



# Legislative Policy Committee

January 11, 2021



# Agenda

- Minutes
- Virtual session logistics and resources
- Legislative Outlook

# Key takeaways today:

- 1) Ensure direct communication between your city and your legislator(s)
  - 1) Call, text, email, social media, in-person
  - 2) Thank them and hold them accountable
  
- 2) Stay in touch with ULCT
  - 1) Sign up for Friday Facts/daily email at [ulct.org](http://ulct.org)
  - 2) Provide input via LPC, polls/surveys, fiscal note requests, and more
  - 3) Respond immediately to ULCT action alerts ... your text will make a difference!
  - 4) Share your political intel with us on any bill/topic at [intern@ulct.org](mailto:intern@ulct.org)
  
- 3) Ring the alarm about bills that disrespect the role of local gov't & highlight potential partnership bills
  - 1) Preemption: land use, housing, billboards, etc.
  - 2) Partnership: infrastructure

#CITIESWORK

# Collaboration, conflict, or cocoon?



#CITIESWORK

Key message  
to legislators:

**RE**  
SPECT

**OUT**  
COMES

**COL**  
LAB  
**ORA**  
TION

**ARETHA FRANKLIN**  
**RESPECT**



Respect

Dr. Feelgood

Think

Save Me



ATL 001

# Talk to your legislators!

- 2 Hours ago Speaker Wilson to ULCT Officers:

“Your individual city-legislator relationships will be more important than ever this year so I suggest you double down on your relationships.”







# Virtual Session Logistics & Resources

# Public Comment: Committee Meetings

- When entering the Zoom meeting, you must enter your first and last name.
- If the committee chair authorizes public comment on an agenda item, the chair will invite attendees who want to comment to virtually “raise their hand.”
  - Raise hand as soon as your agenda item starts.
- If after “raising your hand,” the chair calls on you to comment, committee members (and other attendees) will be able to hear your comments.
- When you are finished commenting, your microphone and video will be muted once again, but you will continue to see and hear committee members and other individuals who are called on to comment.

- **Go to the committee's webpage**

- **Approximately 15 minutes before the meeting is scheduled to begin, click “Virtual Meeting Access”**

The screenshot shows the Utah State Legislature website. The top navigation bar includes links for Legislators, Bills, Code, Committees (circled in red), Audits, Budget, and Research and Legal. Below this, the page is for the '2020 Retirement and Independent Entities Interim Committee'. A secondary navigation bar includes Meetings (highlighted in yellow), Members, Legislation, Overview, Studies and Recommendations, Related Links, and Subscribe. The main content area is divided into 'Upcoming Meetings' and 'Past Meetings'. Under 'Upcoming Meetings', there is a meeting scheduled for 'Fri. Sep 11, 8:30 AM (Electronic Meeting)'. Below the date, there are links for 'Notice', 'Agenda', 'View Meeting Materials List', and 'Virtual Meeting Access' (circled in red). A tooltip box appears over the 'Virtual Meeting Access' link, containing the text: 'Click here to attend the meeting remotely and provide comments on agenda items. Please review the public comment procedures before the meeting is scheduled to begin.' A red arrow points from the 'Virtual Meeting Access' link to a blue callout box at the bottom right that says: 'Click the “?” to read the public comment procedures and guidelines'. The 'Past Meetings' section shows two previous meetings with links for 'Notice', 'Agenda', 'Draft Minutes', 'Audio/Video', and 'View Meeting Materials List'.



# Daily Briefing: Virtual Participation

- Daily Briefing Call
  - Tuesday thru Friday @10:15 a.m.
  - Zoom Link (same for every meeting)
    - Distributing to previous attendees
    - Email Karson @ [keilers@ulct.org](mailto:keilers@ulct.org)
  - By Computer: Full Name/City
  - By Phone: Text Karson or Wayne Full Name/City

# LPC Coordination/Legislation

## LPC Member Coordination

- Review LPC agenda
- Text/Email
- Conference Room
- Consensus = 60% of attendees (no consensus = no position)
- Potions: support, oppose, neutral: can direct staff to engage on A but hold firm on B.

## City/Town Supported Legislation

- Notify League Staff
  - Wayne Bradshaw: [wbradshaw@ulct.org](mailto:wbradshaw@ulct.org)
  - Victoria Ashby: [vashby@ulct.org](mailto:vashby@ulct.org)
  - Karson Eilers: [keilers@ulct.org](mailto:keilers@ulct.org)

# Remote LPC Voting

For casting **official** votes on positions (LPC voting members only):

<https://www.vvoter.com/connect/351199652>

Zoom polling may be used to gather informal policy information.

