

Legislative Policy Committee

September 15, 2025





Sign-in

You can also find a link to the sign in form in your email if you are an LPC voting member or if you registered via Zoom webinar

AGENDA:

1. Welcome
2. Upcoming Events
3. Special Session?
4. Homelessness
5. Revenue
6. Natural Resources
7. Public Safety
8. Elections
9. Utilities
10. Housing and Land Use
11. LAA
12. Adjourn

REMINDERS:

- Annual Convention - Oct 1-2

UPCOMING MEETINGS:

- LPC - October 20
- LPC - November 17

Upcoming ULCT Events

- Sep 24 (12:00-1:00) Data Privacy Webinar
- Oct 1-2 (all day) **Annual Convention (Salt Palace, SLC)**
 - Board meeting, caucuses, LPC advisory subgroup on housing
- Oct 3 (9:00-2:00 PM) Conflict Competence Crash Course (U of U)
- Oct 7 (12:00-1:00) Missing Middle Toolkit Webinar
- Oct 20 (12:00-1:30) LPC
- Nov 17 (12:00-1:30) LPC
- Nov 19-22 (all day): NLC City Summit
 - Fri, Nov 21 (all day) One-Day Utah Registration Option
 - Fri, Nov 21 (6:00-7:30) NLC ULCT State Night (all are welcome)

Elected Officials Essentials

These training courses offer a crash course on the basics you need to know before you take office in January or as a helpful refresher for those currently in office.



Save the Dates:

- Sat., Dec 6th (8:30-1:00 PM at the Local Government Trust) **OR** Sat., Dec 13th (9:00-1:00 on Zoom) **Local Government 101**
- Dec 16th (12:00-1:00 PM on Zoom) **Land Use 101**
- Jan 6th (12:00-1:00 PM on Zoom) **Municipal Budget and Finance 101**
- Sat., Jan 10th (9:00-12:00 PM on Zoom) **Conflict Competence 101**
- Jan 13th (12:00-1:00 PM on Zoom) **Utah Legislature 101**
- Jan 16th from (12:00 - 1:00 PM on Zoom) **Running a Small Community 101**

we will send out a save the date email with a link for you to inform us of your inauguration information

Homelessness

Homelessness Updates

Transformative Central Campus

- The Office of Homeless Services and the Utah Homeless Services Board have entered into a contractual agreement for the state to acquire land for a centralized homeless services campus (~1,300 beds).
- The proposed location is a 15.85-acre parcel on 2529 N and 2200 W in Salt Lake City.
- The campus is intended to complement the existing homeless resource center, shelters, and service providers throughout Utah.

Homelessness Updates

- As previously discussed in LPC, the centralized homeless services campus has been recommended by the Utah Homeless Services Board and will be critical in addressing public safety and increasing need for crisis beds.
- We still don't know what impact this will have on the existing homelessness system. There has been some discussion, but no concrete decisions yet.
- We anticipate significant legislative policy changes ***including mitigation funding contributions and distributions.***
- Over the past year, state leaders have consistently mentioned their expectation to have cities and counties contribute more to homelessness response statewide.

Revenue

Transportation Utility Fee

- Methodology: distinguish between property tax factors and TUF factors
 - property tax: fair market value
- TUF: status quo is any kind of methodology, but proposal to focus methodology on traffic counts and trip generation
- categories of uses
 - residential, commercial, other types of users
- Appeals process *similar to impact fees*

