

Legislative Policy Committee

August 19, 2024



AGENDA:

- 1. Welcome**
- 2. Wildfire Systems Changes**
- 3. Report on Advisory Groups**
- 4. CHA/LUTF Issues**
- 5. Annual Prep**
- 6. Research Requests**
- 7. Upcoming Meetings**

REMINDERS:

- Make sure you are signed up for Friday Facts

UPCOMING MEETINGS:

-



Cooperative Wildfire System

2024 Changes



Acronyms

CWPP = Community Wildfire Preparedness Plan

CWS = Cooperative Wildfire System

FFSL = Utah Division of Forestry, Fire and State Lands

PC = Participation Commitment

PE = Participating Entity

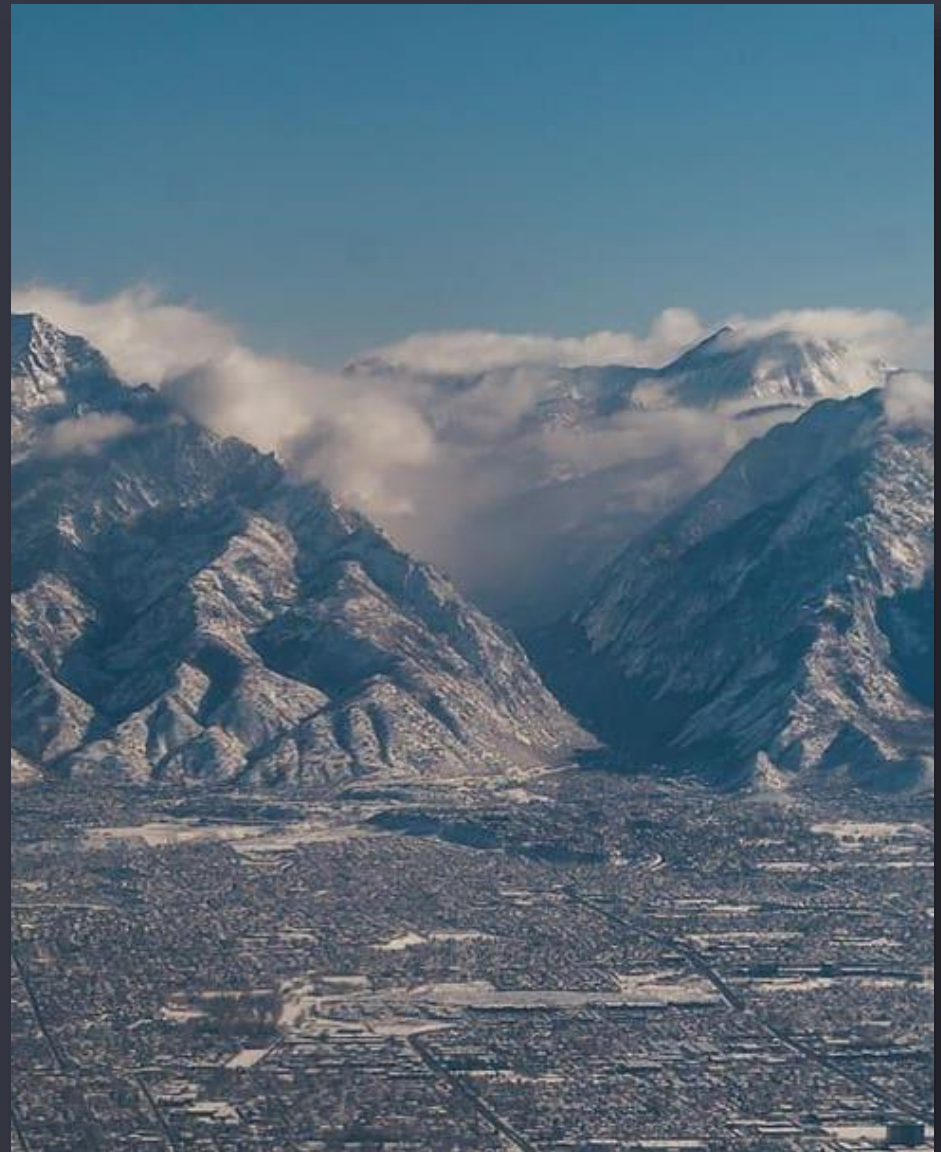
Intent of CWS

- 1) Proactive wildfire risk reduction
- 2) More broadly distribute the financial risk