Please enter your name and city

Katie Witt, Kaysville

Evelyn Everton Sandy

Lehi

Mark Johnson. Ogden City

Brock Jacobsen  
Santa Clara City

Christopher Porter Saratoga Springs

Highland City

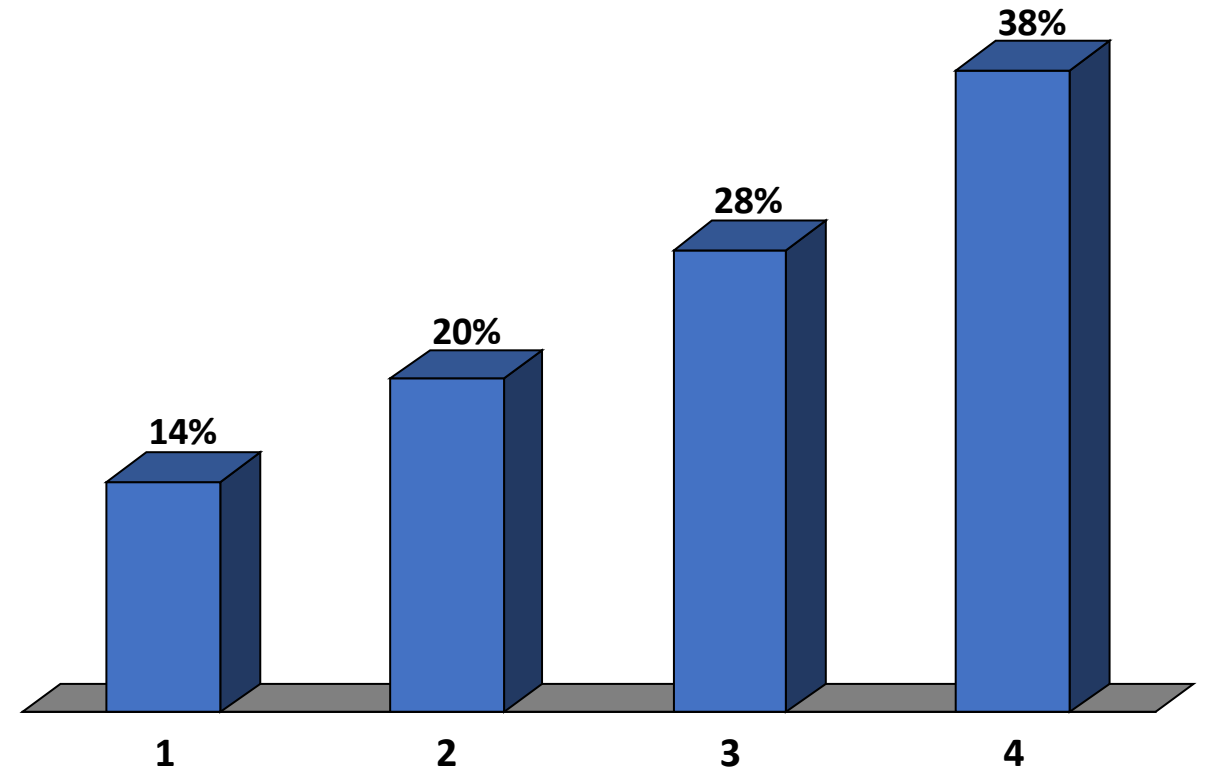
Duane Huffman, West Bountiful City

Kurt Ostler - Highland City



# Test vote: how excited are you for the 2021 General Session?

1. Very excited!
2. I can't wait!
3. It's my favorite 45 days and I just wish it were longer.
4. I don't want to talk about it...



