

Legislative Policy Committee

February 3, 2025



AGENDA:

1. Adoption of Jan. 27 minutes
2. Housing/land use
3. Municipal broadband
4. Water bills
5. Revenue
6. Billboards
7. Public safety
8. Transportation
9. Homelessness
10. Other bills

REMINDERS:

Housing Plan survey: Mar 19

Federal priorities: coming soon

UPCOMING MEETINGS:

- **LPC - Feb 10**
- **LPC - Feb 18 (Tuesday)**
- **LPC - Feb 24**
- **LPC - Mar 3**

RE
SPECT

OUT
COMES

COOL
LAB
ORATION

ULCT key messages:

1. Partnership, not preemption

*Housing: affordable home ownership,
sustainable infrastructure, quality of life*

2. The state doesn't have a surplus and neither do cities

Housing and Land Use

DRAFT LEGISLATION

SB 181 Housing Affordability
Amendments (Fillmore)



Staff Recommendation:
**Amend; work toward
support**

Parking/garages and design standards

- Current language conflicts with itself; amendments needed to:
 - create **standard parking stall size for SF and townhome**
 - *9 x 18 exterior, 10 x 20 enclosed*
 - can't require garage in exchange for affordable home ownership outcome
 - **tandem spots = 2 spots**
 - remove language about DAs, siting

Recodification of state housing boards (which may or may not happen)

DRAFT LEGISLATION

HB 360 Housing Attainability
(Whyte)



Staff Recommendation:
Support w/amendments

- Modifies Utah Housing Corporation
- Authorizes government entity to grant land with or without consideration for moderate income housing
 - use of publicly-owned land for housing
- Authorizes a government entity to contract or partner with entity for development of moderate income housing
 - use of publicly-owned land for housing
- extends ability to close meeting under GRAMA to discuss development or financing of political subdivision-owned land
 - provision currently exists for state land
- some missing CHA items (TBD)

DRAFT LEGISLATION

HB 368 Local Land Use
Amendments (Whyte)



Staff Recommendation:
Support w/amendments

- Land Use Task Force bill: 7,223 lines



DRAFT LEGISLATION

HB 368 Local Land Use
Amendments (Whyte)



Staff Recommendation:
Support w/amendments

- Land Use Noticing
- Real Property Transfers
- Transferable Dev. Rights
- Development Standards
- Land Use Appeals
- Annexation
- Identical Plan
- Special Districts (PRC)
- Bonding (PRC)
- Plan Review Timing
- Landscaping
- Fire Access Roads
- Private Maint. of Public Infrastructure

DRAFT LEGISLATION

HB 37 Utah Housing
Amendments (Dunnigan)



Staff recommendation:
Position Pending

Overlay for affordable home ownership

- enabling language
- density, variety of housing in exchange for affordable ownership
- **staff rec: workable, propose ownership submenu**

Additional Reporting Metrics

- Annual report on current zoning & lot sizes, amount of land zoned at densities, anticipated density of future development
- **staff rec: align metrics w/State Housing Plan, make sure metrics are workable**

Regional plans by Aug 2025

- define success, metrics, goals, needs
- TBD on # of regions & CHA decides
- **staff rec: coordinate w/State Housing Plan, TBD on CHA, focus on regional infrastructure**

DRAFT LEGISLATION

HB 58 - Building Inspector
Amendments (T. Peterson)



Staff Recommendation:
Support

New Qualifications for Building Officials:

- **6 years of experience** as an architect, engineer, inspector, plan examiner, contractor or superintendent of construction, or any combination of these
- **Actively licensed** as a combination inspector
- Has **completed 40 hours of management training** as established by the division in rule or is a certified building official
- Report card developed by UBCC and posted online and delivered to legislature each year

DRAFT LEGISLATION

HB 58 - Building Inspector
Amendments (T. Peterson)



Staff Recommendation:
Support

Results (44 Responses - Smaller cities):

43% of responding cities have building officials who **meet all three requirements to be a building official**

81% had two of the three criteria

100% met at least **one** of the requirements

86% met the requirement to be **actively licensed as a combination inspector**

84% had at least **6 years of combined experience**

55% are **certified building officials** (taken a test to receive designation)

DRAFT LEGISLATION

SB 179 Local Regulation of
Business Entities
Amendments (Musselman)



Staff Recommendation:
Position pending

Requires local governments to adopt an ordinance governing how they will evaluate new and unlisted business uses.

Requires an approval/denial decision to be made on new business use authorization within 60 days.

Municipal Broadband

DRAFT LEGISLATION

SB 165 Municipal Broadband
Service Amendments (L.
Fillmore)

(slide 1/2)

Subjects municipal broadband service to certain provisions in the Municipal Cable Television and Public Telecommunications Services Act.

