



UTAH LEAGUE OF
CITIES AND TOWNS

2025

Spring Training

Land Use





ULCT Bill Tracker



SPRING TRAINING

**April
2**

**ULCT Spring
Training**

12:00 PM
Zoom Webinar

**APR
17-18**

**ULCT Midyear
Conference**

St. George

**MAY
7-9**

**APA Spring
Conference**

Logan

Today's Objective:

**Status update on Key Land
Use bills passed this
session**

More bills, more problems...

959

bills introduced

134 more bills than prior
9-year average

1,110

**substitutes &
amendments adopted**

6 fewer than last year, 118
above prior year average

ULCT tracked

279 bills

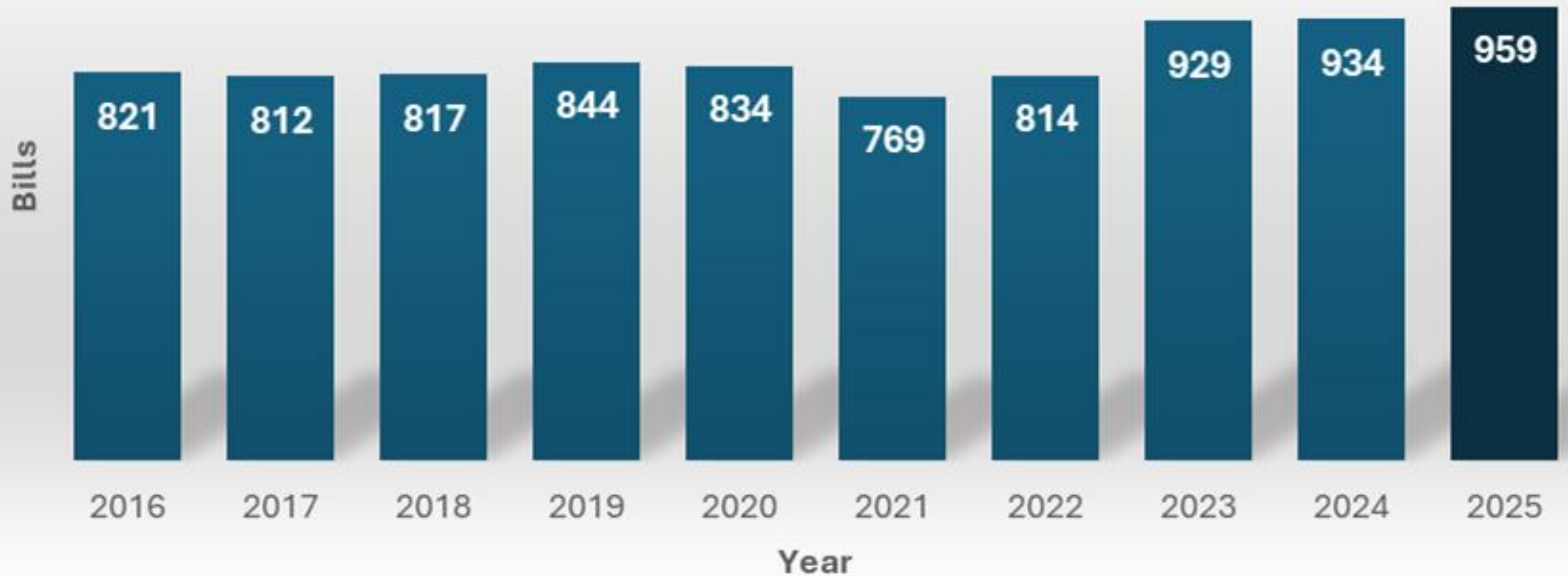
61 more bills than prior 3-
year average

