



# LPC

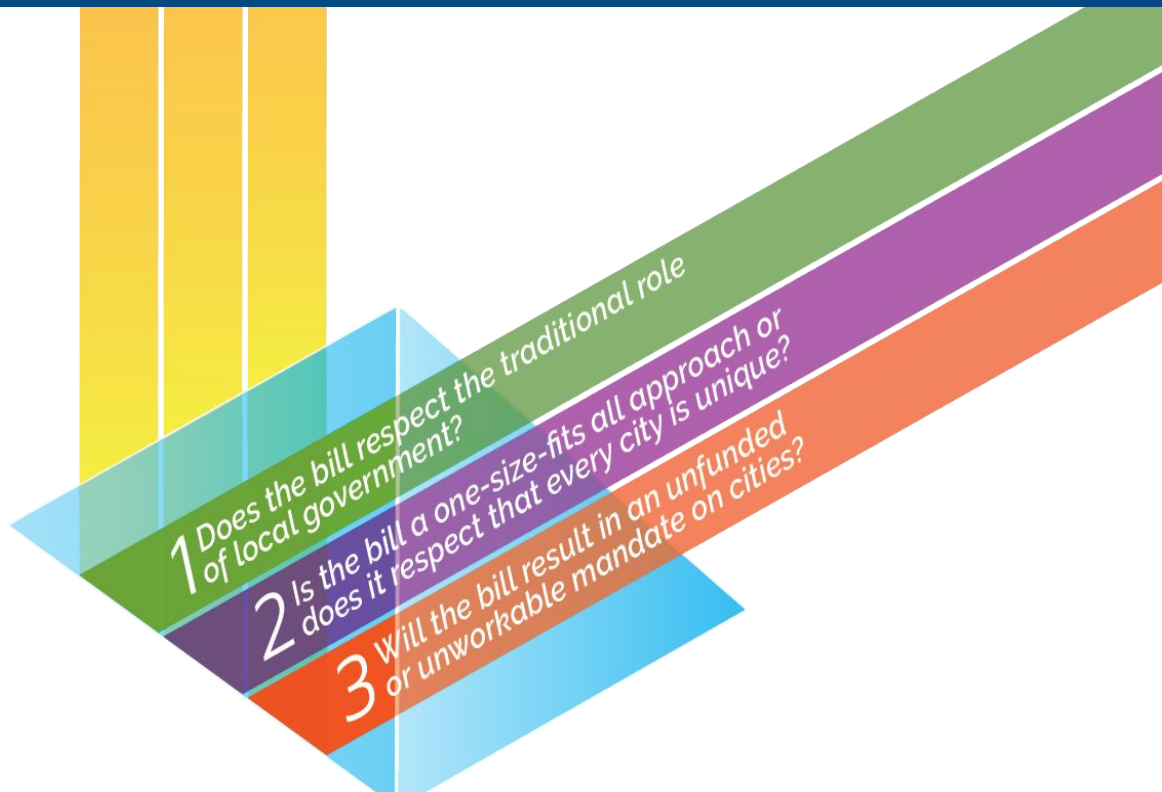
January 18, 2023



# Our Foundational Principles



# Legislative Policy Prism



# Legislative Policy Committee

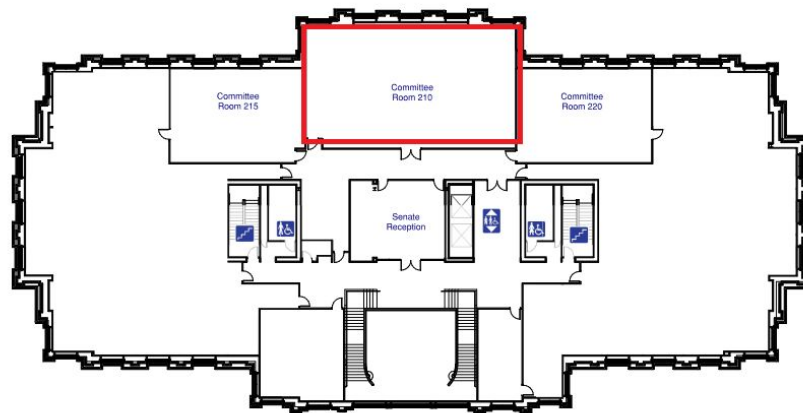
- The Legislative Policy Committee (LPC) provides the general legislative policy guidance to league staff.
- Every city and town can elect three voting members from their mayor, council members, or senior staff (or four, if that city is also represented on the ULCT board).
- All are welcome to participate in our meetings.

