



LPC

February 28, 2022

Partnership not preemption

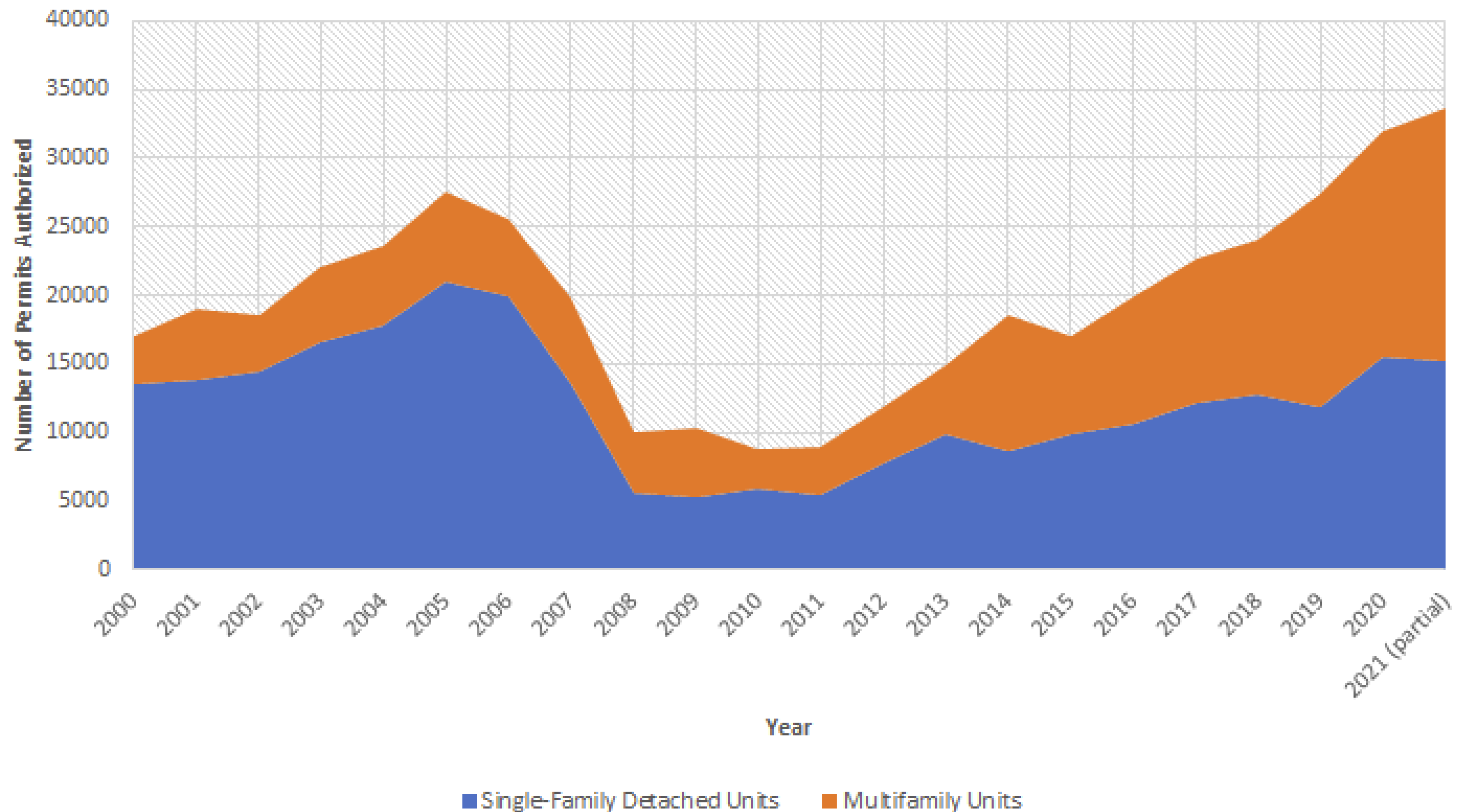
Planning not preemption

- Action alerts may pick up and your advocacy matters for all cities
 - Texts/calls/in-person
 - 1000s of emails from special interest groups so use your relationships!
- Social media engagement
 - Make sure your residents know how the legislature is impacting cities

