



# LPC

September 25, 2023



# Roadmap

1. Welcome
2. Research Updates
3. Working Groups
4. Housing and Land Use
5. Upcoming Dates and Deadlines



# Research Updates

- **Land Use/Housing Survey – 51 partial or complete responses**

Providence City  
West Bountiful  
Gunnison  
Richmond City  
Town of Rockville  
Hyde Park City  
Hildale City  
Smithfield City  
Heber City  
Morgan City  
South Ogden City  
Lindon City  
Draper City  
Clearfield City  
Saratoga Springs  
Spanish Fork City  
Bountiful City  
Payson City  
Washington City  
West Valley City

City of North Salt Lake  
Lehi  
Cottonwood Heights  
Kaysville  
Springville  
Perry  
Vineyard City  
Hideout  
Cedar Hills  
Kearns Metro Township  
Harrisville City  
West Point  
Logan City  
Mapleton  
Town of Springdale  
Santaquin  
Pleasant Grove City  
Hooper  
Layton City  
City of Holladay  
Ogden City

Park City  
West Jordan  
Salt Lake City  
Vernal City  
Enoch City  
Herriman City  
Nephi City  
Syracuse  
North Logan City  
Eagle Mountain City

# Research Outlook

- Land use/housing survey report coming soon!
  - Preliminary reports will be sent to survey respondents first.
- Public safety R&R strategies
  - Survey planned launch by early October
- Coordinating with other state leagues

# New Issues – Working Groups

- Climbing Anchors
- Childcare
- Cybersecurity / AI
- Gravel Pits

Email – Justin – [jlee@ulct.org](mailto:jlee@ulct.org)

# Welcome to LPC!

- Sep 25: Board, LPC
- Sep 27: UEOC growth and transportation
- Oct 10-11: Legislative interim
- Oct 12: Land Use Task Force
- Oct 13: Commission on Housing Affordability
- Oct 16: Board, LPC
- Oct 18: UEOC final meeting

# Today's UEOC/CHA policy themes

- State leaders: how can we collectively produce more starter homes?
  - 1) “zoning reform”
    - 1) SL County, Envision Utah, CHA
    - 2) Land use processes
  - 2) Infrastructure costs (infill and greenfield)
  - 3) Let enacted bills work
- Local leaders: cities don't control land, labor, materials, inflation, interest rates; we plan for housing but we don't build housing
  - 1) Past bills: subdivisions, SAPs, MIHP, IADUs, etc.
  - 2) Year of the module
  - 3) Data of entitled lots, #1 in permits in 2022

# UEOC statement (endorsed Aug. 30)

- *“Recently enacted state policies (see list) designed to mitigate the challenging impacts of Utah’s rapid population growth on housing, transportation, water, and quality of life are in the process of being implemented at the local level. These new or revised programs and policies are significant multi-year undertakings that involve partnership between state agencies, local governments, and the private sector.*
- *While recognizing the prerogative of legislators to propose statutory modifications, the UEOC generally recommends that these policies be given adequate time for implementation and evaluation in order to determine their effectiveness, prior to further significant modification.”*



# Recent ideas from state leaders to facilitate smaller lots (& ideally affordable home ownership)

- 1) State prohibits zoning for less than 2 units per acre
- 2) State mandates all types of ADUs as permitted uses in residential zones
- 3) State mandates duplexes, triplexes as permitted uses in residential zones
- 4) State mandates that X% of residential zones must include small lots, duplexes
- 5) State caps minimum lot size
- 6) State assigns “minimum base density” to every city to plan for
- 7) State definitions for residential setbacks
- 8) Streamlined regulations for modular homes
- 9) State definitions for garage size standards in single family units
- 10) State infrastructure funding for projects (e.g. parking structure, utilities) that would result in more affordable home ownership
- 11) Other ways to make land use processes faster (build on changes to subdivisions, SB 174/HB 406)