Other revenue issues: property tax (SD, WY), gas tax, RAP re-authorization

By Dakota News Now staff

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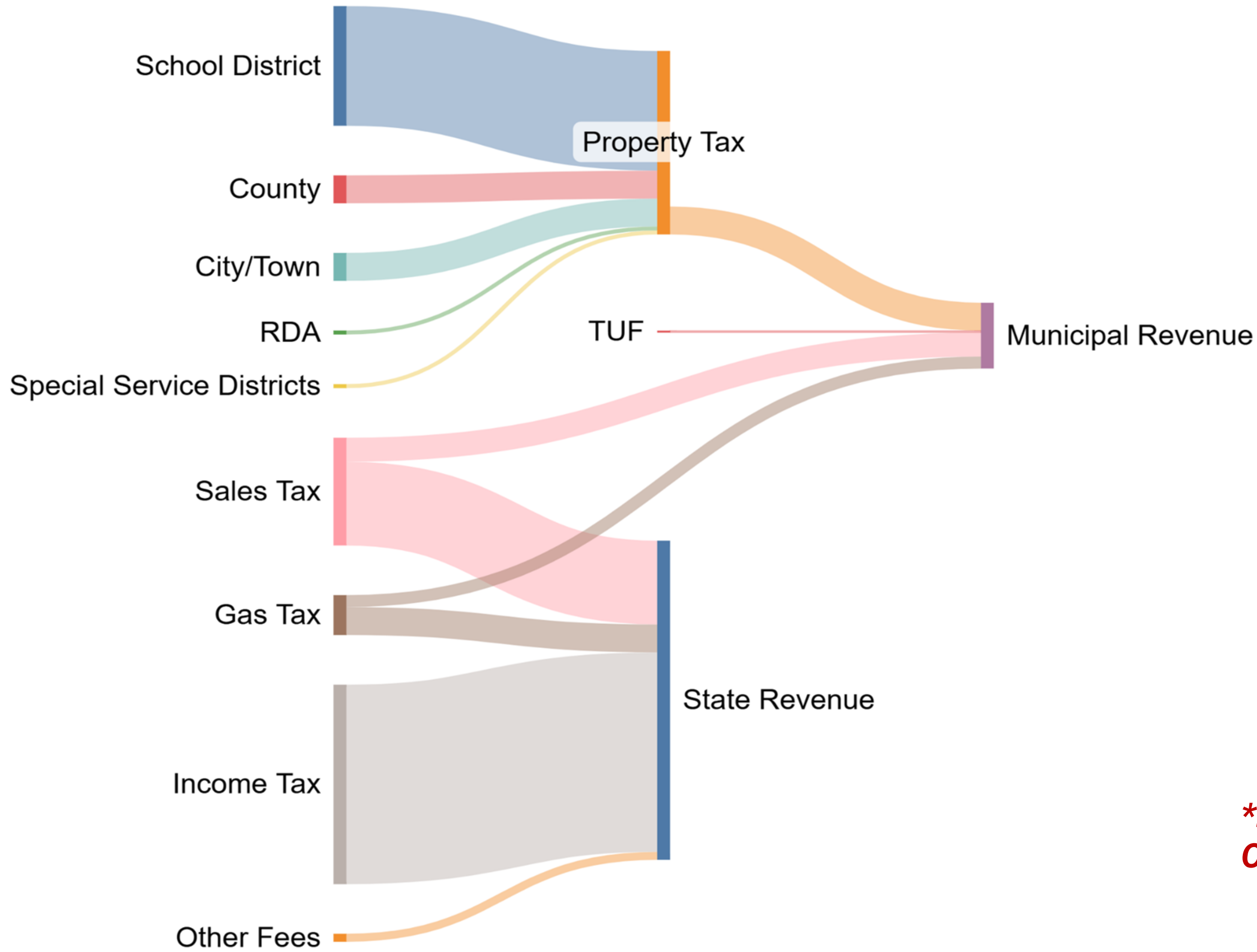
PIERRE, S.D. (Dakota News Now) - On Thursday, South Dakota Governor Larry Rhoden signed his bill that addresses rising property taxes into law.

[SB 216](#) limits the increase in owner-occupied assessments to 3% countywide for the next 5 tax years.

The bill also sets a 3% cap on the amount taxing districts and school capital outlay budgets can increase as a result of new construction and increases the maximum income limits for the assessment freeze program to \$55,000 for single-member homes and \$65,000 for multi-member homes. The bill also increases the maximum eligible home value to \$500,000.

25% Property Tax Cut Has Cities And Counties Expecting To Cut Budgets

A 25% residential property tax cut approved earlier this year by the Legislature has cities and counties across Wyoming crunching numbers. Many tell Cowboy State Daily they're already contemplating where to cut their budgets.



****For visualization of where funds go ONLY, not to scale***

Beer Tax

Background:

- Local governments receive a portion of beer tax revenues to exclusively use for funding activities related to prevention, treatment, law enforcement, prosecution, and confinement violations related to alcohol and substance abuse.
- Municipalities required to report to USAAV+ each year on their use.
- In recent years, a substantial portion has been left unspent by (mostly) municipalities: \$3m or 31%.

