housing production and affordability. The commission’s deliberations resulted in SB 34 the following year.

- **HB 119 (2019):** Initiatives, Referenda, and Other Political Activities improved the ability of cities and property owners to communicate the benefits of projects with the public during land use referendums.

- **SB 34 (2019):** Affordable Housing Modifications (see SB 34 Update)

- **Technical assistance grants (2020):** The Legislature appropriated $1 million to help “growing communities who may lack the expertise and resources to adapt to a changing market.” UDOT received 72 applications totaling $4.8 million in requests and selected 16 projects. There is significant demand statewide for technical assistance, which will facilitate smart growth development and integration of housing, economic development, and transportation planning.

- **SB 39 (2020):** Affordable Housing Amendments provided $20 million in resources to address specific moderate-income housing needs.

**SB 34 Update**

ULCT supported SB 34, Affordable Housing Modifications (2019), which incentivized local governments to update and enhance the moderate-income housing requirements of their general plans. The bill also requires cities to update the transportation components of their general plans for alignment with regional and state transportation projects. The bill increased review of strategies from biennial to annual. SB 34 also required municipalities to annually submit reports on their moderate-income housing plans to the Department of Workforce Services. Municipalities who fail to comply will lose eligibility for projects funded through the state Transportation Investment Fund.

All 82-targeted cities met the December 2019 deadline to update plans and are now implementing their moderate income housing strategies.

More than half of cities under SB 34 have authorized accessory dwelling units (ADUs—e.g., a mother-in-law basement apartment) to create additional housing units within existing neighborhoods. However, state building code is an obstacle for willing residents. ULCT supports efforts to improve the building code to facilitate ADUs, but would oppose state preemption of local land use authority.

**SB 34 Spotlight: A Tale of Two Cities**

**Millcreek:** Millcreek Together, the City’s first general plan, called on the community to work together toward creating a mixed use, transit-oriented city center, the first of its kind for the city.

Through a lengthy public engagement process to select a City Center location, and with the help of two Transportation-Land Use Connection
grants, the city wrote a general plan, a master plan for the City Center, and adopted a form-based code. The city has entitled nearly 800 dwellings already in the City Center, and has committed $9 million in tax-increment funds to develop Millcreek Common, an urban park and open space, that will serve as the heart of the city and connect with trail and transportation plans.

Clearfield: For years, Clearfield City has planned for vibrant communities, but their efforts were realized when officials adopted regulations to increase density in commercial centers and near major transit corridors. The city adopted a form-based code along State Street (SR126) and will also approve the Master Development Plan and Agreement for the development of more than 800 units at Clearfield Station. Since the passage of SB 34, the city has approved the construction of 100 units of housing funded by low income housing tax credits. As the existing single-family housing stock ages and prices continue to swell, the city continues to allocate funding from its community development block grant program to help low to moderate income households rehabilitate their homes.
Public Safety

The most valuable service that cities provide to our residents is public safety—police, fire, EMS, and other first responders. After the death of George Floyd, ULCT partnered with the Utah Chiefs of Police Association (UCOPA) on our Love, Listen, Lead outreach effort. ULCT representatives met with community stakeholders and law enforcement leaders to listen to their concerns and seek areas of common ground. We all want a community where residents feel safe and respected. We also commissioned a statewide survey to understand the perspectives of all residents about policing. ULCT is committed to supporting our officers who risk their lives for our safety and seeking areas of improvement to ensure community trust in police.

ULCT and UCOPA have proactively supported legislation in recent years to enhance community trust in public safety. For example, we’ve worked on standards for the usage of body-worn cameras, standards for forcible entry and use of force, standards for the review of officer-involved-critical-incidents, asset forfeiture process, and data collection requirements for school resource officers. The ULCT Board of Directors also endorsed the Utah Compact on Racial Equity, Diversity, and Inclusion.

We are anticipating many police-related bills in 2021. For example, ULCT and UCOPA are actively working on improvements to the communication and disclosure process between agencies about internal affairs investigations into alleged officer misconduct. ULCT will continue to proactively support legislation that supports our police officers and ensures public trust in law enforcement, but we will not support bills that would negatively impact public safety.

“We thank the thousands of Utah peace officers who willingly put their lives on the line every day for their neighbors... We also recognize that recent events highlight that we have work to do... and are committed to do the important work of loving more and listening better as we lead our communities and take meaningful action.”

– ULCT Executive Board
Our Foundational Principles

The Utah League of Cities and Towns represents municipalities before the legislature based on the foundation of three interdependent principles: respect, collaboration, and outcomes. ULCT examines every bill through a policy prism founded on our three primary principles, ensuring that proposed legislation respects the unique roles of state and local government, is not a one size fits all approach, and does not create an unfunded or unworkable mandate. ULCT also provides training to our members through regular conferences and town halls. Through our Legislative Policy Committee, our members have adopted policy resolutions which form the foundation of our advocacy and are found on our website. We are the unified voice for mayors and council members across Utah. If you are working on a policy topic or potential bill that impacts cities and towns, please contact our legislative team.

Our advocacy includes work on:

- Air Quality
- Economic Development
- General Government (GRAMA, OPMA, administration, etc.)
- Infrastructure and Utilities
- Justice Courts
- Land Use
- Public Safety

- Open Space and Recreation
- Taxes and Fees
- Transportation
- Water
2020-2021 ULCT President: Ogden Mayor Mike Caldwell.

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Connect With the League

The strength of the League is our membership. We invite Utah’s local leaders to get involved with the League in a variety of ways.

Follow us on Twitter: @ULCTCityCafe and Facebook: Facebook.com/UTLeague. Follow the hashtag #CitiesWork.

Subscribe to the #CitiesWork bi-weekly podcast available on iTunes, Google Play, or through your podcast provider.

Subscribe to our GovDelivery outreach system and choose the information you receive via email and/or text. When subscribing, click to receive the League’s weekly “Friday Facts” and our daily emails during the session when you sign up for the content the League offers.

Visit our website at ulct.org or call 801-328-1601.