Perceived problem, desired outcome:	Stakeholder proposal	ULCT concerns	ULCT potential alternatives
<p>GOG: More small lots to facilitate small units</p> <p>GOG: ADU; townhomes</p> <p>Envision UT: small lots in base zoning</p>	<p>1) Require % of resident zones to have small lots</p> <p>2) Upzone state</p> <p>3) By right units</p>	<p>1) Land use preemption</p> <p>2) Do the proposals result in affordable home ownership?</p>	<p>1) ULCT data shows many small lots; record # of THs</p> <p>2) MIHP, HB 82, DAs</p> <p>3) Missing middle housing toolkit</p> <p>4) Zoning atlas, database</p>
<p>GOG: more housing in commercial areas, build on parking lots</p> <p>Envision UT: mixed use</p>	Nothing at this point	<p>1) No need for mandate because already happening</p>	<p>1) SAPs</p> <p>2) State \$ for parking structure for mixed use w/housing</p>
<p>CHA: State standards for setbacks; “efficiency of land”</p>	<p>1) State standards of a max of 40% of a lot</p> <p>2) Don’t count decks, landings, window wells in setbacks</p>	<p>One size misfits all; utility access; do the proposals result in affordable home ownership?</p>	None
<p>CHA: Parking drives up cost; “efficiency of land”</p>	<p>1) State standards on stall size, tandem</p> <p>2) Reduce minimums</p>	<p>Land use preemption, one size misfits all</p>	<p>1) State defines the max garage size of what a city could require</p> <p>2) State defines a garage of a certain size counts for minimum</p>

Perceived problem or desired objective:	Stakeholder proposal	ULCT concerns	ULCT potential alternatives
CHA: Facilitate modular housing production	1) No city inspection at factory 2) Rely on factory's quality control or third party inspect	1) Changes our inspection authority; and may be a precedent for other city inspections of normal houses	1) City responsible for inspections (rejected) 2) Limited liability C of O for modular 3) City cannot prohibit modular in residential zones?
CHA: "make general plans matter" Binding general plans & minimum base density; "make plans matter"	1) Make general plans "binding"; zoning administrative 2) "minimum base density" that city must meet	1) Zoning is policy making and thus legislative; oppose loss of leg auth'y 2) One size misfits all 3) How to calculate?	1) Did so w/MIHP 2) Require more regular reviews of MIHP, SAPs?
CHA: Judicial process is lengthy, need damages for "bad actors"	1) Allow compensatory damages against cities 2) Collect attorneys fees against local gov'ts	1) Erosion of gov't immunity 2) Will slow down "good actors" because everyone will be more cautious	1) Land use specialty court at district court level; timely, consistent decisions
CHA: RDA set-aside structure	1) Require spend or encumbrance of RDA \$ by X years	1) Small RDAs have small set asides	1) Ok with #1? 2) Regional use of \$ 3) Allow RDA \$ for condos

# slido



**How do you feel about the proposal to create a specialty court to address land use issues?**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

# slido



**How do you feel about the proposal to expand allowable uses of the RDA/CRA housing set aside to include housing types that tend to be more affordable (e.g., condos and small multi-unit structures)**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

Perceived problem or desired objective:	Stakeholder proposal	ULCT input	ULCT potential alternatives
CHA funding: Resources for deeply affordable housing, wrap-around services, gap financing	1) \$50 mill for deeply affordable housing grants 2) \$5 mill for supportive housing 3) \$15 mill for permanent supportive housing 4) \$10 mill for Olene Walker 5) \$25 mill for preservation	1) Focus on housing and services	1) TBD on land use policy around deeply affordable housing
CHA funding: Housing & Community Dev. staffing	1) \$318k for resources	1) Help w/staffing	
CHA funding: Public safety mitigation	1) Add \$2.5 million more of new state \$ to match \$5 million of state \$ in the fund	1) State would match city 30% increase last year	
UEOC Growth: Align state infra funding with good local planning	1) State \$ as incentive for cities w/good land use plans (density, housing types, ownership, etc.)	1) State prioritizes MIHP menu items 2) State \$ could facilitate affordable home ownership	1) Criteria for TIF/TTIF/ATIF (focus “above & beyond” from HB 462) 2) Parking structure fund for infill 3) St Infra Bank: greenfield utilities 4) Park/playing field \$
UEOC Growth: Increase transit ridership		1) Grants for locals to fund shuttles, more service, pass programs	1) Transit innovation grants