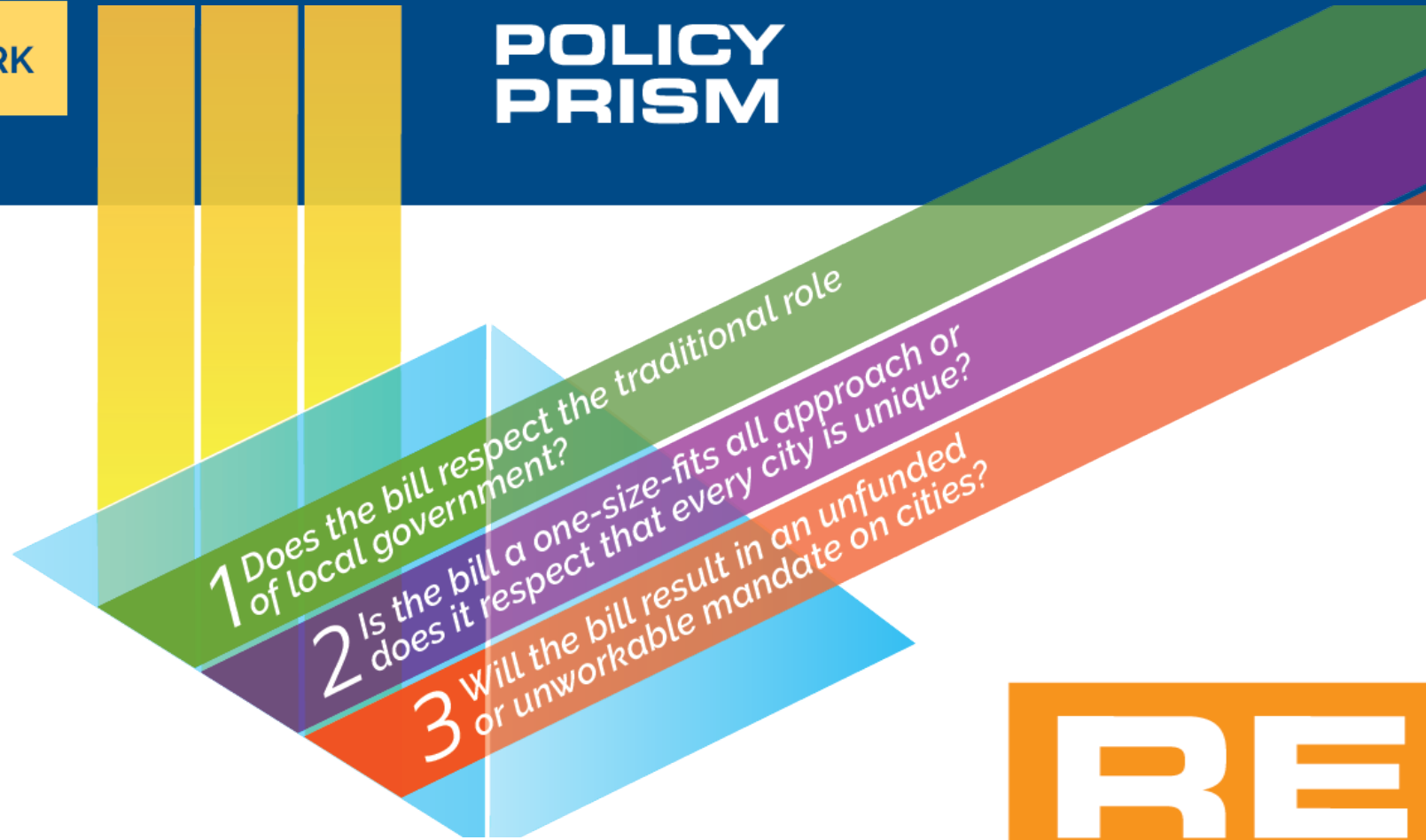


# Legislative Outlook

Unprecedented 2021 session!

#CITIESWORK

# POLICY PRISM



**RE  
SPECT**

**OUT  
COMES**

**COL  
LAB  
ORA  
TION**

# Policy Tiers

Green: update to tier

P: State preemption

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Tier 1	Tier 2	Tier 3	
<p>Water conservation</p> <p>Housing:</p> <ul style="list-style-type: none"> <li>-Building fees <b>P</b></li> <li>-Impact fees</li> <li>-HB 82 ADU (leadership on ADUs too) <b>P</b></li> <li>-HB 98 inspection/review and exterior design <b>P</b></li> <li>Last minute end runs around LUTF</li> </ul> <p>-HRZ, other affordable housing tools <b>(TRZ/TOD) P</b></p> <p>Trust in public safety:</p> <ul style="list-style-type: none"> <li>-Officer discipline process</li> <li>-Training</li> <li>-Data collection</li> </ul> <p>ULCT will engage on public safety bills that impact trust &amp; ULCT prism</p> <p>Municipal fees and taxes (in general)</p> <p>Economic development/incentives</p>	<p>Transportation/Air quality</p> <p>Rainy day funds</p> <p>HB 76 firearm preemption <b>P</b></p> <p>SB 58 Metro Townships</p> <p>SB 65 CRA/RDA</p> <p>EMS</p> <p>Transportation utility fee (defend) <b>P</b></p> <p>CARES funding, 4<sup>th</sup> stimulus</p> <p>HB 17 utility permitting <b>P</b></p> <p>SB 61 billboards <b>P</b></p> <p>TBD</p> <p>UBCC membership <b>P</b></p> <p>Gravel pits</p> <p>Public assets</p> <p>HB 107 Subdivision Plat</p>	<p>Land Use Task Force:</p> <ul style="list-style-type: none"> <li>-Annexation/incorporation</li> <li>-Low impact development</li> <li>-Development agreements</li> <li>-Water provider review of plat</li> <li>-Building permits/vesting</li> <li>-Boundary line adjustment</li> <li>-Land use training</li> </ul> <p>Convention and tourism assessment</p> <p>GIA and notice of claim</p> <p>State homeless coordinator/plan</p> <p>JRI investment</p> <p>Public safety individual privacy</p> <p>Legal notice/print news</p> <p>Emergency authority</p> <p>HB 63 impact fees</p>	<p>Anonymous code complaints</p> <p>Eminent domain <b>P</b></p> <p>Enterprise funds</p> <p>Marijuana, tobacco (land use, licensing) <b>P</b></p>





# Tier 1 Bills

# SB 13 Law Enf. Internal Investigation Req'ts

- New role for former Bountiful Police Chief Tom Ross
- SB 13 objective: enhance trust in public safety by limiting the ability of officers with a history of misconduct to move from one agency to another
- Love, Listen, Lead task force endorsed a potential sub to SB 13 that would:
  - Improve notice to POST about allegations of misconduct that are within their authority
  - Improve communication between agencies about an officer's employment record
  - Ensure candid communication, within the scope of employment, between agencies about an officer's character and competence
- LLL endorsed criteria for how we could support bills to improve data collection, particularly around use of force
- **Staff Recommendation:** No Recommendation yet until the sub. language is ready

# Other police related bills:

## **Utah Attorney General's Office 'surprised' police shot at so many people in 2020**

Tribune and FRONTLINE collaborate to investigate police shootings after state fails to collect data.

