



2026 Land Use Recap

More bills, more fun...

1016

bills introduced

159 more bills than prior
9-year average

128*

ULCT bills that died

52% of tracked bills did not
pass

*Pending Gov Vetoes

244

ULCT tracked bills

Fewer bills targeted at cities
and towns

540

bills passed

51 fewer than last year

**The Strength of the
League
is in its Members!**





Land Use

Where it started *and will be discussed over interim:*

- Dillon vs Hutchinson discussion
- Reasonable diligence definition
- Uniform Infrastructure standards - *levels of service*
- Detached ADU mandate
- 3rd party building inspections

Why you should care:

Could be items that resurface again

Land Use

SB 284

HB 436

HB 457

HB 597

HB 215

SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford Effective Date May 6, 2026

- All land use regulations, fees, and land use application checklists must be posted on municipal website, if you have one; otherwise at the place of business by **October 1, 2026**
- If planning commission does not make a “timely” recommendation, the legislative body must adopt or reject the land use regulation – was in statute modified to remove ord requirement
- Changes the ability of a third party to challenge a “land use law” – higher standard
- Removes legislative bodies as appeal authorities (separation of powers)

Why you should care:

Action required and updated training

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SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford

Planning commission bias standard and additional training

- Planning commissioner cannot act with “impermissible bias” when acting in administrative or in quasi-judicial role. Update bylaws.
- Training must involve Leg/admin/quasi judicial review in mandatory 1 hour and in general training state ethics review conflict of interest training.
- City Councils may make a decision when the planning commission is taking too long to make a recommendation.

Why you should care:

Need to train your Commissioners

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SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford

- Requires counties, municipalities, and special districts to adopt a written plan, (Legislative body) beginning on **January 1, 2028**, for determining the reasonable future water requirement of the public before imposing a water exaction (written plan)
- Limits the amount of time a land use regulation located in a development agreement can be challenged in court to 30 days (just like all other land use regulations or general plan).
- Clarification of bonding interest for cash bonds (only new bonds after **May 7, 2025**)

Why you should care:

Will need to know new terms and bonding options

Land Use

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SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford

- "Full boundary adjustment" means a boundary adjustment that is not a simple boundary adjustment
- Cleaned up last year's legislation on process for classification of new and unlisted business uses. If a new conditional use is requested it does not require Planning Commission review.
- Defines model homes and open houses and states that cities may not regulate a model home or open house differently than a residential use

Why you should care:

May need to update your codes to reflect the changes

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SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford

Detached Accessory Dwelling Units Note: Effective 10/01/26

- MIHP City shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel
- Does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet.

Why you should care:

Will need to update your code by October

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SB 284: Local Land and Water Modifications

Sen. Fillmore and Rep. Koford

External Accessory Dwelling Units

- Defines "Accessory dwelling unit" and "Detached accessory dwelling unit"
- Clarifies setbacks, conversion process, system and project infrastructure sufficiency

Why you should care:
Code update required

Land Use

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Planners Notes:

- Millcreek and South Salt Lake have some good standards for accessory structure conversions.
 - Accessory structures should be legal or legally-noncomplying prior to conversion
- Remember: for checklists to be enforceable, they should be adopted through ordinance.

HB 436: Moderate Income Housing Infrastructure Amendments

Rep. Gricius

Moderate income housing plans (MIHP) status quo:

- City of 5k+ shall select at least 3 (no transit) or 5 (transit) strategies from menu
- If city selects 5 (no transit) or 6 (transit), then “priority consideration”
- “weighted menu item” (last year’s HB 37) focused on affordable home ownership

Compliance = eligibility for:

1. state Transportation Investment Fund
2. city portion (.05) of the “5th 5th” (county .20 sales tax)
3. no fee to Olene Walker Housing Fund

HB 436: Moderate Income Housing Infrastructure Amendments

Rep. Gricius

MIHP Freeze

- Substantive reports frozen for 2026 reporting cycle
 - If you were eligible/prioritized in 2025 reporting cycle, you continue to be eligible/prioritized
- Report on number of new housing units issued COs instead

MIHP Prioritization

- MIHP Cities automatically prioritized if they increased housing supply by 2.5%
 - measured by new residential units issued COs

Land Use

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HB 457 S5 County Governance Modifications

Rep. Dunnigan

Automatic annexations of **inner islands** in cities in **Davis, Weber, & Utah Counties** on July 1, 2027.