Beer Tax

Proposal (administrative):

- Notify municipalities they can defer their allocation to the county if not feasible to regularly spend the full amount
- Identify best practices for spending beer tax funds
- Provide clear examples of items that are and are not appropriate uses

Proposal (statutory)

- If a municipality's carryforward balance is 3x their allocation plus \$50,000, no further distributions will be made the following years until the balance no longer exceeds 3x their annual allocation plus \$50,000. Remaining funding will be reallocated to eligible communities.
 - Communities may submit a report to USAAV+ notifying them about any capital projects or major expenses which would require them to carryforward additional funding.
- Municipalities may not use the funding for treatment.

DEQ Water Fees



New Fees for Utah Public Water Systems

The Utah Department of Environmental Quality (DEQ), Division of Drinking Water (DDW), is implementing new fees for public water systems. These fees will provide stable funding for drinking water regulation and infrastructure projects, reducing reliance on expiring federal grants. Find out how these fees may affect your system and what's next.

On this page: [What you need to know](#) | [Exemptions and incentives](#) | [Timeline and how to get involved](#) | [Full policy](#)

Air Quality

Clean Truck Amendments

Research from the Utah Division of Air Quality found that heavy-duty vehicles built before 2010 are one of the biggest sources of air pollution on the Wasatch Front

This bill requires the owners of these vehicles to contribute to a clean air fund to offset their pollution impact, while offering these owners a tax credit upgrade to less polluting vehicles

Clean Truck Amendments

Which vehicles does it apply to?

(28)(a) "High emissions heavy duty vehicle" means a motor vehicle that has:

- (i) a gross vehicle weight rating of more than 14,000 pounds; and
- (ii) a model year of 2009 or older.

(b) "High emissions heavy duty vehicle" does not include:

- (i) a farm tractor;
- (ii) a farm truck; or
- (iii) an implement of husbandry

Where does it apply?

Nonattainment counties - Davis, Salt Lake, Utah, Weber

Clean Truck Amendments

What is the fee?

\$250 if the application for renewal is in a major nonattainment county; or
\$45 if the application for renewal is not in a major nonattainment county.

Who is exempt?

a farm truck or farm tractor; and

a motor vehicle that is exempt from the registration fee under Section 41-1a-1209

41-1a-1209 covers political subdivisions of the state and municipal corporations

Where does the money go?

Environmental Mitigation and Response Fund created in Section 19-1-603.

Clean Truck Amendments

If you would like to see the draft and give input email jlee@ulct.utah.gov

Public Safety and Governmental Immunity

Armenta v. Unified Fire Authority

Facts:

- Jorge Armenta called 911 after chest pain and shortness of breath
- EMT's responded and told him everything looked normal and a trip to the hospital was unnecessary
- One week later, Armenta was taken to the emergency room and found that a heart artery was completely clogged
- Injuries would likely lead to heart failure and early death unless he received a heart transplant

Procedure:

- Armenta sued UFA stating that the EMT's misdiagnosed him and that their mistake caused him serious damage that might shorten life.
- UFA asked to dismiss based upon UGIA provision that prohibits the government and employees from being sued for injuries when it is based upon "providing emergency medical assistance."
- District Court dismissed based on UGIA

Armenta v. Unified Fire Authority

My face after reading the Supreme Court's ruling:



Armenta v. Unified Fire Authority

Question to Decide:

- Does the UGIA protect emergency medical technicians from suit for providing emergency medical assistance?

Supreme Court's Ruling:

- No. “Emergency medical assistance” doesn’t actually mean “emergency medical assistance” in the context of providing EMT services by local government, but rather catastrophic events.
- District Court interpreted the phrase by defining each of the terms individually and then putting them together.
- Supreme Court said that they should have looked at the words used in the code in the same section to determine its meaning.
- “Emergency medical assistance” is surrounded in the statute by activities like fire fighting, responding to natural disasters...not the regular emergency medical assistance that Armenta received.

Elections

Elections

How do you feel about primary elections being optional for municipalities?

- Similar to Special Districts under 17B-1-306(6):

“A primary election may be held if:”

Authorized by the board

There are more than two candidates per open seat

Elections

How do you feel about local school board positions also being elected during odd numbered years?

- Ballot would need to be coordinated
 - Not a big deal if county is running the election
- Want to make sure municipalities are not bearing any cost burden

Utilities

Utility Markings

Should utility markings be done with paint that will wash off in 6 months or less?