582

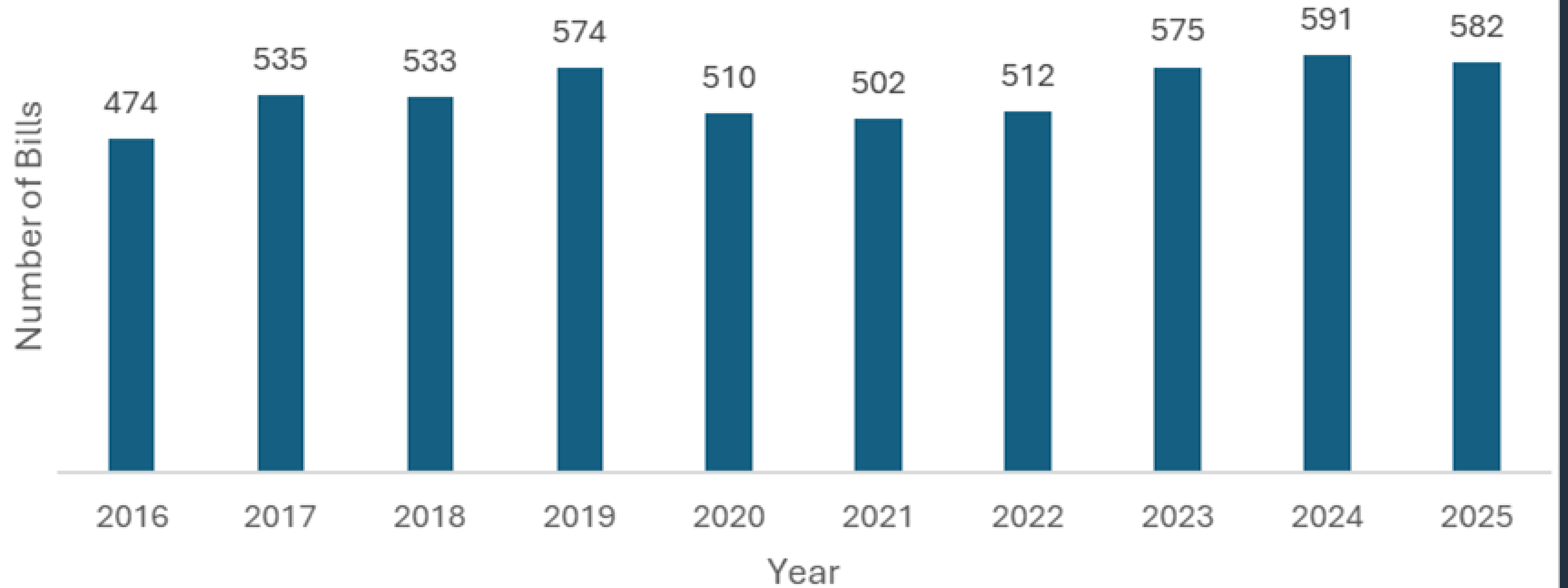
bills passed

9 fewer than last year, 2nd
highest number

Record Number of Bills Introduced



Bills Passed



Why engage on bills we don't like?

1 Most bills that fail, fail procedurally
~37% of all bills

2 Committees advance
90.3% of bills

3 2.5% fail floor votes

Member feedback during session

Slido

- 38 LPC questions
- 5,286 response data points

“Quick Question”

new this session

- 15 questions across 5 polls
- 798 responses

582
bills passed

962
Total Bills Drafted

- 568 House Bills
- 342 Senate Bills
- 52 Resolutions

582
bills passed

279
Bills Tracked

- 34 *support*
- 26 *oppose*
- 56 *neutral*
- 161 *monitor*
- 1 *no position*
- 1 *position pending*



State Housing Plan

Utah Housing Strategic Plan

<https://gopb.utah.gov/planning-collaborative-efforts/>



Phase 1

Identified guiding principles, high-level objectives, and success metrics.

Phase 1 document drafted in January 2025

Phase 2

Will identify policies that match guiding principles and high-level objectives

Phase 2 efforts will begin in April.



State housing plan will guide policy discussion

UTAH

UTAH POLITICS

Did the 2025 Legislature do enough for housing affordability in Utah?

Efforts by lawmakers this year not as ‘flashy,’ but still expected to help

Here’s what Utah lawmakers did — and didn’t — pass to address the housing crisis this year

“In totality, I think we’ll make some good progress,” said a state senator who sponsored much of the housing legislation.