Housing/land use bills

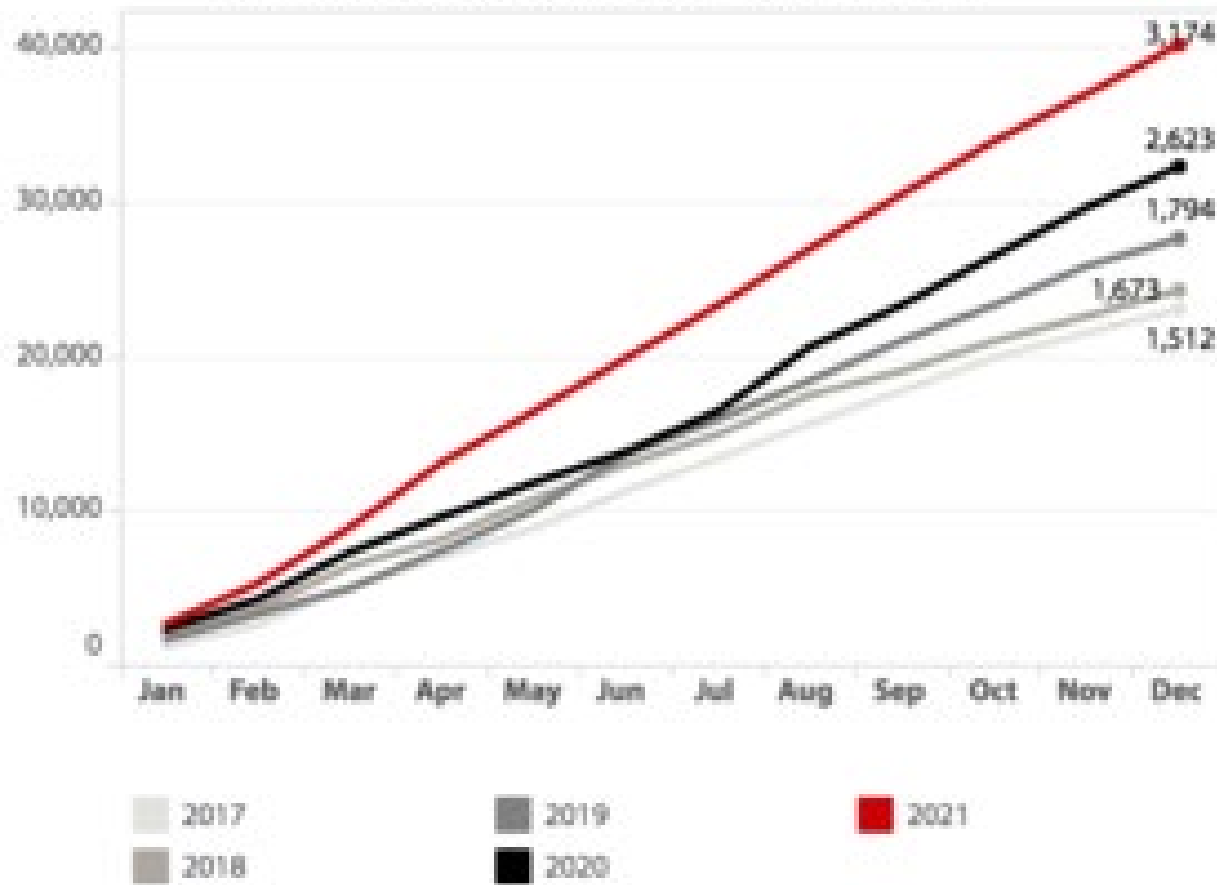
- HB 462 Utah Housing Affordability Amendments (Waldrip)
 - Karson memo
- Station Area Plans (Waldrip)
 - Will be merged into HB 462
- Land Use Task Force consensus bill (Waldrip)
 - ***Now HB 303 (V. Peterson)**
- Potential other land use preemption bills (lots of moving parts)
 - State spot zoning
 - State mandated minimum density