Is this a problem?

Reach out to jlee@ulct.utah.gov



Short-term Rentals

New proposed bill

1. States that local governments can only impose fines and penalties on STR owners, rather than listing sites or STR renters.
2. States that STR listing sites are not required to share personal data with a local government without a court order.
3. Allows a local government to require an STR listing site to provide the number of nights a rental is occupied.

Recent case law

- Communications Decency Act local governments cannot require the booking sites to monitor sites for illegal listings.
- Courts have determined that individuals have a “reasonable expectation of privacy” when using STR booking sites and that personal data should be kept private.

AirBnB, Inc v. City & Cnty of San Francisco

AirBnB, Inc v. City of Boston

HomeAway.com v. City of Santa Monica

New Orleans case differs

New proposed bill

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Note: HB 256 (2025) allows local governments to request nonbinging illegal site delisting, but could not require action by listing sites.

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Send feedback to Karson Eilers (keilers@ulct.utah.gov)

Research Update

2 Surveys in the Field + MIHP 2.0 Survey

1. Housing & Land Use Survey extended to this Friday

- a. Distributed through UCMA and ULCT channels (technical feedback - admin/planner response focus)
- b. Deadline extended through the 19th

2. Public Improvement standards survey

- a. Distributed through Utah City Engineers Association

3. MIHP 2.0 Survey - look for a link in recap email

Housing and Land Use

Two new toolkits



Missing Middle



Envisioning Centers

State Housing Plan: *where we started*

160+ potential policy tactics

Multiple work groups (all with ULCT representation)

- low-income
- starter homes
- market rate
- rural
- infrastructure

Technical committee focused on data collection and analysis

Principle of collaboration over preemption in the SHP

- Some state leaders want to partner with cities
 - they acknowledge that cities don't control market forces, want to partner on funding with cities who have taken certain land use actions
- Some state leaders want to preempt local land use authority
- Some state leaders are TBD

State Housing Plan: *where we are now*

Must report housing plan to Commission on Housing Affordability & Legislature in Sep/Oct

- Commission on Housing Affordability on Sep 11, Oct 30

Planned discussion at ULCT Annual Convention with Governor's team (caucuses) and at ULCT Board of Directors meetings in the fall

Today's objectives:

- 1) what we expect on prioritized tactics**
- 2) LPC feedback to inform ULCT Board (today and homework)**
 - a) LPC advisory subgroup on housing**

No bill to consider ... yet

State Housing Plan: *ULCT submissions*

Tactic 2: State Infrastructure Bank (Board)

Tactic 4: training, technical assistance to growing communities (Board)

Tactic 5: use publicly-owned land for affordable, home ownership (Board)

Tactic 12: Rural Main Street and housing (Board, centers)

Tactic 19: conduct a study to estimate limits to growth and housing from water supply constraints (Board, sustainable infra)

Tactic 35: engage public in growth and planning conversations (Board)

Other: turbocharge identified Wasatch Choice centers with housing

- Station Area Plans, HTRZs, etc. (Board)

Other: invest in “legacy city” program (Board; 2025, HB 360)

State Housing Plan: *where we are now, CHA 9-11*

- New sales tax for affordable housing
- State Infrastructure Bank (ULCT)
- Revolving loan fund for affordable unit construction
- Technical assistance (ULCT)
- Publicly-owned land (ULCT)
- Conduct study about water supply constraints (ULCT)
- Short-term rental regulation (ULCT)
- Public engagement (ULCT)
- Deed restriction programs
- ***Detached accessory dwelling units***
- ***incentivize local governments to implement zoning reform by leveraging existing state funding programs to offer priority to cities that are meeting housing goals***

State Housing Plan: *detached ADUs*

Policy question: should detached ADUs be allowed in some form statewide?

State politics: appetite at capitol for some kind of detached ADU bill

ULCT political capital: most MIHP cities currently allow detached ADUs in some form, so how much would we oppose a reasonable detached ADU bill?