- Municipalities who have existing broadband service are grandfathered from certain provisions

Requires voter approval for revenue bonds that fund municipal broadband infrastructure unless certain requirements are met..

Staff Recommendation:
Oppose as drafted

DRAFT LEGISLATION

SB 165 Municipal Broadband
Service Amendments (L.
Fillmore)

(slide 2/2)

New annual reporting & public hearing
requirement addressing

- service connections, revenue generated, full cost accounting, 10-year projected growth in demand, 10-year full cost accounting of service, 10-year projected revenues, and more.

Staff Recommendation:
Oppose as drafted

State Housing Plan

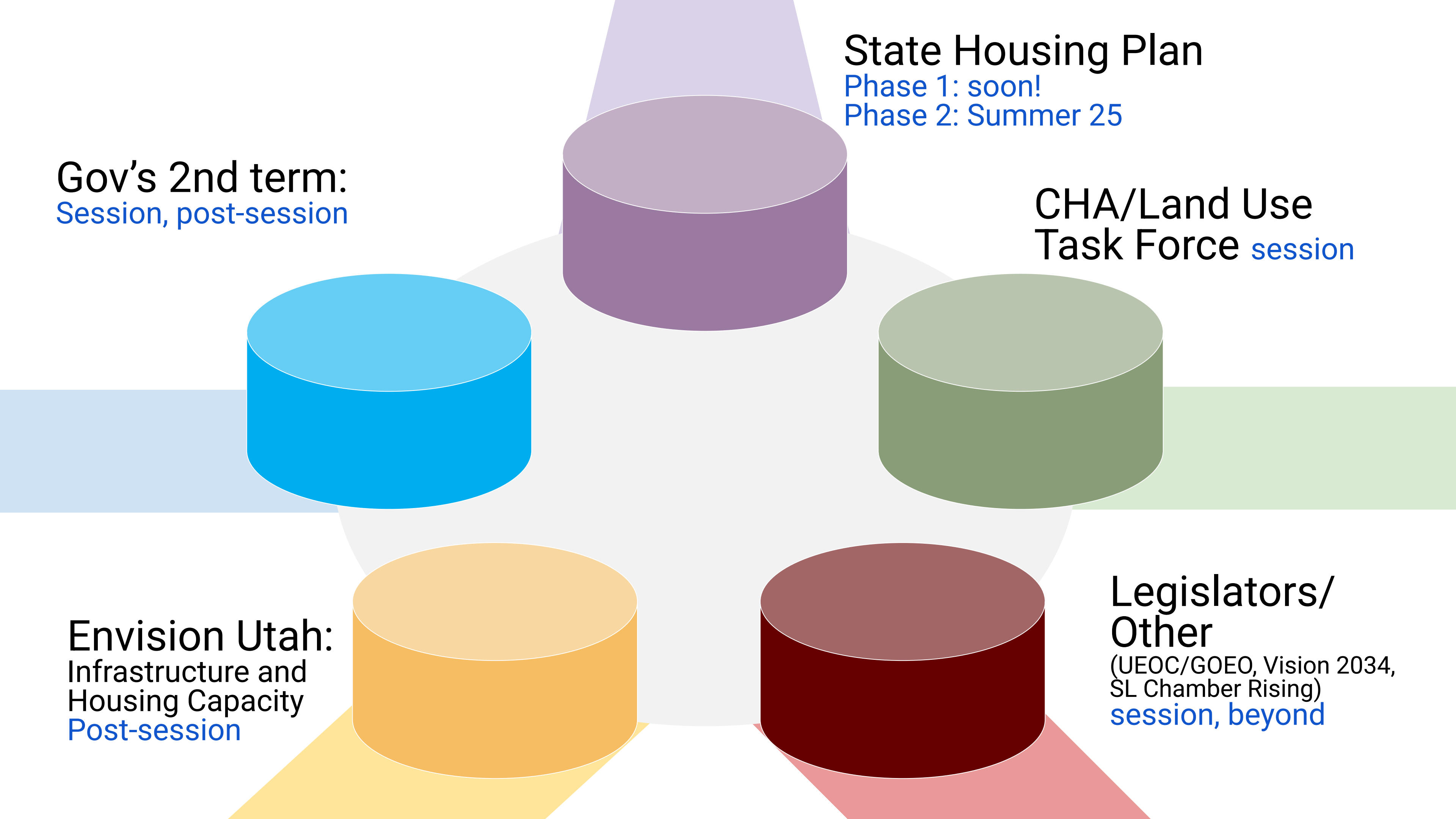
Phase 1: soon!
Phase 2: Summer 25

CHA/Land Use Task Force session

Gov's 2nd term: Session, post-session

Envision Utah: Infrastructure and Housing Capacity Post-session

Legislators/ Other (UEOC/GOEO, Vision 2034, SL Chamber Rising) session, beyond



Water Bills

DRAFT LEGISLATION

HB 274 - Water Amendments
(C. Snider)



Staff Recommendation:
Position Pending

Requires consideration of water conservation when setting water rates (*lines 932, 938*)

By **July 1, 2027**, includes water conservation as an element in determining the rate charged for at least the highest usage block

The rate is intended to help increase conservation.