- Love, Listen, Lead task force adopted criteria for evaluating data collection bills:
  - Consistent definitions (“use of force”), agreement on purpose of data, privacy guidelines, streamlined process/tech req’ts for submission, etc.
- Training req’ts (POST/basic training, req’d topics annually, etc.)
- POST duties, council membership, location within state gov’t (transition team)

# Economic Development & infrastructure

- Creation of an Economic Development Commission
  - Joint effort by executive and legislative branches
  - ULCT has requested local gov't representation on the commission
- Transportation infrastructure
  - Potential bond which could include roads, transit, & active transportation
  - Proposal to invest state dollars in TODs if project areas meet certain criteria around housing, connectivity, etc.
  - Municipal infrastructure bank
  - Proposal to create a systemwide Transportation Reinvestment Zone (TRZ) around transit
- Main Street program
  - Tiered program for downtown redevelopment in rural Utah (previously a pilot program that ULCT supported)





# Housing Bills

# Housing

- Utah House caucus has identified housing as one of top three priorities for session
- What we've heard:
  - Delayed inspections and reviews drive up housing costs and delay housing inventory
  - Municipal building fees are driving up costs and service provided does not match the cost
  - Municipalities interpret the deadlines differently, delay reviews for minor corrections, are not efficiently staffed, take retribution if challenged
  - Leadership is interested in ADUs; may run legislation mandating them
  - Some cities are not “doing their part” to plan for growth



# HB 82 Single-family Housing Modifications

- Rep. Ward
- In any zone or area permitting accessory dwelling units:
  - the use of an internal accessory dwelling unit is a permitted use; and
  - a municipality may not establish any restrictions or requirements for the construction or use of an internal accessory dwelling unit, including a restriction or requirements governing:
    - the size of an internal accessory dwelling unit in relation to the primary dwelling within which the internal ADU is created;
    - total lot size
    - parking; or
    - street frontage.
- 10-9a-505.5: "single-family limit" means the number of ~~unrelated~~ individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.
- Also modifies building code, prohibits HOA from prohibiting certain ADUs, and creates program for loan guarantees for ADUs
- **Staff Recommendation: Oppose**



# HB 98 Local Government Building Regulation Amendments

- Rep. Ray
- Allows applicants to opt out of an inspection and engage their own licensed building inspector
  - Applicant must provide name and address of the licensed building inspector
  - Building inspector may issue certificate of occupancy
- Allows applicants to opt out of a plan review and engage a licensed building inspector to review the plan
  - Municipality may require a zoning review; may not charge more than \$200
- Prohibits municipality from adopting building design elements (exterior materials, roof structure, location/design of windows or doors, interior layout, min. square footage, landscaping, min. dimensions)
- **Staff Recommendation: Oppose**







# Other Bills

# HB 23 Voter Referendum Amendments

- Rep. Nelson
- Clarifies that a land use law includes a rezone
- Creates a process for a referendum filed after April 15 to appear on the November ballot
- ULCT board endorsed the concept during the interim
- **Staff Recommendation: Support**



Photo by Element5 Digital on Unsplash

# SB 58 Metro Township Amendments

- Sen. Mayne
- Allows a metro township to impose a municipal energy sales and use tax or a municipal telecommunication's license tax
- Repeals provisions limiting the taxing authority of certain metro townships
- ULCT Board voted to support MET authority for metro townships
- **Staff Recommendation:** Support

# HB 96 Emergency Management Amendments

- Rep. Harrison
  - Political subdivisions
    - Required to designate an emergency manager, with interim emergency successors
    - Create an emergency operations plan
  - Requires counties to have a plan to conduct emergency mass notifications (FEMA Integrated Public Alert and Warning System) to notify residents, workers, visitors of major incidents
  - **Staff Recommendation:** Neutral



# HB 107 Subdivision Plat Amendments

- Requires an individual recording a subdivision plat to:
  - Specify easements and rights-of-way for water conveyance facilities located in the plat
  - Specify water conveyance facilities within 100 feet of the plat that is not recorded
  - Provide written notice of the proposed subdivision to an owner of water conveyance facility
- Requires a municipality to mail written notice of a proposed subdivision to any water conveyance facility owner located entirely or within 100 feet of the plat and consider input received from the owner when reviewing the subdivision plat
- Requires a surveyor making a subdivision plat to verify certain water conveyance facility information

\*Water conveyance facility: ditch, canal, flume pipeline or other water course used to convey water.