**2025 failed
Housing & Land
Use bills that
will be back**

Failed,
but will be
back

SB 337

HB 540

HB 88

HB 90

SB 152

SB 337 S1 Land Use and Development Amendments

Rep. K. Cullimore

Where it started:

- Created the Beehive Development Agency
- Created Significant Community Impact Projects (SCIP)
- SCIP did not require local gov't consent

Where it ended:

- Sub 1 required local consent for a SCIP except on state-owned land
- Negotiated a Sub 2 focused on partnership with cities and towns
- **Bill was circled in the Senate & no vote; expect it in the interim**

Failed,
but will be
back

SB 337

HB 540

HB 88

HB 90

SB 152

HB 540 S1 Municipal Incorporation Modifications

Rep. M. Kohler

Where it started:

A preliminary municipality (PM) feasibility study may not proceed after Feb 2025 until April 2026

Where it ended:

Bill was circled in the Senate and did not come up for a vote

Failed,
but will be
back

SB 337

HB 540

HB 88

HB 90

SB 152

HB 88 Housing Policy Amendments

Rep. R. Ward

Where it started:

- **Detached ADUs by-right in all cities within counties of the 1st and 2nd class**
 - silent on infrastructure, lot size, affordability, or ownership
- **City can't prohibit modular unit**
 - seems unneeded (SB 168) but need to confirm
- **Cities only have to report on MIHP every 3 years**
 - MIHP will change in 2026 w/State Housing Plan

Where it ended:

Failed in House committee but Interim comm will consider it

Failed,
but will be
back

SB 337

HB 540

HB 88

HB 90

SB 152

HB 90 S1 Zoning Amendments

Rep. R. Ward

Where it started:

- Single family detached homes on lots of at least 4,000 sq ft are permitted uses in all residential zones in cities located in counties of the 1st and 2nd class.
- Housing is a permitted use in all commercial zones in cities located in counties of the 1st and 2nd class

Where it ended:

Lots of 6,000 sq ft by-right in all cities located in counties of the 1st & 2nd class

House Comm. did not recommend it

BUT interim comm will consider issues

Failed,
but will be
back

SB 337

HB 540

HB 88

HB 90

SB 152

SB 152 S1 Local Land Use Regulation Restrictions

Rep. N. Blouin

Where it started:

SB 152 would have prohibited cities from requiring garages on a one- or two- family dwellings.

Where it ended:

Sponsor held the bill because of SB 181

HB 533 County Formation Amendments

Rep. J. Teuscher

Where it started and ended:

- Creates a petition process for creating a new county within a county with a population >1 million (Salt Lake County).
- The total population of the municipalities splitting off must be greater than 330,000.
- The process cannot split up existing municipalities.
- Requires feasibility studies and a vote.



Housing & Land Use

Housing
& Land
Use

SB 262

SB 181

HB 37

HB 368

SB 340

SB 280

HB 360

HB 58

SB 179

SB 23

HB 256

Annexation HB368

Boundary Lines SB104

SB 262 Housing Affordability

Modifications

Sen. L Fillmore

Where it started:

- Required general plans to be adopted “by ordinance”
- Similar density overlay as the first version of HB 37

Where it ended:

- Technical amendment to HOPZ
- Allows legislative bodies to settle litigation by consent agreements without approval from board of adjustment
- Requires **counties** only to comply with land use provisions for all pending and new applications
- Creates a shared equity mortgage program for new buyers

SB 181 Housing Affordability Amendments

Sen. L Fillmore

Where it Started:

- Olene Walker Housing Loan Fund changes
- Parking/garages and design standards
 - Covered: 10 x 20
 - Uncovered: 9 x 18
 - tandem = 2 spots
 - can't require garages
 - can't require in DA
 - limit ability to regulate where garage/parking goes on lot

SB 181 Housing Affordability Amendments

Sen. L Fillmore

Where it ended:

- Only applies to MIHP cities
- Parking space size only applies to SF/2 family, townhomes
- Parking size for uncovered increases from 8 x 18 to **9 x 20**
- For the parking size to count for covered and tandem parking, it needs to be an unobstructed space
- City cannot require a garage if the unit is owner-occupied & affordable (5 year deed restricted, 80% AMI)
- Removes the DA restriction and placement of garage/parking

SB 181 Housing Affordability Amendments

Sen. L Fillmore

MIHP cities should review development standards to ensure compliance:

- Cities must count tandem parking stalls as a full parking stall if they meet stall size requirements
- Cities cannot require garages for ownership deed restricted, affordable ($\leq 80\%$ AMI) homes
- Cities must count covered parking stalls in garages with 9'x20' of unobstructed space towards parking requirements
- Cities cannot require parking stall sizes greater than:
 - 9' x 20' (uncovered)
 - 10' x 20' (covered)

HB 37 Utah Housing Amendments

Rep. J. Dunnigan

Where it started:

Overlay for affordable home ownership

- enabling language
- density, variety of housing in exchange for affordable ownership

Additional Reporting Metrics

- Annual report on current zoning & lot sizes, amount of land zoned at densities, anticipated density of future development

Regional plans by Aug 2025

- define success, metrics, goals, needs
- TBD on # of regions & CHA decides

HB 37 Utah Housing Amendments

Rep. J. Dunnigan

Where it ended:

Affordable homeownership MIHP submenu

- enabling language, with flexibility
- submenu strategies count as **3 items** and grant compliance for base year plus **2 subsequent years**

Requires GOPB to develop a state housing plan

- Articulates principles, data collection

HB 37 Utah Housing Amendments

Rep. J. Dunnigan

Action not required but highly encouraged:

Homeownership submenu:

- HOPZ, FHIZ, HTRZ, project that receives Utah Homes Investment funding, qualifying affordable home ownership density bonus project.

Implementation of homeownership submenu strategies counts as 3 normal MIHP strategies & grants compliance with MIHP for base year + 2 subsequent reporting years.

Future of MIHP dependent on State housing plan

HB 37 Utah Housing Amendments

Rep. J. Dunnigan

OPTIONAL:

Qualifying affordable homeownership density bonus

Single family density bonus

- If an area is currently zoned for < 6 units/acre, municipal approval of a density 6+ units/acre

OR

- If an area is currently zoned ≥ 6 units/acre, municipal approval of a density 0.5 units/acre more than existing zoning

Multifamily density bonus

Approval of a density at least 20 units/acre

HB 37 Utah Housing Amendments

Rep. J. Dunnigan

OPTIONAL qualifying affordable homeownership density bonus

City may require project receiving the density bonus to have:

- 60%+ of deed restricted for owner occupancy for ≥ 5 years
- 25%+ of the total residential units qualify as affordable housing (120% county AMI if for sale or $<80\%$ AMI if for rent)
- 25%+ of the residential units be no larger than 1,600 sq ft
- The applicant to create a qualifying buyer program (targeting first responders, teachers, etc.) consistent with Fair Housing Act

Phase 1

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Phase 1 document drafted in January 2025

Phase 2

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Phase 2 efforts will begin in April.



State housing plan will guide policy discussion

Housing & Land Use

SB 262

SB 181

HB 37

HB 368

SB 340

SB 280

HB 360

HB 58

SB 179

SB 23

HB 256

HB 368 Local Land Use Amendments

Rep. S. Whyte

- Identical Plan
- Bonding
- Plan Review Timing
- Landscaping
- Land Use Noticing
- Development Standards
- Land Use Appeals
- Private Maintenance of Public Infrastructure
- Annexation
- Real Property Transfers
- Transferable Dev. Rights
- Special Districts

HB 368 Local Land Use Amendments

Rep. S. Whyte

Identical Floor Plans (3775-3841; 2811-2832)

- Submitted within the same building code cycle
- Have **no structural** differences
- Building located on land within the same zone
- **Substantially** identical floor plan
- Does not require additional engineering or analysis beyond a review to confirm plans are substantially identical
- Includes floor plans oriented differently
- Five business days for **all** reviews!
 - Includes Fridays for 4/10 cities
 - Allows for site plan (usually done in subdivision review)
 - Review geotechnical reports for site to ensure not different from the other prior approved sites

HB 368 Local Land Use Amendments

Rep. S. Whyte

Identical Floor Plans (3775-3841; 2811-2832)