Single-Family Detached & Multifamily Residential Permits Authorized in Utah

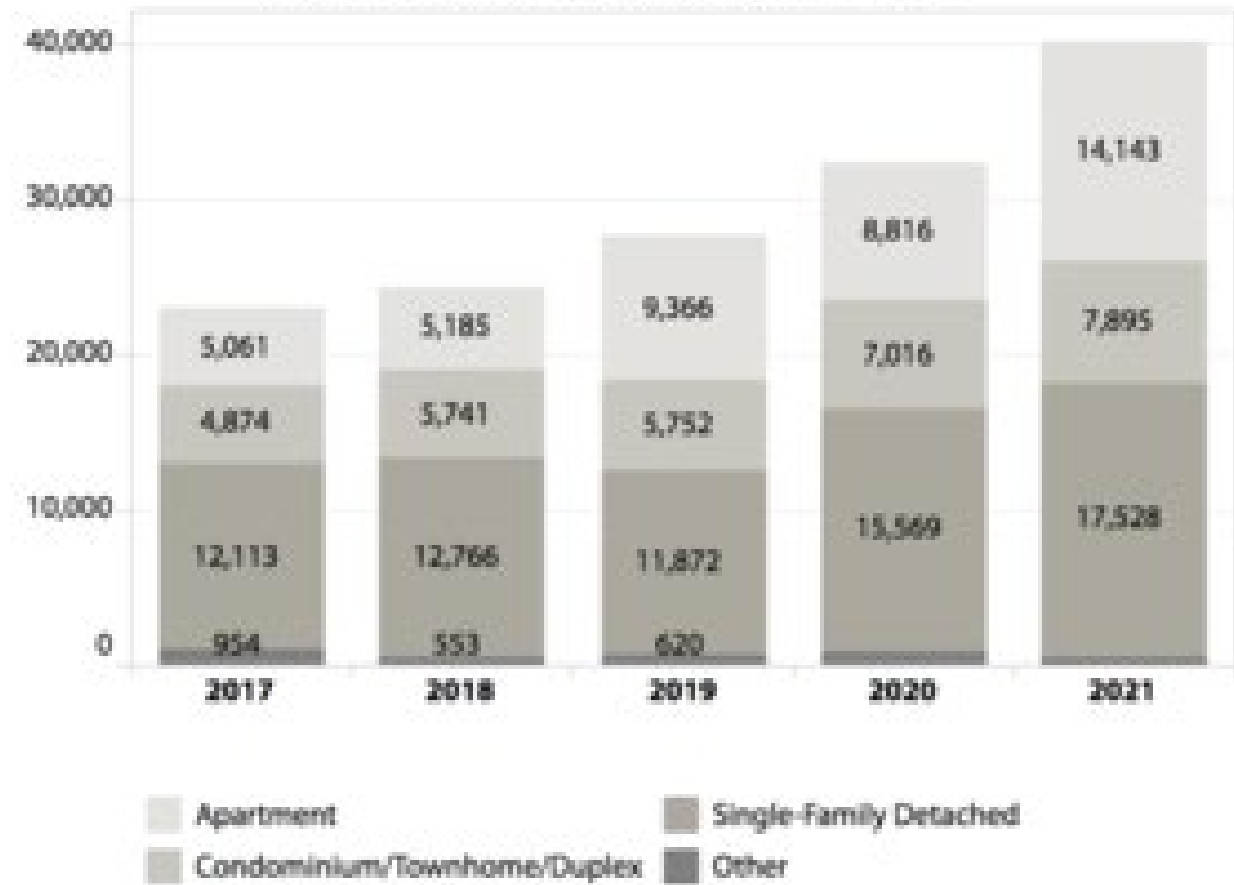


Ivory-Boyer Construction Database Indicators, December 2021

Cumulative Residential Units, Jan. - Dec.



Residential Units by Type, Jan. - Dec.



HB 462 – Utah Housing Affordability Amendments

MIHP & Reporting Changes

- Modifies MIHP ‘menu’ item language and adds new items.
 - Adds “missing middle housing” as a menu item
- Requires implementation element for menu items.
- Changes reporting requirement from December to October 1 to better align with municipal fiscal year.
- 2022 report: updated MIHP items
- 2023 and future reports: updated MIHP items + descriptions of implementation steps, barriers, private sector responses, ADU numbers, and recommendations for how the state can support the municipality
- Min. 3 menu items for cities without fixed transit, 5 menu items for cities with fixed transit.
 - Eligibility for TIF, TTIF, GOPB ARPA Local Matching Grant
- Prioritization for cities that go above and beyond min strategy adoption.
 - Prioritization for TIF, TTIF projects and ARPA Local Matching Grant

HB 462 – Utah Housing Affordability Amendments

Other provisions

- IADU safe harbor provisions
 - Anticipated substitute restores HB 82 provisions, will create a temporary safe harbor provision from applicable building/health codes for IADUs created before 10/1/2021. Cities can still:
 - require smoke/carbon monoxide detectors,
 - require egress (consistent with HB 82 limitations)
 - refuse to issue a license/permit for an IADU with
- Point of the Mountain Land Authority inclusionary housing requirements
 - 10% total units reserved for households earning <50% AMI
 - 10% total units reserved for households earning <80% AMI
- Olene Walker Board Changes
- Creates rural housing fund
- Modifies granting property for affordable housing
- Technical corrections