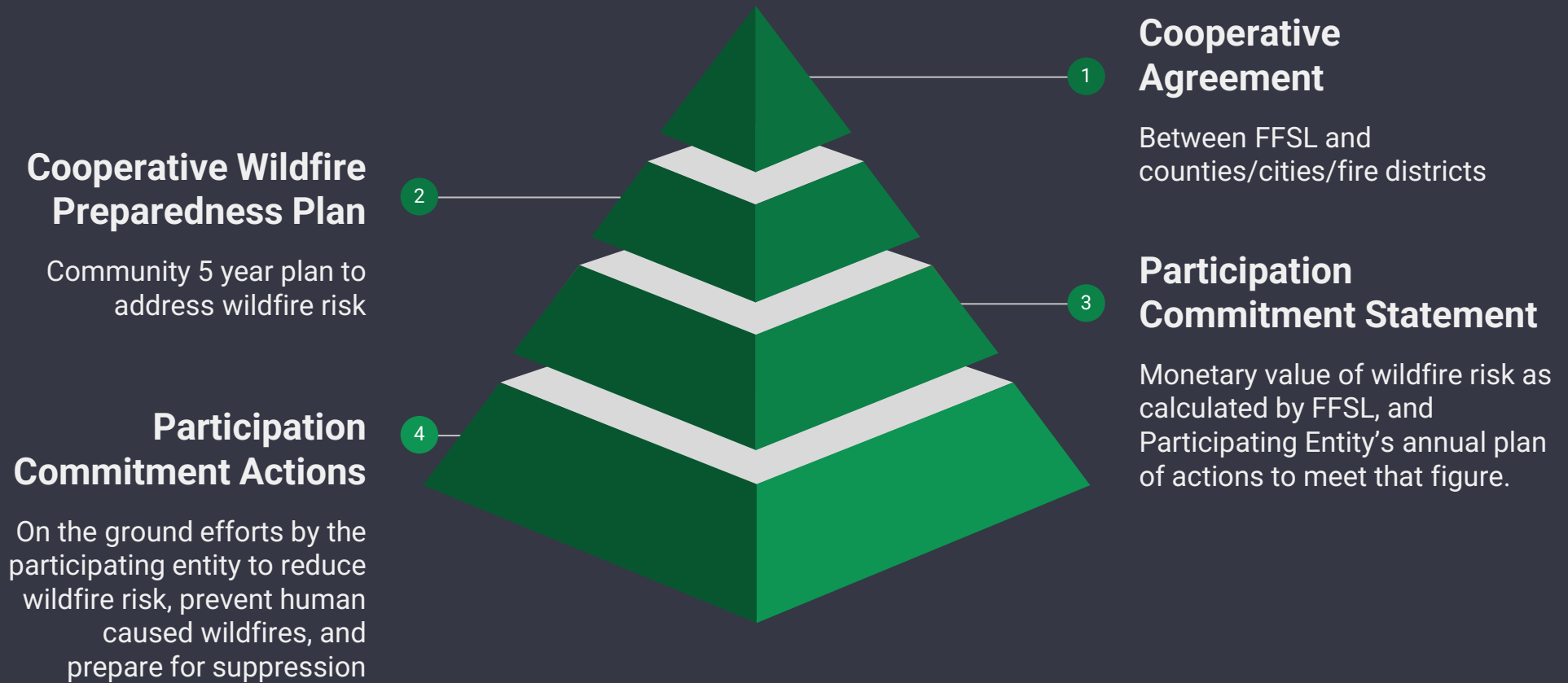
Sources:

[Utah code 65A-8-2](#)

[Utah Admin Rule R652-122](#)