# Legislative Policy Committee

- The LPC meets weekly during the legislative session on Capitol Hill to evaluate bills and work with the League's Board of Directors and staff to determine official ULCT positions on legislation.
- The LPC takes positions on legislation by a 60% consensus vote of those in attendance in-person and remotely.

# Session Logistics - LPC

- Every Monday at noon (except for the week of 2/21, when LPC will be held on that Tuesday)
- Room 210 of the Senate Building and Online (via Zoom webinar)
  - You can vote and participate online or in person
- Raising an issue
  - If you would like to request the LPC consider an issue, please notify staff at least one business day in advance of the next meeting.
- Updating your LPC roster
  - Please request changes at least 1 business day prior to LPC.
- Learn more: <https://www.ulct.org/LPC>



East Building - Level 2

Stair Elevator Restrooms



# Legislative Policy Committee

- **Legislative Policy Committee Dates**

- Jan. 18: LPC
- Jan. 23: LPC
- Jan. 30: LPC
- Feb. 6: LPC
- Feb. 13: LPC
- Feb. 21: LPC (Tue)
- Feb. 27: LPC

# Session Logistics – Bill Tracking

Click here to download this report in [PDF](#) or [Excel](#).

Number	Title	Sponsor	Tracking Level	Position
HB 0006	Executive Offices and Criminal Justice Base Budget	Cheryl Acton	Monitor	
HB 0012	Public Safety Retirement Amendments	Matthew Gwynn	Work	Position Pending
HB 0021	School and Child Care Center Water Testing Requirements	Stephen Handy	Monitor	
HB 0022	Open and Public Meetings Act Modifications	Doug Welton	Watch	
HB 0023	First Responder Mental Health Services Amendments	Ryan Wilcox	Work	
HB 0033	Instream Water Flow Amendments	Joel Ferry	Watch	
HB 0036	Commission on Housing Affordability Amendments	Steve Waldrup	Watch	
HB 0037	State Water Policy Amendments	Keven Stratton	Watch	
HB 0039	State Construction Code Amendments	Joel Ferry	Watch	
HB 0045	Justice Court Judge Elections Amendments	Jon Hawkins	Monitor	
HB 0046	Utah Energy Infrastructure Amendments	Carl Albrecht	Monitor	
HB 0057	Government Records Access Amendments	Andrew Stoddard	Watch	
HB 0061	Postretirement Reemployment Amendments	Kera Birkeland	Watch	
HB 0064	Drinking Water Amendments	Christine Watkins	Watch	
HB 0071	Utah Fair Housing Act Amendments	Clare Collard	Monitor	
HB 0085	Eminent Domain Amendments	Mike Petersen	Work	
HB 0093	Juror and Witness Fee Amendments	Mike Winder	Watch	Position Pending

<https://www.ulct.org/bills>

The screenshot shows the Utah League of Cities and Towns website. The navigation bar includes links for Contact Us, Job Bank, Directory, Sponsors, and a search bar. Below the navigation bar, there are sections for MEMBER SERVICES, ADVOCACY, CONFERENCES, and TRAINING. The ADVOCACY section is expanded, showing a list of links: Legislative Priorities, Bill Tracking (highlighted with a red arrow), Legislative Wrap Up, Legislative Policy Committee, LPC Agenda & Minutes, and ULCT Resolutions. To the right of the ADVOCACY section, there are links for Policy Resources, Legislative Issues, Love, Listen, & Lead, Senate Bill 34 Housing & General Plan Resources, HB 98 Local Government Building Regulations, and HB 82 Single Family Housing Modifications. At the bottom of the page, there is a photo of a yellow house in a snowy landscape with a wooden chair in the foreground. The photo is credited to South Jordan, Utah.