ONLY inner islands that:

- 55 acres or less
- Completely surrounded by 1 city
- Has **one** of the following characteristics:
 - Currently provides sewer and water to island
 - The infrastructure (roads, water, etc.) up to city standards
 - No infrastructure AND
- Not exempted by County (Davis and Weber County) or City (Utah County) by May 1, 2027
- Notice by Counties to affected properties after May 1, 2027
- All islands can be recorded in one plat

Why you should care:

Affects cities in 2nd class counties

Land Use

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HB 215

HB 597 S1 Alcohol Amendments

Rep. Burton

Proximity current law:

- no alcohol license within 300 feet of a “community location”
- community location = any K-12 school, church, library, playground, park
- Decade ago: 600 feet with local consent/waiver option

New changes:

- Path for restaurants (full-service, limited-service, beer only) and hotels to be within 300 feet of libraries, playgrounds, or parks
- Local gov’t shall hold public meeting with public comment at least 30 days prior to local consent
- DABS will then consider the request

Why you should care:
Hearing requirements

Land Use

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Planners Notes

HB597 creates new economic development opportunities for cities that are looking to implement centers, or who are trying to focus development around existing open spaces.

Land Use

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HB 215 Landscaping Restrictions Amendments

Rep. Peterson

Cannot have a land use regulation that prohibits a property owner from removing vegetation on their property **UNLESS**:

- Adds two exceptions:
 - Only applies if it is within a designated Wildland Urban Interface (WUI) area
 - Only if it would require removal of vegetation to meet defensible space requirements of the 2024 WUI code.

Why you should care:

May require ordinance updates



Housing & Economic Development

HB 68 S6: Housing and Community Development Amendments

Rep. Roberts

- State agency restructuring of housing program management
 - ❖ Most state housing programs relocated
 - ❖ Creates Division of Housing and Community Development within GOED
 - ❖ Repeals Commission on Housing Affordability

HB 492 S6 Transportation, Infrastructure, & Housing Amendments

Rep. Roberts

State Housing Infrastructure Partnership (SHIP)

- a) \$100 million revolving **loan** fund
 - +/- 1.5% Fed Funds Target Rate (3.5% - 3.75%), board determines actual rate
- b) system infrastructure: drinking & secondary water, wastewater, sewer, stormwater, drainage, road part of general, regional plan
- c) 5-member state board to approve projects
- d) will establish criteria (e.g. MIHP 2.0) that includes:
 - a) builder will meet timelines
 - b) repayment plan
 - c) number of units
 - d) ownership
 - e) affordability
- e) preference for owner-occupied single-family homes.

HB 492 S6 Transportation, Infrastructure, & Housing Amendments

Rep. Roberts

- SL County specific infrastructure funding
 - Increases Affordable Housing Infrastructure Grant Program bonding capacity from \$70m to \$150m
 - Requires one affordable unit for every \$20k in grant funding
 - Program administered by GOED and UDOT
- Funding for convention center restricted account
- State surplus land
 - rulemaking authority to sell land at pre-entitlement appraisal value & defer payment until after owner-occupied housing built
- Point of the Mountain: \$18m for infrastructure (from SHIP)

HB 507 S4: State Coordination of Regional & Local Economic Development Projects Amendments

Rep. Roberts

Regionally Significant Development Zone (RSDZ)

- city or county created
- must meet criteria for “significant capital investment” or “regional significance”
- increment pays for infrastructure
- sub-categories for HTRZ, FHIZ, sports
- Required for large load data center incentives
- Counties can challenge regionally significance findings
 - Current tools continue to operate
- HTRZ-style framework
 - GOEO committee approves the increment, all taxing entities must participate; up to 60% of increment for 25/40 years

Allows county to charge county energy excise tax in county RSDZ energy zones (unincorp area)

HB 507 S4: State Coordination of Regional & Local Economic Development Projects Amendments

Rep. Roberts

PIDs

- Clarifies relationship with city or county with infra transfer
- Clarifies dissolution process & governance

Creates State Reinvestment Restricted Account

- Portion of RSDZ increment flows to account
- Funds can be used for income tax relief, developing generational water infrastructure, preserving GSL watershed, regionally significant transit infrastructure, developing energy resources

Sunsets HTRZ, FHIZ, HOPZ, MSEVZ in 2028

- Existing programs continue under approved parameters

HB 507 S4: State Coordination of Regional & Local Economic Development Projects Amendments