**Staff recommendation:** No recommendation yet



# SB 65 Community Reinvestment Agency Amendments

- Sen. Harper
- For an agency that enters into an interlocal agreement for the purpose of transferring incremental revenue, the bill:
  - Authorizes the agency to levy a property tax on property within the agency's boundaries.
  - Prohibits the agency from extending the scope of certain project area plans or project area budgets.
  - Allows the agency to use property tax revenue for agency-wide projects.
  - Requires the agency to adopt an implementation plan to guide agency-wide project development.
  - Prohibits the agency from creating a new CRA project area unless the purpose is for a regional partnership or an economic development project.

**Staff Recommendation:** No position

# HB 63 Impact Fees Amendments

- Rep. Pierucci
- Clarifies existing statute that allows a local entity to use impact fees to pay for the impact fee facilities plan and analysis and enactment of the impact fee.
- Land Use Task Force request
- **Staff Recommendation: Support**

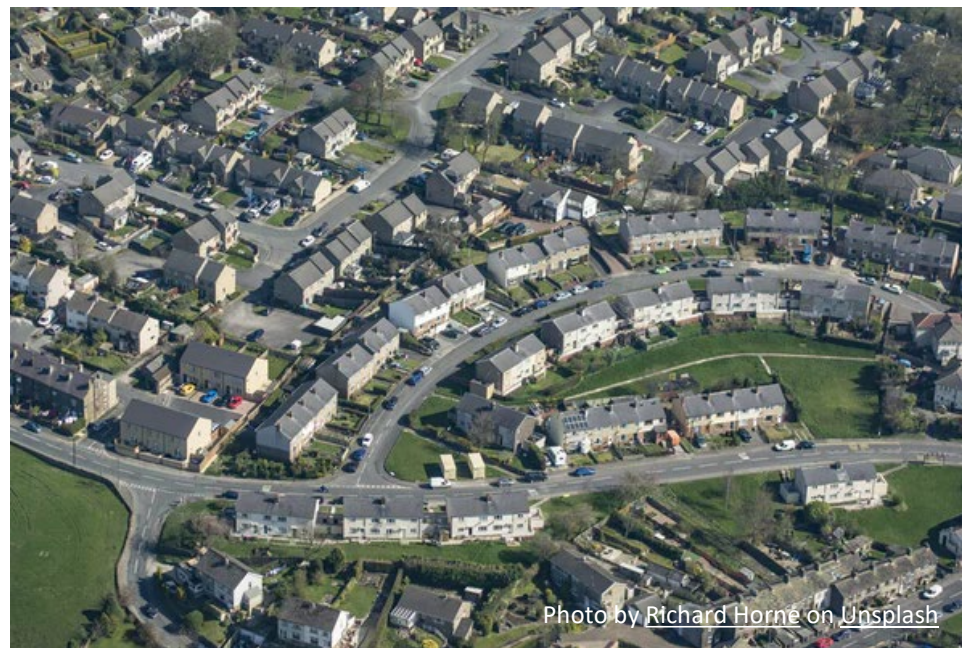


Photo by Richard Horne on Unsplash

# HB 28 Land Use and Eminent Domain Advisory Board Amendments

- Rep. Handy
- Repeals the sunset date of the Land Use and Eminent Domain Advisory Board.
- **Staff Recommendation:** Support



# Other Preemption Bills

# HB 76 Firearm Preemption Amendments

- Rep. Maloy
- Legislature occupies the whole field of state regs unless exception
  - i.e. homeless shelter, peace officer's official duties, corrections, behavioral health
- City/agency may not enact any policy about transfer of firearms on public or private property
- City/agency may not prohibit or require a permit for ammunition or firearm accessory
- Voids any local ordinance, policy, etc. that violates state preemption
- Standing for anyone harmed by city/agency action to sue and collect:
  - Actual damages
  - Reasonable attorney fees
  - Interest
- Waives gov't immunity for suit against gov't for violating state firearm preemption