CWS Structure



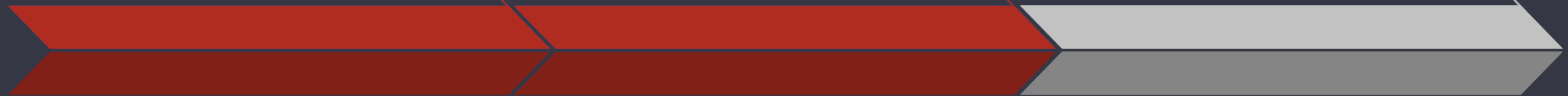
Cooperative Agreement

- CWPP implementation
- Participation Commitment Statement completed and signed
- Participation Commitment reporting of actions taken
- Initial Attack minimum capabilities
- Cost Recovery legal actions taken
- WUI Code adoption and enforcement (counties only)
- County Fire Warden (counties only)

2017

2021

2024



CWS Implemented

- Cooperative Agreements
- County Fire Warden
- Wildfire Suppression Fund

CWS Audit

- Ineffective wildfire risk reduction efforts
- Non-compliance with cooperative agreement
- Community Wildfire Preparedness Plans expired and unused
- Poor FFSL administration
- Unclear policies and procedures
- Undue admin burden on PEs with low PC

Changes to the CWS Program

- Increase compliance with Cooperative Agreement
- Direct Pay option
- CWS Manager position created
- Clear policies and procedures
- Assure risk reductions projects are meaningful
- Make PC reporting easier

ISSUE 1:

**CWPPs missing,
ignored, or ineffective**

FIXES:

1. CWPP tied to PC actions
2. Active CWPP required to be eligible to participate in CWS

RESULT:

Meaningful work done on the ground to protect communities.

ISSUE 2:

**Participation
Commitment not
fulfilled**

FIXES:

1. Clear policies and procedures manual for cooperators
2. CWS Manager position created to coach PEs and increase compliance
3. Hold PEs accountable to fulfill their participation commitment

RESULT:

Meaningful work done on the ground to protect communities.

ISSUE 3:

High Administrative Workload for Smaller Participating Entities

FIXES:

1. Direct Pay option
2. Simplified UWRAP reporting

RESULT:

Increased participation and compliance of smaller entities.

Direct Pay Rules



WHAT: Participating Entities are now allowed to “Direct Pay” a portion, or all, of their Participation Commitment.

INTENT: To make it easier for PEs to comply with the CWS program, especially when they fall short of their PC, or want to decrease their administrative load.

HOW: Payments will be deposited in the state WUIPPM account, along with legislatively appropriated funds, and dispersed across the state to those areas of highest wildfire risk. There is no obligation to do work within communities who “Direct Pay” their PC. PEs are still responsible for their wildfire risk.

Misc. Fixes

- PEs cannot use FFSL employees for CWS administrative work (counties being the exception).
- Removal of percentages for PC actions in the categories of mitigation, prevention and preparedness.
- Unite reporting under calendar year.
- WUI Code Adoption and Enforcement Lacking (counties only)



Feedback or Questions:

Joseph Anderson
CWS Manager
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Utah State Scenic Byway Committee

4 year term

Governor Appointed

Municipal Elected Official

Reach out to Liam Thrailkill - lthrailkill@ulct.org

Advisory groups updates

- **Storm Water**

- **Reviewing new proposed language from HBA**
- **Meeting in the next week to review**

- **Gravel**

- **Study questions have been sent to multiple cities**
- **Please let Justin know if your city has been contacted**
- **Review of SB72**

Advisory groups updates

- **UDOT Coordination**
 - **Met internally to discuss priorities**
 - **Met with UDOT to discuss specific concerns**
 - **Continuing to coordinate with UDOT and working on better coordination with regional managers**

Advisory groups updates: Econ. Dev't

- ***Alcohol proximity***
 - effort to review state proximity req'ts for community locations
- ***Transportation utility fee***
 - still a push to preempt TUF altogether
 - ULCT: 2023 board principles
 - expecting something for property owners who don't pay property tax
- ***Retail incentives***
 - commercial real estate industry wants changes
 - ULCT: stand by the policy of HB 151, open to improvements
 - consistency in definitions
 - Examples: public infrastructure, housing (FHIZ)
 - report to GOEO, State Auditor