**Daily Briefing calls** will be held daily from 10:15 am - 10:45 am, starting on January 19.

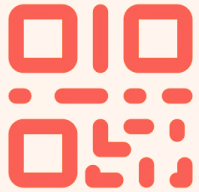
This meeting will be a quick brief on items coming up each day in legislative committees or on the floor.

**Nightly Emails** will go out each evening providing an overview of bills that were presented each day, items that we need feedback on, pithy comments, and potential action items for our members.

**Action Alerts** will happen when we need a quick response from our members to reach out to legislators on a bill that is up for a vote.



slido



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**#4654713**

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# What is your title?

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# Which city do you represent?

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Quotes from late September:

Governor “I believe that government is a major piece of the expense of housing in our state, and I believe that it’s going to take bold initiative to change that.”

Speaker “If government bureaucracy at a local level is what’s causing the problem, and the State didn’t ... fix the system... Because I believe the private sector is at the ready to address this but government bureaucracy, government fees, and the challenges that we have getting the right kinds of projects entitled that the market wants is what’s causing the lack of supply. We need to fix it.”

# UEOC - Unified Economic Opportunity Commission

Thoughts from the past week:

## Governor Cox

We have tens of thousands of lots entitled but we need the infrastructure to build

You get to make the decision once, then we're building the homes

## Speaker Wilson

The majority of cities are doing the right thing with housing

We need to motivate those last few cities

Recognized Ogden, Clearfield, and South Jordan as doing great work on housing during his opening speech

“How can we extend their leadership and success to other parts of the state?”



# UEOC - Unified Economic Opportunity Commission

## Commission on Housing Affordability report (initial bill coming soon)

### 1) Subdivisions (ULCT Board & LPC proposal from Oct/Nov)

- Proposal: standardized 2 step process; preliminary review and final approval and staff administers the final approval

### 2) Station Area Plans and administrative approval & timelines

- Proposal: if application (site plan?) is 100% consistent with SAP and zoning, then staff approval only (staff rec: TBD)
- Proposal: potential shot clocks (staff rec: nay)

### 3) Internal accessory dwelling units (IADUs) modifications

- Proposal: clarify that units above garages are IADUs (staff rec: aye)
- Proposal: clarify that local gov'ts may not regulate "internal circulation" (staff rec: aye)
- Other: remove ability of local gov'ts to require 1 parking spot or have areas in the city without IADUs (staff rec: nay)

### 4) Consequences for HB 462 non-compliance on moderate income housing plans

# UEOC “Sticks & carrots” for HB 462 compliance *(concepts discussed at the CHA/UEOC)*

- withhold class B&C revenue during period of non-compliance
- authorize attorneys fees for a plaintiff who sues to enforce HB 462
- automatic “ripcord” requiring affordable housing proposal to be reviewed in 45 days

# UEOC “Sticks & carrots” for HB 462 compliance

*(concepts not discussed at the CHA/UEOC)*

- development fee refund for housing proposal if review is longer than 45 days
- housing proposal deemed approved if city doesn't review it within 45 days
- state mandate that housing units are permitted uses anywhere in the city
- state mandated “density bonus” to upzone a residential area
- city zoning: 3 units to acre; state “bonus” would make it 4 units to acre
- state housing appeals board to review housing proposals/denials in the city
- pay a fine to the Olene Walker Housing Fund
- Non-compliant cities are ineligible for 5th 5th transportation dollars or the State Infrastructure Bank

## UEOC “Sticks & Carrots” SLIDO poll question

Assuming we fix HB 462 and have better housing data, rank these consequences for non-compliance from most objectionable (1) to least objectionable (10):

- auto “rip cord” requiring affordable housing proposal to be reviewed in 45 days
- development fee refund for housing proposal if review is longer than 45 days
- housing proposal deemed approved if city doesn’t review it within 45 days
- state mandate that housing units are permitted uses anywhere in the city
- state mandated “density bonus” to upzone a residential area
  - city zoning: 3 units to acre; state “bonus” would make it 4 units to acre
- state housing appeals board to review housing proposals/denials in the city
- withhold class B&C revenue during period of non-compliance
- authorize attorneys fees for a plaintiff who sues to enforce HB 462
- pay a fine to the Olene Walker Housing Fund
- Non-compliant cities are ineligible for 5th 5th transportation dollars or the State Infrastructure Bank



**Assuming we fix HB 462 and have better housing data, rank these consequences for non-compliance from most objectionable (1) to least objectionable (10):**

① Start presenting to display the poll results on this slide.