The additional fees could be used for conservation efforts, but not for for-profit dividends or salaries

DRAFT LEGISLATION

HB 81 Fluoride Amendments
(S. Gricius)



Staff Recommendation:
No Position

Prohibits adding fluoride to public water systems;

Allows a pharmacist to prescribe fluoride

Revenue

Revenue moving pieces

1) **Transportation Utility Fee**

- Rep. Peterson: HB 367 2.0 (all users pay)
- battle looming w/Church of Jesus Christ of Latter-Day Saints over who pays fee

2) **Broadband related fees**

- process and HB 367 limited fees to create municipal fiber network

3) **Public safety fees**

- Taxpayers Assoc. opposed; HB 367 limits scope of public safety fees & HB 367 2.0 will do more

4) **Retail incentives**

- Slight modifications to definitions

5) **Property**

6) **Sales tax**

7) **Tourism**

- Rep. Bolinder bill coming to potentially change state, county, & city tourism taxes
- LPC work group met last week; next mtg soon

City imposed tax vs. fee:

Do you know the difference? Do your legislators know the difference?

	<i>Tax</i>	<i>Fee</i>
<i>Who authorizes it?</i>	State	City
<i>Who administers it?</i>	State Tax Commission	City
<i>What is it for?</i>	Revenue for general government	service fee: specific charge in return for specific benefit regulatory fee: specific charge which defrays the gov't cost of regulation
<i>Who pays?</i>	Some property owners, but not all (e.g. property tax & exempt property, sales tax & various bases)	All users pay for service <i>“to be a legit fee for service, amount charged must bear a reasonable relationship to the services provided, benefits received, or need created”</i>

Tourism Tax Update

1) State TRT

- a) Status quo: .32 rate, most of which is provided to local gov'ts as grants for outdoor rec infra
- b) potential statewide increase; amount TBD
- c) **Unanswered Q:** to what extent will the new state revenue be shared with some local gov'ts?

2) County tourism taxes

- a) Status quo: % of TRT shall be spent on promotion; non-promotion \$ can be spent to mitigate tourism
- b) potential changes to % of TRT spent on promotion
- c) potential changes to definitions of tourism mitigation
- d) potential changes to the statutory relationship between counties and cities, particularly for “high-impact” tourism cities
- e) **unanswered Qs:** %s, definitions, statutory relationship between counties and cities

3) Municipal tourism taxes

- a) Status quo: 2 taxes; 21 cities with resort community tax (1-1.6%) and 129 cities w/muni TRT (1-1.5%)
- b) **unanswered Q:** will there be any changes here?

Billboards

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage (V.
Peterson)



Staff Recommendation:
Oppose as drafted

Problem to solve: I-15 reconstruction in south Davis Co/northern SL Co will affect BBs

HB 198: owner may relocate BB anywhere along same road because of reconstruction, not just within 1 mile (freeway) or ½ mile (highway) of existing BB or get compensated

Concerns:

- 1) removing radius shifts the compensation burden from UDOT to city
- 2) could allow BB to go anywhere on I-15 in state, impact on local zoning authority

Other points:

- 1) No net increase in BBs
- 2) No by-right upgrades

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage (V.
Peterson)



Staff Recommendation:
Oppose as drafted

What else to know:

No BB within 500 feet of:

- a) another BB
- b) interchange
- c) school
- d) park/playground
- e) cemetery
- f) scenic area
- g) note: some exceptions exist

BB may not be in residential areas; may only be in industrial and commercial zones

If a BB owner cannot find a suitable re-location, then gov't compensates the BB owner

DRAFT LEGISLATION

HB 198 Highway Expansion
Impact on Signage (V.
Peterson)



Staff Recommendation:
Oppose as drafted

ULCT billboard work group met on Friday **Potential alternative concepts:**

- A) must relocate within the same city; may relocate to neighboring city with an agreement
- B) may allow either side of road, if zoning works
- C) better define what triggers relocation
 - a) viability of current spot, widening v. construct., interstate
- D) expand the 1 mile to higher distance IF areas within the 1 mile are unavailable due to legal distance req'ts
 - a) LUDMA variance (10-9a-702) concept of "unreasonable hardship" & "special circumstances"
- E) require more of UDOT
 - a) relocation plan in EIS, more compensation duty
- F) revisit calculation of value of BB

Public Safety

DRAFT LEGISLATION

HB 40 - School Safety
Amendments (R. Wilcox)



Staff Recommendation:
Neutral

Bill substituted in committee last week
returning bulk of responsibility back to county