Homelessness Updates

Winter Response and Code Blue Requirements

County Requirements

- Counties of the First Class
 - Submit Winter Response plans AND Code Blue Response
 - *Salt Lake County*
- Counties of the Second Class
 - Submit Winter Response Plans AND Code Blue Response OR
 - *Utah, Washington, & Weber Counties*
 - Submit Plan for Future Year-round Plan AND Code Blue Response
 - *Davis County*
- Counties of the Third and Fourth Class
 - Code Blue Response (*don't need to submit plans*)

Homelessness Updates

Winter Response and Code Blue Requirements

Compliance

- Deemed Compliant: Utah & Washington Counties
- Not Deemed Compliant: Davis, Salt Lake, & Weber Counties

Next Steps

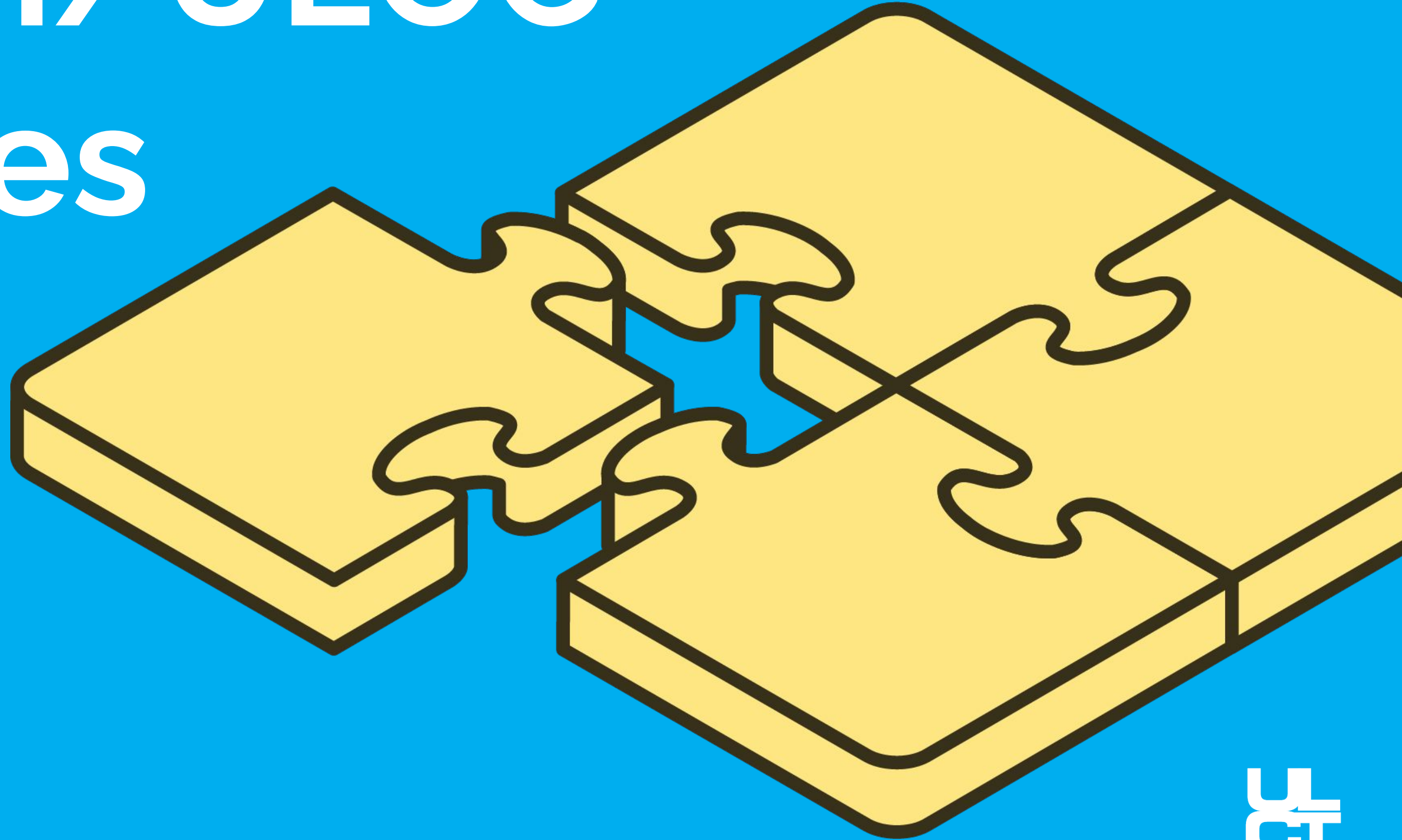
- OHS will be working with non-compliant counties to create compliant plans