HB 462 – Utah Housing Affordability Amendments

Appropriations

- \$500,000 to DWS for moderate income housing database
- \$750,000 to DWS for two years of landlord assistance program
- ~~\$50,000,000 to DWS for multifamily housing private activity bonds~~
- \$382,000 to DWS for additional staff/administration
- \$250,000 for land use/housing training workshops
- \$250,000 to a nonprofit entity that engages in efforts to increase housing affordability
- ~~\$50,000,000 to rural housing loan fund~~
- \$3,000,000 to GOEO for statewide marketing and outreach campaign

Station Area Plans (SAP) HB 462

1) All cities w/FR, TRAX, or BRT (or bus hub outside of UTA) must do a SAP

- 1) May use existing transit-oriented plans (e.g. Cairns in Sandy)
- 2) ½ mile radius for FR & TRAX (66 stations)

2) Cities must update general plan & zoning to implement SAP in aggressive but doable time frame

- 1) Exact time frame still being finalized

3) State objectives for SAP

- 1) Housing affordability and availability
- 2) Sustainable environmental conditions
- 3) Access to opportunities
- 4) Transportation choices/connectivity

4) SAP implementation

- 1) Stakeholder engagement
- 2) Current and future land use opportunities
- 3) Current conditions/impediments to development

5) Incorporate SAP into SB 34+ review and req'ts

- 1) City plans and adopts
- 2) MPO review to confirm state objectives are met
- 3) Mandatory menu item under SB 34+ with DWS confirmation

6) Incentives for cities that adopt SAPs

7) Increase referendum standards for SAPs and related legislative acts (i.e. zoning)

8) State and MPO technical assistance to do SAPs

Other land use bills: HB 303, HB 416

HB 303 original (opposed)

HB 303 1st sub (new position: neutral)

- 1) Enhanced notice bill around modification of text of zoning code to help a lay person understand

2) HB 303 2nd Sub

- 1) Incorporates Land Use Task Force bill (HB 474)
- 2) Negotiated provision on inclusionary housing

HB 416 (opposed)

- 1) Authorizes Office of Property Rights Ombudsman (OPRO) to review ALL local land use ordinances, decisions, policy, emails, etc. and report on them
- 2) Authorizes OPRO to receive third party requests for advisory opinions to determine if a local land use ordinance is inconsistent with state law
- 3) Authorizes the justification of attorney fees to a third party if city does not cure ordinance

Homelessness

HB 440 – Homeless Service Amendments
(Position Pending)

\$5,000,000 ongoing in the budget

H.B. 151 Retail Facility Incentive Payments Amendments

-Passed the House, Now in Senate

HB 399 – Government Records Amendments (Support)

SB 190 – Medical Cannabis Act Amendments (Support)
- Passed Senate this morning

- HB 242 –Secondary Water Metering Amendments (Oppose)
 - \$200,000,000 in the Budget
 - Expect to see a substitute this week

Late-Breaking Bills

HB476 – [Local Agricultural Regulations](#)

HB466 – [Special Service District Study](#)

SB254 – [Government Records Access Revisions](#)

Appropriations

Property Rights Ombudsman—Planning Technical Assistance

- \$250,000 ongoing

Local Match Program

- \$25 million one-time

Utah Communication Authority

- \$5 million one-time

Criminal Justice Data Integration (HB403)

- \$6,975,000 one-time
- \$1,329,100 ongoing

GOPB Planning for Growth

- \$1 million one-time

Appropriations Continued

Air Quality Ozone Monitoring Infrastructure (Wasatch Front)

- \$3,236,200 one-time

Utah Lake Preservation

- \$30 million one-time

Secondary Metering (SB242)

- \$200 million one-time

Utah Lake Authority (HB232)

- \$1.5 million ongoing

Appropriations Continued

Deeply Affordable Housing (SB238)

- \$55 million one-time

Homeless Resource Center Loan Repayment

- \$5.8 million one-time

Homeless Shelter Cities Mitigation Funds (HB440)

- \$5 million ongoing

Housing Preservation

- \$15 million one-time

Law Enforcement First Time Home Buyers

- \$5 million one-time

Tax Credit Projects and Rural Workforce Housing (HB462)

- \$132,000

Bill Tracker – Ratify Positions

Other key dates/info

- Tuesday, March 8: GOP AND DEMOCRATIC CAUCUS NIGHT
 - Filing period: Feb. 28-Mar. 4
 - Hold your legislators accountable and use your personal endorsements wisely!
- National League of Cities: March 14-16 in Washington, DC
- Midyear Conference: April 20-22 in St. George