# slido



**Which of these funds, if any, would your city likely utilize? (select all that apply)**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

# Supportive Housing.

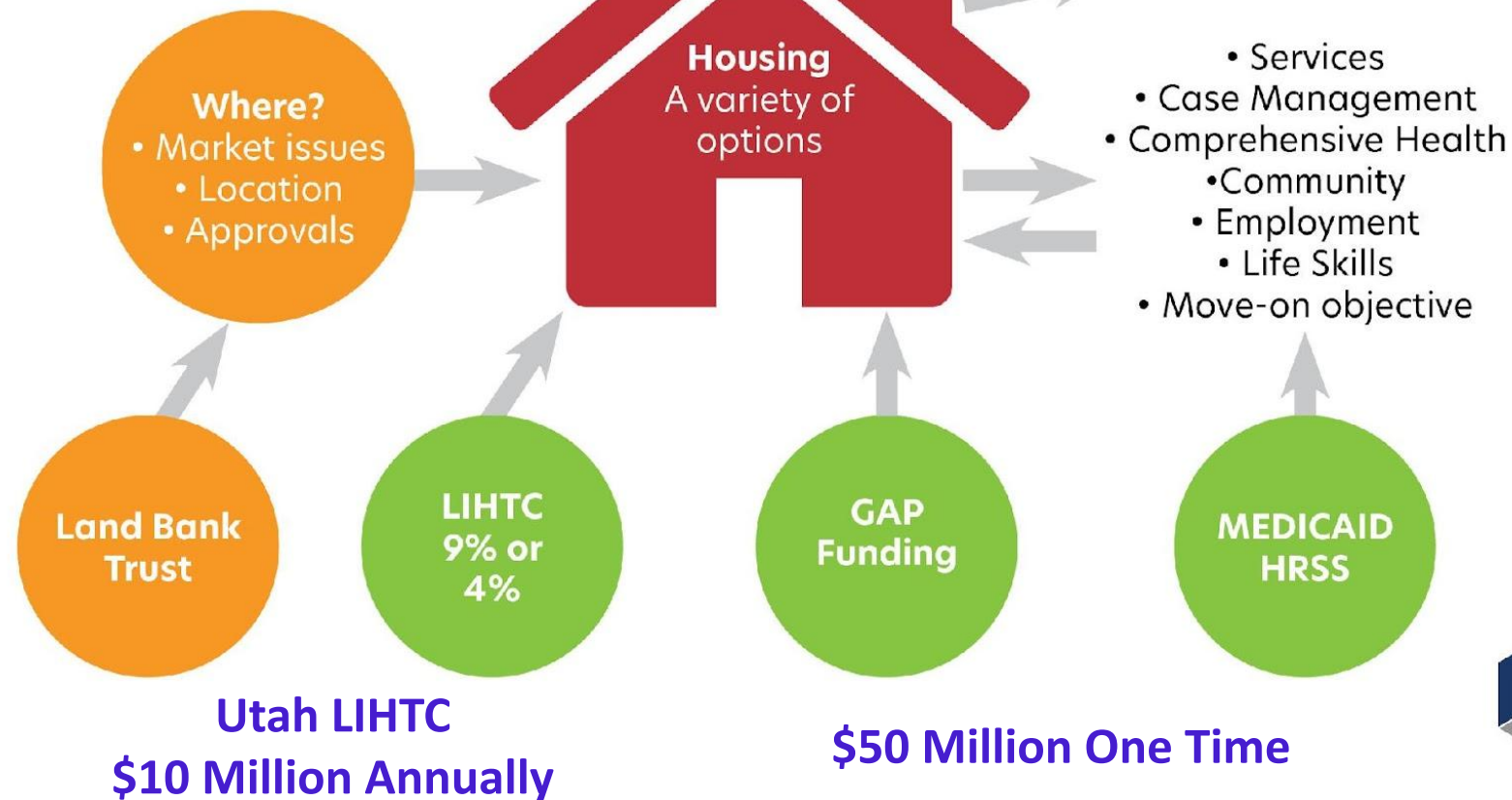
## How to fund it

\$5 Million On-going



### Housing Stabilization Grants

Tenants Pay 30% of their Income





Perceived problem or desired objective:	Stakeholder proposal	ULCT concerns	ULCT potential alternatives
UEOC Growth: Align state infra funding with good local planning	1) State \$ as incentive for cities w/land use plans for affordable home ownership		1) Criteria for TIF/TTIF/ATIF (focus “above and beyond” from HB 462) 2) Parking structure fund for infill 3) SIB: greenfield utilities 4) Park/playing field \$
UEOC Growth: Increase transit ridership			1) Transit innovation grants
UEOC Growth: Infrastructure funding to facilitate building the entitled units	1) LID: prop. owner creates LID w/o city approval	Local gov’t must be gatekeeper (sovereign power); preemption	1) LID: pay off at property transfer but still w/city as gatekeeper 2) State infra bank; see above
UEOC Growth: (TUF) transportation utility fee	1) Rep. Peterson: define “reasonable” process 2) “transportation special service dist” 3) Others: preempt us	Prefer no bill, but working w/Rep. Peterson on “reasonable” process to fight off preemption	Dialogue to date: 1) Third party study w/ regular updates 2) Codify “reasonable relationship” 3) User fee for all transportation users 4) Public mtg to review needs study 5) Public mtg to approve TUF 6) Provo model of annual review

slido



**How do you feel about the proposal to allow LIDs statewide WITHOUT local government approval?**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

slido



**How do you feel about the proposal to allow LIDs statewide WITH local government approval?**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

# slido



**How do you feel about the proposal to allow LIDs statewide  
WITH local government approval IF there is any change to  
the mill levy?**

① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.

Perceived problem or desired objective:	Stakeholder proposal	ULCT concerns	ULCT potential alternatives