Homelessness Updates

Looking Ahead

- Code Red

Interim/UEOC Updates



Commission on Housing Affordability

Governor's Office

Utah **News Dispatch**

GOV & POLITICS ENVIRONMENT GROWTH & HOUSING PUBLIC SAFETY EDUCATION HEALTH ELECTION 2024

GOV & POLITICS GROWTH & HOUSING

Utah governor doubles down on goal to build 35K homes in 5 years

Cox didn't get \$150 million from the Utah Legislature to do it – but he still thinks it's possible with new financing, zoning tools

BY: KATIE MCKELLAR - MARCH 29, 2024 8:05 AM



A STATEWIDE CONVERSATION
ABOUT UTAH'S FUTURE

Top 4 Guiding our Growth picks in urban Utah:

1. Allow more strip malls, big box stores, and parking lots to be redeveloped into housing
2. Allow more townhomes, duplexes, and accessory dwelling units (e.g., basement or mother-in-law apartments)
3. Allow more new houses to be built on smaller lots and incentivize the construction of smaller homes
4. Increase the number of housing units with the potential for owner occupancy (single family house, condos, townhomes)

[Confronting Our Housing Crisis](#)
[— Accelerator for America](#)



NATIONAL HOUSING CRISIS TASK FORCE

In America today, almost one-third of households are cost-burdened, meaning they spend one-third or more of their monthly income on rent/mortgage plus utilities. Nearly 1 in 6 households spend more than *half* of their monthly income on housing costs. Home prices in the U.S. have jumped an average of 47% since 2019. This is unsustainable.

This is a monumental crisis for families, communities and our nation — and it requires a new approach. There is an urgent need for all layers of government, the non-profit, and business sectors to rise to this moment and fully treat the housing crisis like the crisis it is.

That is why the Nowak Metro Finance Lab at Drexel University and Accelerator for America (AFA) on Tuesday [launched the National Housing Crisis Task Force](#), an ambitious, two-year project to bring the most promising innovations in housing production, preservation, and finance to communities across the country. Its first report will be delivered in November to inform the next Presidential Administration.

The bi-partisan [Task Force](#) is co-chaired by **Gov. Spencer Cox of Utah, Mayor Justin Bibb of Cleveland, Mayor Andre Dickens of Atlanta,** and **Susan Thomas, President of the Fifth Third Community Development Corporation.** It comprises 28 government, non-profit, and business leaders who will create a platform to share and replicate what's working locally, nationally and internationally. Task Force members include Henry Cisneros, who served as HUD Secretary under President Bill Clinton, and Pam Patenaude, who served as Deputy HUD Secretary under President Donald Trump. The Task Force also includes a Mayors' Implementation Committee, chaired by **Mayor Quinton Lucas of Kansas City and Kate Gallego of Phoenix.**

Property Rights Coalition at CHA

- 1) Standardize parking requirements (Aug 1 proposal)
 - a) Standard parking stall size
 - b) Tandem = 2 spots
 - c) Can't require garages/carports
 - d) Single family house = 2 parking spots only
- 2) More flexibility or state mandates around external ADUs
- 3) Expedite admin review (identical plans, plan reviews, inspections)
- 4) Change how cities require bonding
- 5) Upzone all residential areas by at least one unit per acre