- Fee for review: Not to exceed lesser of: actual cost or 30% of original fee for regular review
- **Builder Requirements:**
 - When submitting floor plans to be used in the future for identical plans:
 - Indicate that the applicant intends to use the original plan as the basis for future identical plan
 - Indicate the zone that it will be built in.
 - When submitting identical floor plans (after the original plan)
 - Mark the floor plan as "identical plans"
 - Identify, in writing, the building permit number the municipality issued for original plan
 - Identify the index number assigned to the original plan by municipality
 - Identify the site that identical plan will be built

HB 368 Local Land Use Amendments

Rep. S. Whyte

Identical Floor Plans (3775-3841; 2811-2832)

Municipality Requirements:

- File and index the original plan for future reference
- Provide applicant with an identifying index number for the original plan
- Penalty for builder if "knowingly and "with intent to deceive" submits a nonidentical plan, then:
 - May fine not to exceed 3x building permit fee if already approved by the municipality
 - May fine amount of original permit amount if not approved by municipality before discovering
 - Automatically prohibited from submitting another identical plan for two years
 - Impose a criminal penalty if they still try to submit an identical plan within those two years
- ***THIS IS NOT THE 1ST, 2ND, 3RD, or 4TH option!

HB 368 Local Land Use Amendments

Rep. S. Whyte

Building Permit Plan Review (3840-4114)

- Plan review means all departments!
- Cannot require SWPP permit to be in place before application is complete – starts at land disturbance (ONLY REQUIRE WHAT IS ALLOWED)
 - Requires applicant statement that it will comply
- Business day includes Fridays even if 4/10s
- If do not meet plan review timelines, then the municipality is required to return plan review fee
- Only require one resubmittal if deficiencies of the plan would affect the "site plan interaction or footprint of the design."
- Municipality that doesn't require fees be paid up front, the municipality may require it to be paid before building permit is issued

Plan review in H.B. 368

 Time period that may be paused from the toll count due to submission errors

Under current law there is not shot clock for document screening nor is there an ability to pause the process for late documents.

3-Day Screening Period

If municipalities notifies submitter that items are missing, the screening period pauses until items are successfully submitted.

14-Day Plan Review

Once documents are submitted, a municipality has 14 days to review the plans. If the municipality discovers something is missing after completion review, the municipality must notify the submitter and toll the plan review time five days before the original 14-day completion date. Time resumes once documents have been submitted. If documents are not submitted within the final five day period, the number of days are added to the end of the plan review period.



Plan review in H.B. 368

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Day 1: Determine application is incomplete

Plan review in H.B. 368

 Time period that may be paused from the toll count due to submission errors

Under current law there is not shot clock for document screening nor is there an ability to pause the process for late documents.

3-Day Screening Period

If municipalities notifies submitter that items are missing, the screening period pauses until items are successfully submitted.

14-Day Plan Review

Once documents are submitted, a municipality has 14 days to review the plans. If the municipality discovers something is missing after completion review, the municipality must notify the submitter and toll the plan review time five days before the original 14-day completion date. Time resumes once documents have been submitted. If documents are not submitted within the final five day period, the number of days are added to the end of the plan review period.




Day 2: Application is complete

Plan review in H.B. 368

 Time period that may be paused from the toll count due to submission errors

Under current law there is not shot clock for document screening nor is there an ability to pause the process for late documents.

3-Day Screening Period

If municipalities notifies submitter that items are missing, the screening period pauses until items are successfully submitted.

14-Day Plan Review

Once documents are submitted, a municipality has 14 days to review the plans. If the municipality discovers something is missing after completion review, the municipality must notify the submitter and toll the plan review time five days before the original 14-day completion date. Time resumes once documents have been submitted. If documents are not submitted within the final five day period, the number of days are added to the end of the plan review period.



Day 6: Determine application is incomplete

Plan review in H.B. 368

 Time period that may be paused from the toll count due to submission errors

Under current law there is not shot clock for document screening nor is there an ability to pause the process for late documents.

3-Day Screening Period

If municipalities notifies submitter that items are missing, the screening period pauses until items are successfully submitted.

14-Day Plan Review

Once documents are submitted, a municipality has 14 days to review the plans. If the municipality discovers something is missing after completion review, the municipality must notify the submitter and toll the plan review time five days before the original 14-day completion date. Time resumes once documents have been submitted. If documents are not submitted within the final five day period, the number of days are added to the end of the plan review period.