**Staff Recommendation: Oppose**



# HB 17 Utility Permitting Amendments

- Rep. Handy

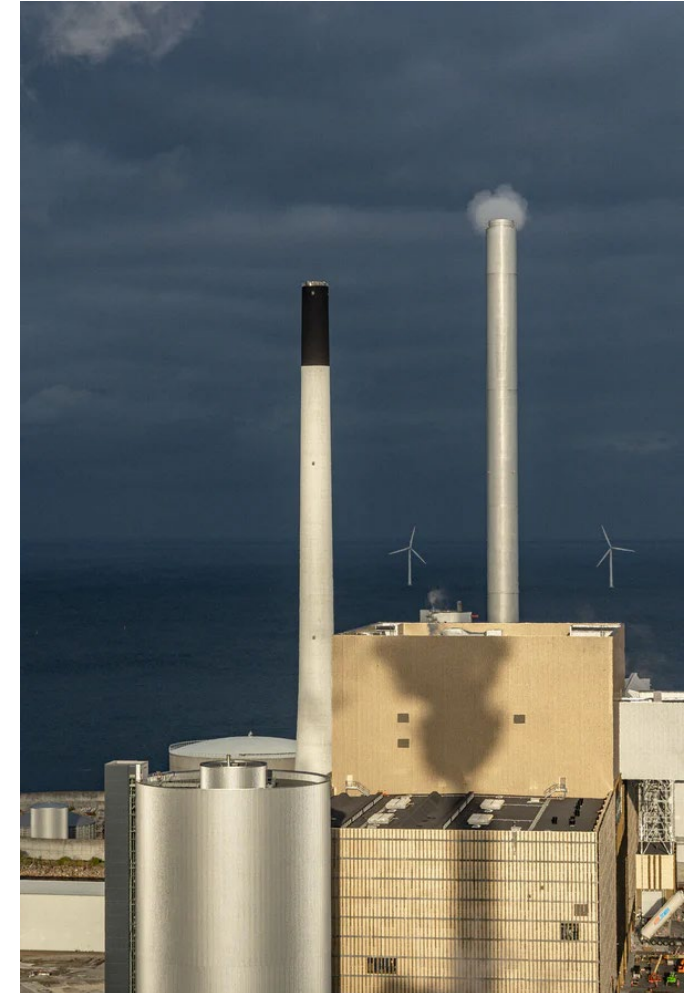
22 *Be it enacted by the Legislature of the state of Utah:*

23       Section 1. Section **10-9a-530** is enacted to read:

24       **10-9a-530. Utility service connections.**

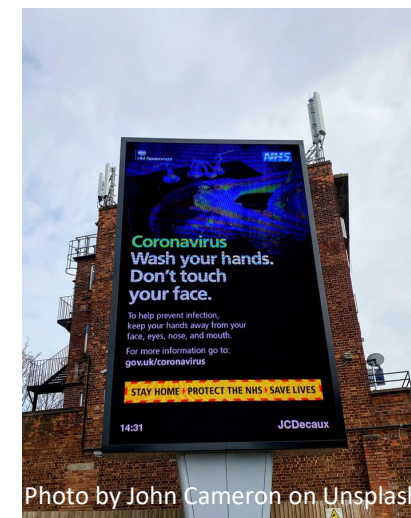
25       A municipality may not enact an ordinance, a resolution, or a policy that prohibits, or  
26 has the effect of prohibiting, the connection or reconnection of a utility service to a customer  
27 based upon the type or source of energy to be delivered to the customer.

Staff Recommendation: Oppose



# SB 61 Outdoor Advertising Amendments

- Sen. Sandall
- Prohibits a municipality from enacting or enforcing an ordinance that prevents conforming and non-conforming signs from upgrading to an electronic/mechanical changeable sign.
- City may not require a sign owner who converts a sign to forfeit another sign.
- Allows a city to set a curfew only if sign:
  - Is located outside an area governed by the Highway Beautification Act of 1965 or the Utah-Federal Agreement; and
  - Face is within 150 feet of the outer edge of an existing residential dwelling, legally occupied, and located on property zoned exclusively residential
- Requires a municipality to pay attorney fees to owner who successfully enforces right to upgrade sign to electronic/mechanical changeable sign.
- Amends provisions related to brightness of electronic/mechanical changeable sign
- Repeals minimum spacing criteria for signs located on nonlimited access primary highways in commercial, industrial, or H-1 zone areas.
- Illumination of electronic changeable message signs may not be limited except to prevent increasing ambient lighting levels by more than 0.3 footcandles.
- If a municipality adopts an illumination standard different than the above for other signs, an electronic changeable message sign may illuminate to the bright of the two standards.
- **Staff Recommendation: Oppose**



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# What does SB 61 (billboard) mean in your city?