Other CHA moving parts

Political Subs Committee

- 1) Impact fees
- 2) Housing audit
- 3) Exactions

Other Groups

- 1) Envision Utah
- 2) Libertas
- 3) Sutherland Institute
- 4) Urban Land Institute
 - a) *“How Zoning Broke America”*
- 5) Utah Foundation



UTAH LEAGUE OF
CITIES AND TOWNS

ULCT Board principles for our advocacy at CHA/UEOC

- A) How does the proposal preserve the **quality of life** of current and future residents?
- B) How does the proposal allocate the current and future costs and ensure the **sustainability of infrastructure**?
- C) Will the proposal result in more housing units that are more **directly affordable** to the buyer or renter?
- D) Will the proposal result in **more home ownership**?



DESIGN:

- Architecture
 - Garage Placement & Access
 - Front Porch
 - Vertical Variation
- Installed front yard landscaping
- Streetscaping
- Opportunities for sweat equity (unfinished basement, detached garage)



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MANAGEMENT:

- Set up the HOA to be:
 - Affordable
 - Professionally managed
 - Financially stable in the long term
 - Efficient in maintenance
 - Communicate and enforce clear quality standards
- Owner occupancy deed restriction



Attainability doesn't require the sacrifice of quality

PLANNING:

- Income/housing type **integration**
- **Amenities** that matter – gathering spaces, trails, community spaces, monumentation
- Walkable, “front porch focus” **community feel.**
- **Owner occupancy** deed restriction addresses a concern that many neighbors and elected officials raise. It also helps homeowners build equity and secure middle-class stability.

STARTER HOMES

HOME A - RAMBLER

Home Type: Single-Family Detached
Approx. Sq. Footage: 900-1,100 sq. feet
Bed/Bath: 2-3 bed/2 bath

Base Price: \$340-390k
(Excludes basement, garage, landscaping)

HOME B - 2-STORY

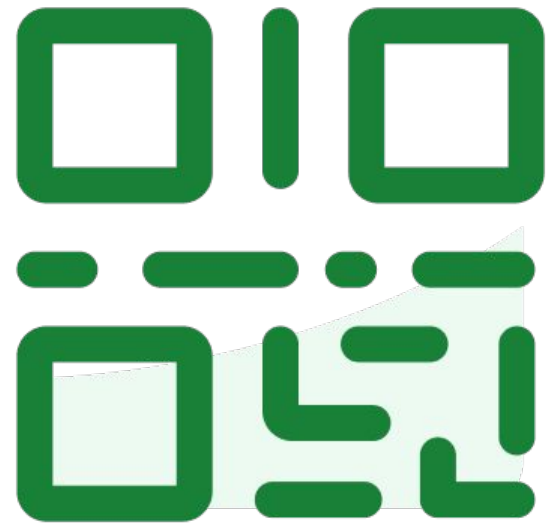
Home Type: Single-Family Detached
Approx. Sq. Footage: 1,200-1,500sq. feet
Bed/Bath: 2-4 bed/2 bath

Base Price: \$370-400k
(Excludes basement, garage, landscaping)

Homes are available with a variety of garage options, including no garage, 1-car attached or detached, and 2-car attached or detached. Some homes will have an unfinished basement option available.

*Pricing shown is project-specific, and is subject to inflationary increases.

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Join at slido.com
#3027638

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If a property owner requested a rezone to build this type of product—small units mixed with bigger units, on-site parking but no garages, etc.--with some small units deed restricted to ensure affordability and home ownership, would this type of development fit somewhere in your city? Please explain your answer.

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How do you feel about the ULCT counter proposal on parking as described?

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What additional feedback do you have on either the ULCT counter proposal on parking or parking/garages policy in general?

Land Use Task Force

LUTF: bonding questions

- ULCT received draft proposal last week
- ULCT objective: ensure infrastructure gets built
- PRC objective: reduce infrastructure costs
 - 1) require cities to accept surety bonds
 - All cases? Just warranties?
 - 2) more standardized process for bonds
 - 3) require cities to release bonds at key times
 - completed systems? based on % completed?