Day 10: Determine application is incomplete

Plan review in H.B. 368

 Time period that may be paused from the toll count due to submission errors

Under current law there is not shot clock for document screening nor is there an ability to pause the process for late documents.

3-Day Screening Period

If municipalities notifies submitter that items are missing, the screening period pauses until items are successfully submitted.

14-Day Plan Review

Once documents are submitted, a municipality has 14 days to review the plans. If the municipality discovers something is missing after completion review, the municipality must notify the submitter and toll the plan review time five days before the original 14-day completion date. Time resumes once documents have been submitted. If documents are not submitted within the final five day period, the number of days are added to the end of the plan review period.



Day 14: Still not a complete application

HB 368 Local Land Use Amendments

Rep. S. Whyte

Plan Review:

- Improved processes/Solves problems for municipalities and developers
- The alternatives are worse
- Most municipalities are not affected by the quicker timelines
- Long timelines were isolated events
- Medium priority
- Political capital to fight would be significant
- May increase financial burdens, but the perception would be difficult to argue against

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

- Infrastructure Improvement Categories:
 - Culinary water system
 - Sanitary sewer system
 - Storm water system
 - Transportation system
 - Secondary and irrigation water system
 - Public landscaping
 - Public parks, trails, or open space

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

- Timing of Acceptance/Rejection of Warranty Work
 - 15 Days*: 1st-4th class cities
 - 30 Days*: 5th class and town
- Release of Assurance:
 - Within 15 days after the day on which the municipality determines it is complete, 90% of assurance allocated toward that improvement
 - Within 15 days after the day on which the warranty period expires and the municipality determines it is complete, 10% of assurance allocated toward that improvement plus any remaining portion of the 10% of remaining amount of bond to cover administrative costs

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

- Timing of Release of Assurance:
 - Within 15 days after the day on which the municipality determines it is complete (including as-built drawings), 90% of assurance allocated toward that improvement
 - Within 15 days after the day on which the warranty period expires and the municipality determines it is complete, 10% of assurance allocated toward that improvement plus any remaining portion of the 10% of remaining amount of bond to cover administrative costs
 - If cash bond used, interest accumulated on the amount of cash bond (interest bearing account)
- Release of bond is an administrative act, not a legislative one

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

Timing of Acceptance/Rejection of Warranty Work

- 15 Days*: 1st-4th class cities
- 30 Days*: 5th class and town

Exceptions:

- Winter weather conditions (requires written notification); Then ASAP – No reliance on whether concrete producers are open for business
- Rejection of warranty work three times (after 2nd reinspection), then 15 days for each subsequent inspection of warranty work (penalty for wasting inspectors time)
- "Extraordinary circumstances" exist:
 - Processing a request that substantially exceeds the normal scope of inspection the municipality is customarily required to perform;
 - Applicant provided two or more written requests described in within the same 30-day time period
 - Processing an unusually large number of written requests to accept or reject improvements or warranty work

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

- Within 15 days: Must give builder a "comprehensive and specific" list of reasons the municipality rejected public improvements or warranty work
- If municipality fails, the applicant can send written notice demanding that a list be given within five days
- If municipality fails again, the applicant may demand and the municipality **shall give a reimbursement equal to 20% of the applicant's improvement completion assurance for the warranty work within each infrastructure improvement category**

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

Cannot withhold bond on one project because of poor performance on another project

No bonds may be required before submission of and for the purpose of being a security for:

- A private landscaping plan;
- Construct first, record later projects
 - Can require municipal inspections
 - Can require approval of final engineering plans

Must provide two forms of security at all times

- Cannot require one form one form for one and another for another and claim it is two forms

HB 368 Local Land Use Amendments

Rep. S. Whyte

Bonding (3528-3631; 4150-4155; 4177-4212)

- Example of Language:
- (c) The bond shall be in the form of **cash** or an **irrevocable letter of credit**, except that the Mayor or the Mayor's designee may upon a finding of good cause, in the Mayor's discretion, **waive or modify performance bond requirements**.
 - (i) A minimum of fifteen percent (15%) of the bond or twenty thousand dollars (\$20,000.00), whichever is greater, **shall be posted in the form of cash**. If the bond is less than twenty thousand dollars (\$20,000.00), **the entire bond shall be posted in the form of cash**.
 - (ii) When the bond is in the form of an irrevocable letter of credit, the letter shall include a provision that the bond shall expire within one (1) year from the date issued and if the project has not been completed by that date, then the bond shall automatically be considered foreclosed upon. All remaining funds shall be thereafter remitted to the City as set forth in the bonding agreement.