CHA/LUTF: subdivision infrastructure phasing	1) Clarify that separate, complete land use application can proceed so long as not dependent on incomplete infrastructure	1) Don't want incomplete infrastructure but want to respect complete applications	Working on language
CHA/LUTF: sidewalk installation timing; builder often has to build & rebuild sidewalks during project	1) Allow for sidewalk completion assurance bond separate from improvement completion bond for other infrastructure, landscaping	1) Ensure that sidewalks are completed in timely way	Working on language
CHA/LUTF: subdivision technical clean up		1) Small cities have requested add'l time in the review of improvements	1) Distinguish between MIHP and non-MIHP cities/towns 2) Clarify terms
CHA/LUTF: planning & plan review technical clean up	1) Clarify what is “minor” or not minor for requiring re-submission 2) Clarify definitions of plan review & planning review	1) Working on language; will present to code official group on Oct 4	1) Working on language

Perceived problem or desired objective:	Stakeholder proposal	ULCT concerns	ULCT potential alternatives
LUTF: Define "countervailing, compelling reason" in statute	1) TBD	1) Have local governments misused this authority?	1) TBD
LUTF: internal ADUs & impact on infrastructure	1) Clarify that cities cannot deny IADUs based on infrastructure needs	1) What is the impact on infrastructure from IADUs?	1) TBD
LUTF: excessive increases in disproportionate rental fee for rental units	1) Potentially restore state cap on amount of the fee (existed previously)	1) How many cities impose disproportionate rental fees?	1) Trying to determine impact of bill
LUTF: excessive landscaping req'ts to get a building permit or C of O	1) TBD	1) Balance of water conservation, housing cost/price, land use process	1) TBD
LUTF: Shot clock for issuing certificate of occupancy	1) TBD	1) How often are C of Os withheld for unreasonable times or rationales?	1) Trying to determine impact of bill

# Key dates

- Sep 25: Board, LPC
- Sep 27: UEOC growth and transportation
- Oct 10-11: Legislative interim
- Oct 12: Land Use Task Force
- Oct 13: Commission on Housing Affordability
- Oct 16: Board, LPC
- Oct 18: UEOC final meeting