Rep. Roberts

HTRZ changes (from SB 221)

- Allows HTRZ to span three light rail/BRT stations in cities of 3rd/4th class if:
 - total area < 250 non-contiguous acres
 - cannot exceed a ¼ mile radius from the stations or any point on the light rail/BRT line
 - A 3-station HTRZ counts as two HTRZs towards the SLCo cap
- Once an HTRZ is approved, the proposing entity must:
 - enter into an agreement with the relevant property owners identifying the density needed to implement approved zone
 - enter into entitlement/development/participation agreements with property owners within zone as soon as reasonably possible to implement approval
 - If the agreements have not been entered into w/in two years, proposing entity must submit report to the HTRZ committee explaining:
 - status of agreements
 - related land use regulations needed to implement proposal.
 - *This provision is retroactive*
- HTRZ can use increment for extraterritorial housing if units are affordable, located in same city, at least 6 units/acre, owner occupied for 25 years, and doesn't have building permit (FHIZ style)

HB 535: Disposition of Public Property Modifications

Rep. Walter

Before disposing of real property, local governments must:

- Disposal includes permanent transfers, leases >10 years
- Post a physical sign at the property stating it is for and that offers may be made to the local government.

Before disposing of a significant parcel (> \$500k), must also:

- Publish an announcement of intent to dispose of the property on the local government's website OR a real estate offering website for at least 45 days.
- Announce the intent to dispose of public property during a public meeting.

Disposal of property must be approved by majority vote, UNLESS ordinance/resolution states different approval process.

- Inform public of disposal action & terms (public meeting minutes, posting record of action on website, etc.)

Exempts easements, cemetery plots, road vacation, exchanges of property w/ similar value

SB 232 S1: Regulatory Impacts on Families

Sen. Fillmore

- Requires local legislative bodies (city councils, county commissions) and state agencies to consider the impacts of new ordinances/rules on families
- A local legislative body's failure to comply with the requirement does not invalidate an ordinance or create a cause of action



Transportation

SB 197 S1: Transportation Funding and Governance Amendments

Sen. Harper

Funding

- Beginning in FY 28, 5% of incremental sales tax growth above FY 26 baseline goes to TTIF

Governance

- Changes UTA governance from 3-member Board to 7-member Commission
 - Governor appoints an executive director
 - Executive director shall engage with MPOs, COGs, counties, and municipalities.
 - Shall engage at least annually with elected officials and staff from counties or municipalities that provide direct financial contributions to UTA
- Senate appoints 2, House appoints 2, Governor appoints 3 with recommendations from local COGs
 - No elected officials

SB 242 S4: Transportation Amendments

Sen. Harper

Transit funding in 5th 5th (.10 transit, .05 county, .05 city)

ULCT led effort to modify 5th 5th to include cities in 2022

Reallocate the .10 for transit to the state TTIF in SL, Utah Cos

Other transit

- corridor preservation \$, process
- bus replacement in counties of 3rd-6th class
- increase bonding authorization for frontrunner double tracking to \$530m (from \$230m)

SLC only provisions: (4 tiers of roads in city)

highway reduction and traffic calming definitions

SB 242 S4: Transportation Amendments

Sen. Harper

- Defines Utah Trail Network (*ULCT supported creation of it*)
- B&C fund flexibility for park & rides
- SL Co only (1st class highway fund report to Leg; 5600 W bus)
- Buses in bike lanes
- Towing: reasonable fee for dispatch, subject to DPS & UDOT, additional tow rotation participant requirements
- Road usage charge cap for heavy vehicles



Others of Note

Others of Note

HB 184 State Preferred Land Use *failed*

SB 245, HB 568, HB 570 Impact Fees *failed*

HB 470 Building Code Amendments *failed*

HB 41 Wildland Urban Interface (WUI) Code Amendments

HB 147 Government Form Submission Amendments

HB 481 Transportation Amendments

HB 33 Political Signs Amendments

- Requires cities to allow property owners political signs to be placed on park strips that abut their properties.



Upcoming Trainings

ULCT:

- **ULCT/WFRC/MAG Webinar: How Cities Can Expand Opportunities for Homeownership**
March 26th at 12pm online via Zoom
- **Spring Training**
March 30th, April 2nd, 6th, and 8th (as needed)
- **St. George Midyear Conference**
April 23 & 24

APA Utah:

- **April 9&10 Bryce Canyon Spring Convention**
- **Early May TBD – Follow up Legislative Update for Planners**