ULCT Board of Directors, Aug 18: create a proposal to require cities to allow detached ADUs but with local flexibility to implement (station area plan model)

ULCT LPC advisory group: slido data (next slide)

State Housing Plan: *detached ADUs*

Option A

- IADU-style (state requirement with some state standards, partial local flexibility)
- Proposal being circulated

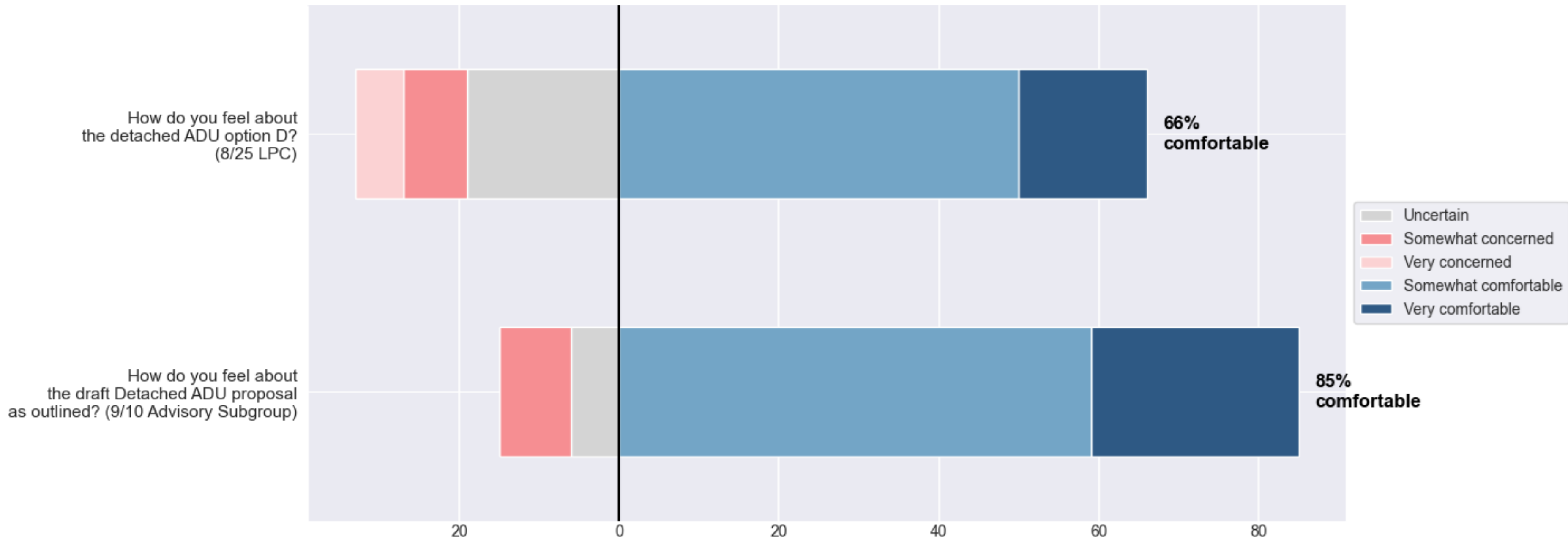
Option C

- New concept (state preemption default, local opt-out project by project)
- bill drafted

Option D

- SAP-style (state requirement to have an ordinance but local flexibility on specifics)
- workgroup preferred approach

Advisory & LPC D-ADU Conceptual Feedback



MIHP 2.0/State Housing Plan: ULCT objectives

- 1) Focus on ULCT Board's principles:
 - a) Partnership, not preemption; affordable, home ownership; sustainable infrastructure; quality of life
- 2) Objective compliance criteria
- 3) Only based on what cities actually control
- 4) Give credit for the good things that cities are doing
- 5) Better data collection to understand what cities are doing and what the private sector is doing
- 6) More user-friendly data collection

MIHP 2.0: shift from tracking planning aspirations to zoning actions

CHA Presentation - “incentivize local governments to implement zoning reform by leveraging existing state funding programs to offer priority to cities that are meeting housing goals”