**Requires city law enforcement to coordinate
with county security chief**

*“a county security chief or a designee
administers in coordination with personnel
from local law enforcement of relevant
jurisdiction”*

DRAFT LEGISLATION

HB 40 - School Safety
Amendments (R. Wilcox)



Staff Recommendation:
Neutral

Each local law enforcement agency shall:

- allocate adequate personnel to participate in the annual school safety needs assessments
- assign adequate personnel time as the county security chief determines to assist the county security chief in administering the trainings

Transportation

DRAFT LEGISLATION

SB 195 Transportation
Amendments (W. Harper)



Staff Recommendation:
Oppose as drafted

Omnibus transportation bill

Canal road connections

- *Requires municipalities to:*
 - *inventory* each location where a city road dead ends to due a canal,
 - *create* a plan to connect each dead end to other highways and submit plan to MPO by Jan 1, 2027
 - *implement* the plan no later than Dec. 31, 2029
- The municipality is not required to connect a class C road if the city and MPO determine that connection would be impracticable due to *topography or unique circumstances*.
- Penalty: if the municipality does not make substantial progress to construct connections per the implementation plan, the bill requires UDOT to withhold B&C road funds.
 - All construction projects are not required to be complete by the deadline

Station area plans

Requires municipalities to report on SAP implementation to their relevant MPO every five years.

Homelessness

DRAFT LEGISLATION

HB 329 Homeless Services
Amendments (Clancy)

1 of 3 slides



Staff Recommendation:
Position Pending *with
anticipated changes*

Largely focused on requirements for service providers

- Implementing “Know By Name” and increased regulations on service providers

Does not change contributions to the mitigation fund

Maintains the two municipal seats on the 11 member Utah Homeless Service Board

DRAFT LEGISLATION

HB 329 Homeless Services
Amendments (Clancy)

2 of 3 slides



Staff Recommendation:
Position Pending *with
anticipated changes*

Mitigation Fund Policy Changes

- Includes year-round shelters with no minimum bed limit to the third-tier eligible municipality definition (1st: 80, 2nd: 25, 3rd: seasonal 50)
- Requires shelter cities to have and enforce no camping ordinance that aligns with state code
- Prioritizes funding on services directly related to supporting the goals or innovative practices identified by UHSB and requests that primarily use the funding for public safety expenses
- Allows the board to award mitigation grants in full or in part

DRAFT LEGISLATION

HB 329 Homeless Services
Amendments (Clancy)

3 of 3 slides



Staff Recommendation:
Position Pending *with
anticipated changes*

Winter Response Plans

- Has county winter response task forces report as recommendations to the UHSB
- Repeals provisions surrounding non-compliance, rules, plan requirements, and sunsets

Anticipating changes to the bill.

DRAFT LEGISLATION

SB 182 Homeless
Services Amendments
(Weiler)



Staff Recommendation: **Position
Pending** *with anticipated changes*

- Applies to Counties of the 1st thru 4th class
- Triggered at 105°F
- Expands shelter capacity
- Allows property owner to provide shelter as long as it doesn't conflict with fire code
- Requires coordinated outreach
- Can enforce a no camping ordinance but cannot confiscate personal property used to survive in extreme heat.

Anticipating changes to the bill.

Other Updates

DRAFT LEGISLATION

HB 379 Population Data
Amendments (Rep. Gricius)



Staff Recommendation:
**Amend; work toward
support**

- Clarifies that Utah Population Committee (UPC) population estimates are to be used as basis in formulas for state funding distributions to local gov'ts.
 - Census Bureau estimates will continue to be used when Utah Population Committee estimates are unavailable or federally req'd.
- States that the UPC can request information from local governments for performing their duties.
 - Local governments shall comply if the information can be reasonably obtained
 - Local governments enter into agreement with UPC to share data

Notable new appropriations requests

- **\$3 m one-time for UDOT surplus property acceleration**
 - *intent is to use surplus land for affordable owner-occupied housing*
- **\$2 m ongoing, \$665 one-time for UDOT lighting technicians**
 - *UDOT will assume duty to ensure highway lighting at intersections with state and local roads*
- **\$5 m one-time for rural county opioid response grants**
- **\$700k one-time to fund indigent defense commission grants**
- **Re-purpose remaining \$1 m one-time to assist local gov'ts with subdivisions ordinances**





Other issues for future LPCs

- **SB 165 (municipal broadband)**: would require a city to receive voter approval in order to create a municipal fiber network; much more
 - ULCT next steps: notify Justin to join
- **HB249 (Nuclear Power Amendments)**
- No bills yet: ambulance, child care, gravel



ULCT Bill Tracker



 Hot	Oppose
 Work	Support
 Watch	Position Pending
 Monitor	Neutral

Bill

Tracker

Ratify Positions