Today: volunteers to review it, recommend to LPC on Sep. 16

contact Jared Tingey at jtingey@ulct.org asap

Poli Subs: impact fees

- ULCT received draft proposal last week
- Craig Call research: all 206 impact fee reports, his ideas include:
- 1) review “proportionate share” of the development activity
- 2) review ERU demand calculations for different types of housing
- 3) consider legal standard of review for challenges to impact fees
- 4) modify how the 6 years are counted & legal remedies

Today: volunteers to review it, recommend to LPC on Sep. 16

contact Jared Tingey at jtingey@ulct.org asap

Liens for Code Enforcement

- *Current Laws: Authority to file a political subdivision lien on the property for utilities being provided unless specifically provided in code (very limited circumstances)*
- *Proposal: Allow for political subdivision to file a lien on any unpaid utilities.*

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How much of a priority would authorizing the new lien tool as described be for your city?

Plan Review

Summary

- Some home builders are stating that the time to review for completeness is included within the 14 day review time.
- Some home builders are stating that even if the time to review for completeness is not included within the 14 day timeline, there should be a limit on the number of days taken to review an application for completeness.
- Home builders want to require cities to provide notice to the home builder when the application is incomplete.

Feedback we've received

- Cities do not think this is a widespread issue. Also, 14 day period is a short period and should not include the time to review for completeness. A concept that has been floated is to treat starter homes review times different than other homes.

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How do you feel about a proposal that requires cities to review building applications for completeness within a specific time frame?

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Does your city charge an additional fee on building applicants who require re-inspections or re-reviews of plans?

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Do you have any other feedback you want to share with ULCT staff on plan review timing, fees, or inspections?

Identical plans

Summary

- Home builders are claiming that governmental entities are still charging the full amount of fees for review of identical plans.
- Home builders want to require a card-file system that track identical plans.
- Home builders want expedited review of identical plans.
- Home builders concede that some review of identical plans will still be required (site plans), but a quick review of the floor plan would allow the building departments to quickly determine whether the floor plans are identical.

Feedback we've received

- If identical plans are truly identical and meet the definition, municipalities are not concerned with lowering fees and expediting reviews (even though expediting is not currently required under LUDMA). Cities need a mechanism to ensure that the plans marked as identical are truly identical.

slido



Does your city have a separate process in place to review identical plans for single family residential buildings?

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How comfortable would you be to define identical plans as those that are structurally identical but may have minor changes unrelated to health, safety, or welfare?

Other Updates

Ballot Propositions and Political Activities of Public Entities Act

Do not use public resources for political purposes

- Bonds**

- Ballot Propositions**

**Please review 20A-11-1203 for more information,
requirements, and exceptions**

Utah State Scenic Byway Committee

4 year term

Governor Appointed

Municipal Elected Official

Reach out to Liam Thrailkill - lthrailkill@ulct.org



Research & Surveys



Ongoing Research

- MIHP report analysis
- Infrastructure (costs, needs, etc.)
- Parking
- Justice courts
- Public safety recruitment and retention
- Housing/land use characteristics
- Costs on cities to comply with legislation
- Mixed use redevelopment & alcohol proximity requirements

Research Asks (right now)

- Justice court survey (check upcoming ULCT emails for a link)
- Feedback on CHA/Garage proposals (Need by Tuesday C.O.B.)
- Examples of alcohol proximity requirements limiting mixed use redevelopment (need by Tuesday C.O.B.)
- Fall survey (expect after Annual convention)

UPCOMING EVENTS



- Sep 3: ULCT Board Meeting
- Sep 3: CHA
- **Sep 4-5: Annual Conference**
- Sep 11-12: CHA Subgroups
- Sep 16: UEOC
- Sep 16: LPC
- Sep 17-18: Interim Meetings
- Oct 1: CHA
- Oct 15-16: Interim Meetings
- Oct 21: LPC
- Nov 5: CHA
- Nov 14: UEOC
- Nov 18: LPC
- Nov 19-20: Interim Meetings