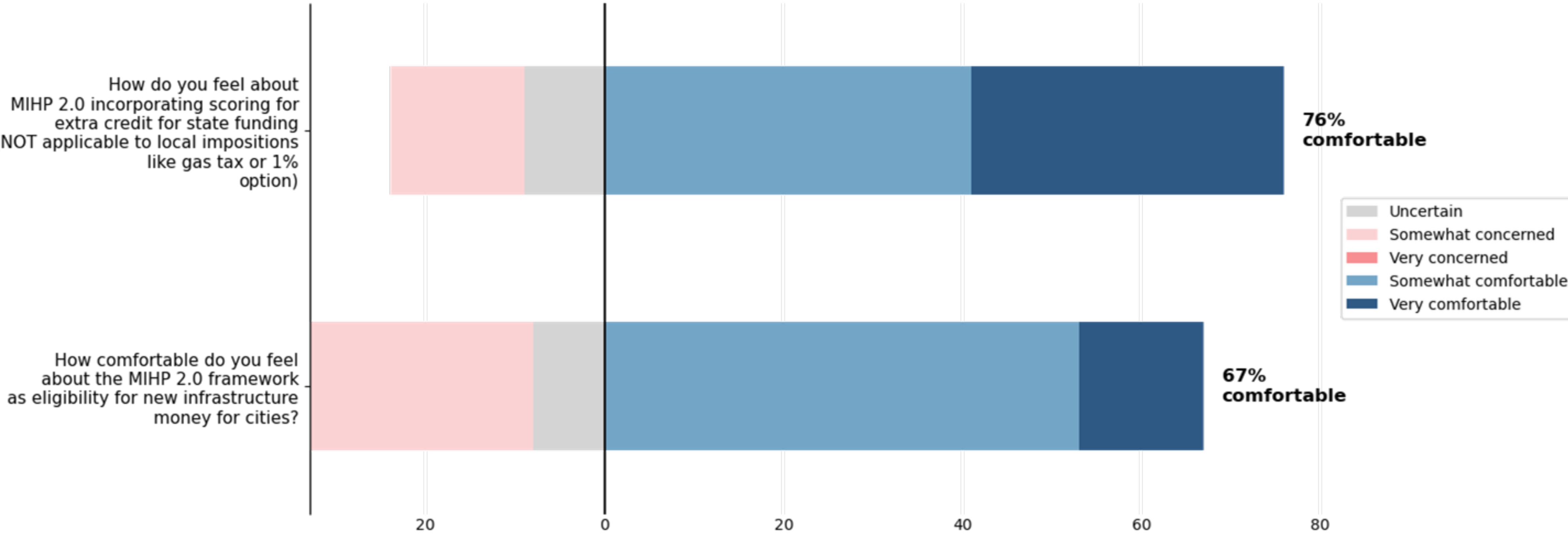
Status quo (100% MIHP compliance): MIHP = eligibility for Transportation Investment Fund (TIF) and city .05 of the 5th 5th; avoid daily fine

2.0 expectation: not every city will qualify, but state \$ will partner with the qualifying cities

Idea A: MIHP 2.0 for “extra credit” for other state dollars

Idea B: MIHP 2.0 for eligibility to new state dollars for local infrastructure

MIHP 2.0/State Housing Plan: Housing Advisory Subgroup Feedback



MIHP 2.0: Homework

Your feedback on MIHP 2.0 and DADUs is critical!

Expect a survey in the LPC follow up email so you can weigh in on each of the options.

Land Use Task Force

Land Use Application Expiration

Background: State law as currently written states: “The continuing validity of an approval of a land use application is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence” *10-9a-509(1)(f)*

Alleged Problem(s):

- City-imposed expiration dates for land use application are enforced while the developer is still taking steps to get their final plats approved.
- Many municipal codes don't clearly outline what a builder must do to demonstrate “reasonable diligence” in order to prevent their land use application from expiring or extend the validity of their preliminary plat.

Potential Solution(s):

- Define “reasonable diligence” in state statute
 - 9/10 LPC Housing Advisory Subgroup: 73% comfortable, 14% concerned

Millcreek City Ordinance

Millcreek city permits the Planning Director to grant an extension of the validity of the land use application expiration date for “good cause”.

It defines “good cause” as “justifiable and reasonable reasons why an application did not commence in a timely manner.”

The examples of good cause that Millcreek provides are:

- Delays in preparing construction documents due to new information not available at the time of approval
- Changes in site conditions
- Lack of materials
- Financing issues
- Labor supply problems
- Similar causes not solely the result of the applicant’s failure to pursue the development with due diligence