# UEOC - Limited Infrastructure District (LIDs)

## What would a LID be?

Potential financing vehicle for developers to fund public infrastructure by accessing the public bond market

LID would require 100% of property owners within boundaries to consent

- Unlike PIDs, no local gov't authorization

LIDs would not rely on property tax to pay off the bond

- Debt would be repaid incrementally upon the building permit being issued for a lot

- Prohibits mill levy of limited property tax

LIDs have no zoning or subdivision authority

Local ordinances govern subdivision improvements

- Local utility provider would approve all plans, no improvements local jurisdiction doesn't want

Must dedicate public infrastructure to the local gov't without debt obligations

LID would need a sovereign power (taxing, eminent domain, police)

## Questions that are being answered and need additional review:

Affordability connection (potential)

Process if Default occurs

Impact fees, exactions

Infrastructure that the DID would finance and NOT encumber

Infrastructure completion process

Sovereign power

Subrogation of debt

\*Show document

## **LID Committee**

-5-6 members (plus our staff) to take a in-depth look and make a recommendation

## **Need Representation from:**

- Greenfield
- PID experience
- Redeveloping/Existing Infrastructure
- Inland Port
- Rural/Urban Fringe

## **Motion**



## Other Upcoming Issues: local revenue

### Gas tax:

- ***UEOC endorsed one-time decrease***
  - \$21 million cut for state; approx. \$4-6 million aggregate cut for cities/towns
- Proposal to create a rural fund from the local portion of the Ogas tax
- CHA proposal to withhold gas tax for HB 462 non-compliance

### Property tax:

- Sen. McCay's floating residential exemption with 45% as a floor
- Potential caps on increases, details TBD
- Concern about housing affordability and spikes in residential value

### Property tax: HB 56 (staff rec: aye)

- Tax Commission will access assessment data, supervise county assessments, fund database services (rural), fund specialists & mass appraisal modeling

## Other Upcoming Issues: local revenue

### Sales tax: 5th 5th for transportation

- Status quo: county imposed .20 by June 30 exclusively for transit
- Potential changes:
  - UTA must get 50%; remaining 50% split between counties & cities
  - In non-UTA, transit gets 25%; remaining split between counties & cities
  - Extend authorization to non-transit counties; 60% counties, 40% cities

### Sales tax: reduce or eliminate on food

- State: 1.75%
- City/town: 1%
- Approximately \$99 million to cities and towns in aggregate

### Fees:

- potential bill to limit how cities can collect and use all types of fees
- potential bill to limit development fees in name of housing affordability



**What are your initial thoughts on the proposal to increase the residential property tax deduction (keeping local governments revenue neutral and shifting a greater portion of costs to businesses)?**

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**Does your city have outstanding bonds that would be affected by a repeal of sales tax on food?**

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**If building and development fees were reduced or eliminated, would your city need to raise property taxes?**

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### Water

- Liability
- Conservation
- Turf Buyback
- Funding

### Public Safety

- Homeless mitigation
- SRO
- Mental Health
- Retirement

### Land Use

- Development standards
- Subdivisions
- Annexations
- HTRZ/SAPs
- Development agreements
- Moratoriums
- Landscaping bonds

### Elections

- Petitions
- Alternate Voting Methods

### Transportation

- Trails
- Free fare transit

### Local Revenue

- ~~Property tax~~
- ~~Gas tax cut~~
- ~~Fees (all, not just dev.)~~
- Point of Sale (Sand and Gravel)
- Homelessness mitigation

### Government Operations

- OPMA
- GRAMA
- Noticing
- Shared administrator/advisor

And more!

[ulct.org/bills](https://ulct.org/bills)