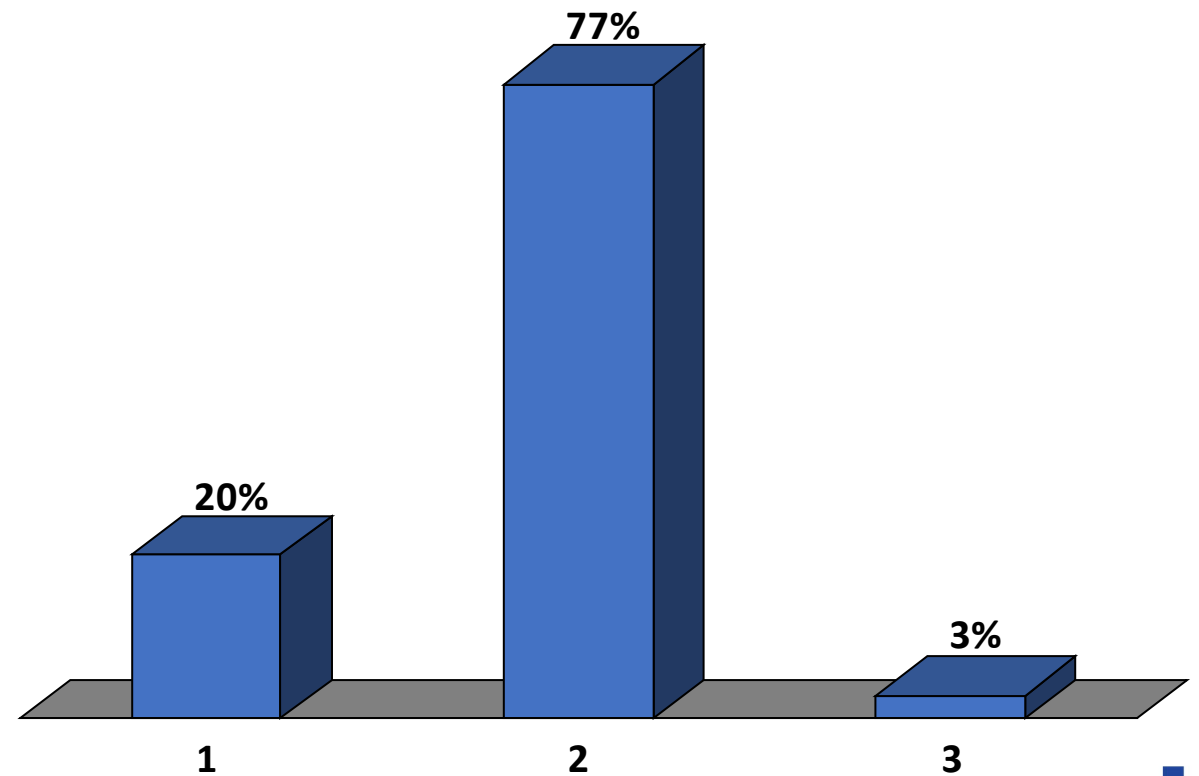
# ULCT Recommended Positions (>60% = consensus)

- SB 13 Law Enforcement Internal Investigation Requirements: **No recommendation yet**
- HB 82 Single-Family Housing Modifications: **Oppose**
- HB 98 Local Government Building Regulation Amendments: **Oppose**
- HB 23 Voter Referendum Amendments: **Support**
- SB 58 Metro Township Amendments: **Support**
- HB 96 Emergency Management Amendments: **Neutral**
- HB 107 Subdivision Plat Amendments: **No recommendation yet**
- SB 65 Community Reinvestment Agency Amendments: **No position**
- HB 63 Impact Fees Amendments: **Support**
- HB 28 Land Use and Eminent Domain Advisory Board Amendments: **Support**
- HB 76 Firearm Preemption Amendments: **Oppose**
- HB 17 Utility Permitting Amendments: **Oppose**
- SB 61 Outdoor Advertising Amendments: **Oppose**