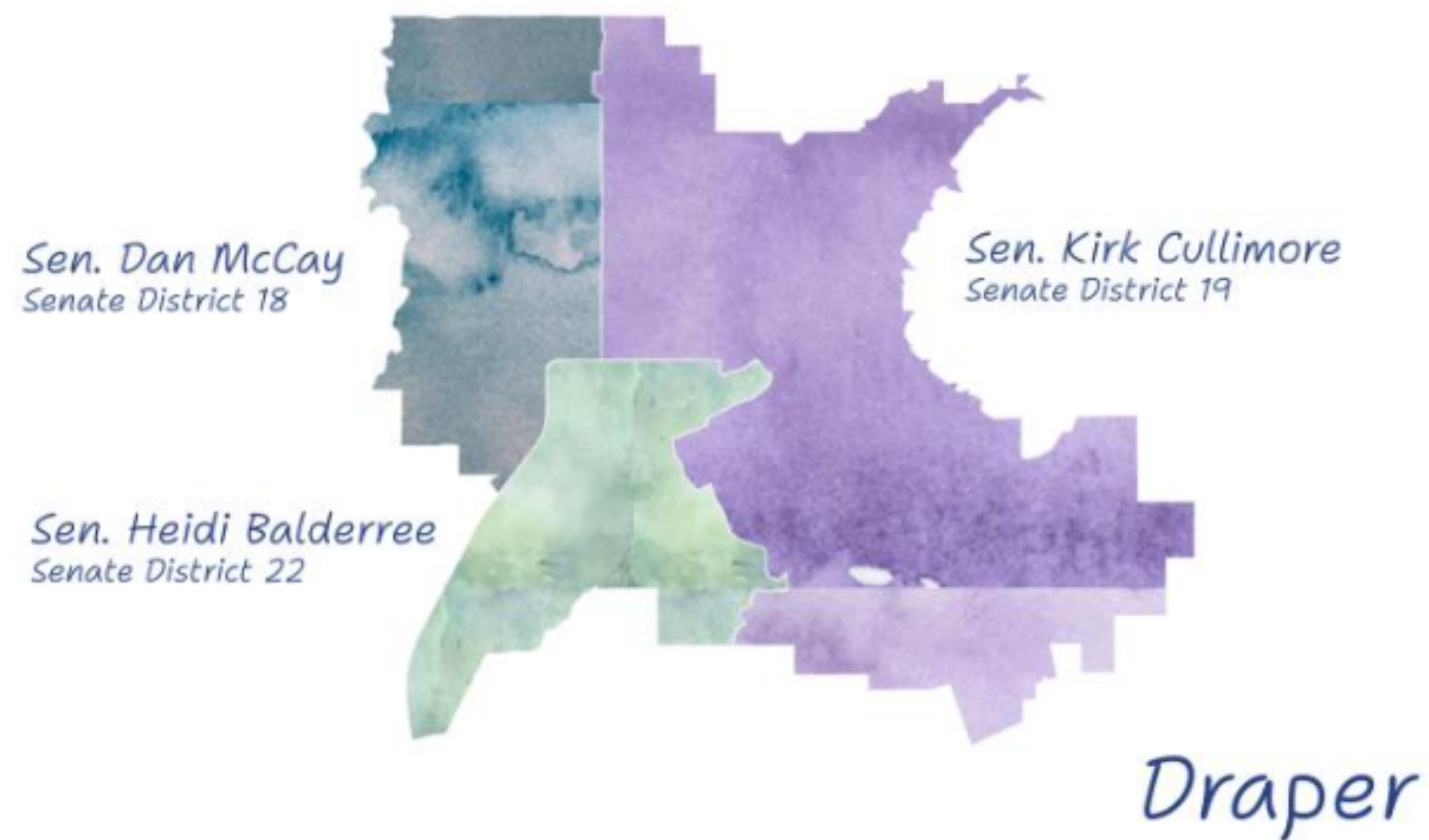
Faces & Places

*Your
constituents
live here*

Introduction

Local officials and state legislators share the same constituents—and often, the same goals. This playbook is designed to help local leaders build respectful, collaborative connections with state lawmakers. The strength of the League is the membership!

The goal: foster mutual respect, work together to solve problems, and achieve better outcomes for the communities we all serve.



Show us how you are planning for growth & quality of life!
We want to connect your stories with state leaders
[email chansen@ulct.org](mailto:chansen@ulct.org)



Local Administrative
Advisor

LAA Funding

- ULCT is working with partners to ensure the Local Administrative Advisor program is fully funded.
- We are working on including the funding in the Governor's Budget and are also pursuing an RFA with Senator Owens.
- Will be reaching out to LAA communities to sign onto a letter of support.

Contact ULCT

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Adjourn