HB 368 Local Land Use Amendments

Rep. S. Whyte

Land Use Noticing (3169-3181; 3207-3229)

Class B to Class A notice if "ministerial":

- Bring the municipality's land use ordinances into compliance with a state or federal law
- Adopt a municipal land use update that affects an entire zoning district or multiple zoning districts
- Non-substantive, clerical text amendment to an existing land use ordinance
- Recodify the municipality's existing land use ordinances
- Designate or define an affected area for purposes of a boundary adjustment or annexation
- A combination of the above

If ordinance includes one ministerial and one nonministerial, it will still require Class B notice

Review your code to make sure you comply

HB 368 Local Land Use Amendments

Rep. S. Whyte

Land Use Regulation Definition (2897)

- Clarifies that updating development and engineering standards is a legislative act, not an administrative one.
- Review your code to make sure it complies

HB 368 Local Land Use Amendments

Rep. S. Whyte

Land Use Appeals (4289-4290)

- "A municipality may **not** require a public hearing for a request for a variance or land use appeal."
- Public hearing does **not** mean a public meeting
- Please change your code if you currently require a public hearing

HB 368 Local Land Use Amendments

Rep. S. Whyte

Land Use Appeals (4289-4290)

Prohibits a municipality from requiring a private individual or entity including a community association or HOA for being required to maintain or be responsible for a public access amenity or water utility in perpetuity unless:

- Public access amenity is located adjacent to the private property and extends to the curb line of the street, park strips, sidewalks (already in code for maintaining weeds, snow, etc. to the curb);
- Water and sewer laterals and main water lines owned by a private property owner;
- Through development agreement

HB 368 Local Land Use Amendments

Rep. S. Whyte

Real Property Transfers (6896-6969)

Prohibits transfers of real property to government entity without their consent via their signature on the deed or by attaching to the deed a public entity affidavit (specified in code of what the language should be).

HB 368 Local Land Use Amendments

Rep. S. Whyte

Transfer of Development Rights (3636-3655)

Can transfer development rights to another city or county area if the other city or county agrees to the transfer

Used primarily to secure important places in the community and shifting density regionally

HB 368 Local Land Use Amendments

Rep. S. Whyte

Special Districts (6369-6386)

Special Districts are required to follow LUDMA and are always acting as a land use authority

Housing & Land Use

SB 262

SB 181

HB 37

HB 368

SB 340

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SB 179

SB 23

HB 256

HB 368 Local Land Use Amendments

Rep. S. Whyte

Action Required:

- Identical Plan (most)
- Plan Review Timing (all)
- Bonding (all)

Review Codes for Compliance:

- Landscaping (most)
- Land Use Appeal (for some)
- Development Standards (for some)
- Land Use Noticing (for all)
- Private Maint. of Public Infrastructure (for few)
- Annexation (for all)

No Action Required:

- Real Property Transfers (all)
- Transferable Dev. Rights (all)
- Special Districts (none)

SB 340 Protected Persons Amendments

Sen D. Ipson

Where it started:

- Within the last five years:
 - Person receives a credible threat
 - Currently at risk of serious bodily harm or death by that person or person's affiliate
- Submits application to DPS to build a “certified improvement” (can go underground and cross underneath easements without notice)
- Application is filed; DPS provides the applicant with a “protection certificate”
- No more than three years after protection certificate is issued, person files for building permit and if it complies with the State Construction Code and Fire Codes Act, then the municipality must approve it
- Not subject to county or municipal land use regulations.
- If “unlawfully conditions, delays, or denies building permit,” then may be challenged in court and prevailing party receives attorneys fees and costs and \$250 per day until it’s issued.
- Records relating to the protected person and building permit applications are “private” under GRAMA
- Governmental immunity is waived if filed pertaining to this code