# Do you support or oppose motion 1

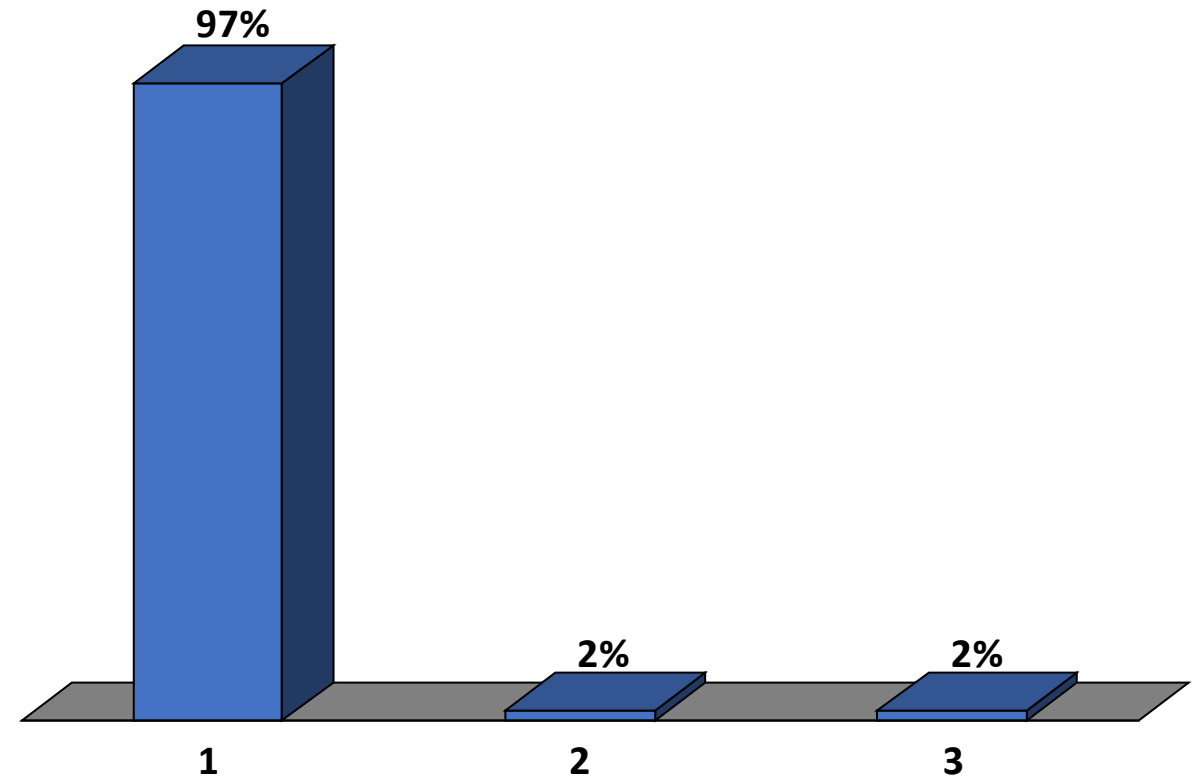
- 1.Yes
- 2.No
- 3.Abstain





# Do support the staff recommendations as presented or modified today?

- 1.Yes
- 2.No
- 3.Abstain





# Upcoming Issues

# Homeless issues (bill coming)

- Will be based on Gardner Policy Institute November 2020 assessment <https://gardner.utah.edu/gardner-institute-releases-assessment-for-utah-homeless-services-governance-structure/>
- ULCT's Cameron Diehl, SLC Mayor Erin Mendenhall, Ogden Mayor Mike Caldwell, former St. George Mayor Jon Pike served on Gardner review board
- Recommendations:
  - Restructure state governance: appoint Homeless Services Officer (executive director of council), create Utah Homeless Council → GOMB
  - Improve local communication and coordination through Council
  - Develop coordinated funding model: annual state-wide funding plan that builds from local to regional to a consolidated statewide plan

# Upcoming Issues

- Public assets: cities inventory city-owned property for potential public-private partnership to invest in those properties
  - May or may not be a bill
- Fees: new standards for setting fees
  - Building fee limits
  - Ban on transportation utility fees
  - Overhaul of all fees
- UBCC: changes to the Commission



Photo by Olivia Hutcherson on Unsplash

# Find your legislator

The screenshot shows the Utah Legislature website (le.utah.gov) in a web browser. A red banner at the top states: "The Capitol Complex is closed to the public due to COVID-19. All meetings will be held virtually online. View [procedures and guidelines \(PDF\)](#) for remote public comment and [virtual meeting instructions \(PDF\)](#)." Below the banner is a navigation bar with links: Search, Settings, and Login. The main navigation menu includes: Legislators, Bills, Code, Committees, Audits, Budget, and Research and Legal. The 'Legislators' menu is expanded, showing three columns: All Legislators, House, and Senate. In the 'All Legislators' column, the 'Find by Address/Map' option is highlighted with a red arrow. Other options in this column include 'By Session (1896-Current)', 'Alphabetical (Historical)', 'Sessions', and 'Reading Calendars'. The 'House' column includes 'About the House', 'Leadership', 'Roster', 'Seating Chart', 'Conflict of Interest Forms', and 'Past Floor Debates'. The 'Senate' column includes 'About the Senate', 'Leadership', 'Roster', 'Seating Chart', 'Extraordinary Sessions', and 'Past Floor Debates'. The browser's address bar shows 'le.utah.gov' and the taskbar at the bottom displays the time as 10:33 AM on 12/11/2020.

Home | Utah Legislature

le.utah.gov

Apps Bookmarks ULCT (20 unread) - ashby... Capital One 360 - L... Outlook Sign in to your acco... Stirling Strings Work Other bookmarks

ⓘ The Capitol Complex is closed to the public due to [COVID-19](#). All meetings will be held virtually online. View [procedures and guidelines \(PDF\)](#) for remote public comment and [virtual meeting instructions \(PDF\)](#).

Search Settings Login

UTAH STATE LEGISLATURE

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All Legislators

By Session (1896-Current)

Alphabetical (Historical)

Find by Address/Map

Sessions

Reading Calendars

House

About the House

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Seating Chart

Conflict of Interest Forms

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Senate

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Leadership

Roster

Seating Chart

Extraordinary Sessions

Past Floor Debates

https://le.utah.gov/GIS/findDistrict.jsp

Type here to search

10:33 AM 12/11/2020



# Contact ULCT: session starts Jan. 19!!!

- Cameron Diehl [cdiehl@ulct.org](mailto:cdiehl@ulct.org)
- Victoria Ashby [vashby@ulct.org](mailto:vashby@ulct.org)
- Roger Tew [rtew@ulct.org](mailto:rtew@ulct.org)
- Wayne Bradshaw [wbradshaw@ulct.org](mailto:wbradshaw@ulct.org)
- Karson Eilers [keilers@ulct.org](mailto:keilers@ulct.org)
- John Park [john@johnwpark.com](mailto:john@johnwpark.com)
- Spencer Cawley [intern@ulct.org](mailto:intern@ulct.org)

## Mark your (virtual) LPC Calendar

### Session LPC: Zoom @ noon

- **January 25**
- **February 1**
- **February 8**
- **February 16**
- **February 22**
- **March 1**