SB 340 Protected Persons Amendments

Sen D. Ipson

Where it ended:

- Reduces credible threat down to four years
- Requires notice to all easement holders that the security improvement will be under or crossing
- Reduces time to apply for building permit application to two years after protection certificate is issued
- Makes exception to county or municipal land use regulations:
 - Requires confidential consultation to mitigate the adverse effects of the security improvement if it would be visible to an individual standing within 500 feet of the protected property
- Removes attorneys fees and costs and damages of \$250 per day

SB 340 Protected Persons Amendments

Sen D. Ipson

Action:

- Keep information confidential
- Let protected persons build bunkers and tunnels so long as it meets the building code
- Check ordinances to make sure you will be in compliance

SB 280 Retail Amendments

Sen E. Vickers

Where it started:

- 1) **Definitions:** clarifies “system improvements”
- 2) **Mixed use:** housing can be within ¼ mile of the retail facility and count toward the req’t
- 3) **Report:** city reports on retail incentive to GOEO; if GOEO does not reply within 6 months, then considered compliant

Where it ended:

Bill was never amended

Action:

Understand the updated framework

HB 360 Housing Attainability Amendments

Sen E. Vickers

Where it started:

- Extended ability to close a meeting under OPMA to discuss development or financing of political subdivision-owned land

Where it ended:

- ***Legacy city pilot:*** 1st/2nd class cities can obtain loans from Utah Housing Corp. (10 mil.) to purchase, renovate, and resell at \$450k and deed restricted to be owner occupied
- Kept the OPMA closed meeting extension

Action:

Understand the updated framework

HB 58 Building *Inspector* Amendments

Sen E. Vickers

Where it started:

- Building Officials must have qualifications:
 - 6 years of experience as an architect, engineer, inspector, contractor or superintendent of construction, or any combination; AND
 - Actively licensed as a combination inspector; AND
 - 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, posted online, and delivered to the legislature every year
- Effective Date: May 7, 2025

Where it ended:

- Added licensing requirements to home inspectors
- Added “plan examiner” to list of qualified trades
- Extended effective date to January 1, 2026

Action: Get your building officials qualified AND give us report on issues with builders! ("Building Official Survey")

SB 179 Local Regulation of Business Entities Amendments

Sen C. Musselman

Where it started:

- 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.

Where it ended:

- Requires local governments to adopt an ordinance governing how they will evaluate new and unlisted business uses.
- This ordinance must include a timeframe for determining whether the use shall be allowed or denied.

SB 179 Local Regulation of Business Entities Amendments

Sen C. Musselman

Municipalities must adopt process in ordinance for:

- a) Determining whether a proposed business activity fits an existing use classification and
- b) If the proposed activity is not addressed by current zoning, allowing the property owner to apply to the council to consider changing the allowed uses ordinance

The ordinance must also specify the amount of time a council has to consider the use and allow an applicant an admin. appeal.

SB 23 First Home Investment Zone Amendments

Sen W. Harper

Where it started and ended:

- Clarifies definition of “developable area”
- Clarifies definition of “affordable housing”
- Does not change the minimum density req’t (30 units/acre) but does clarify the calculation
- At least 50% of FHIZ homes must be owner-occupied

HB 256 Municipal and County Zoning Amendment

Rep. N. Walter

How it started:

- Clarifies “Knotwell Language” to reduce legal ambiguity
 - *does NOT change underlying principle*
- Allows municipalities that allow STRs in at least part of the municipality to:
 - Require listing sites add a business license field for registration
 - Require listing sites to remove listings for illegally operating properties (with notice to listing site)
- Allows site listings to be used for tax compliance

Where it became complicated:

- Attempt to prohibit cities from restricting STRs city-wide

HB 256 Municipal and County Zoning Amendment

Rep. N. Walter

Where it ended:

- No land use preemption
- Affirms business license authority
- Restricts cities from regulating listing sites, but creates formal non-binding takedown request process
- “Knotwell language” clarification and tax compliance provisions remain



State Funding Formula Data

HB 379 S1 Population Data Amendments

Rep. S. Gricius

Where it started:

Clarifies that Utah Population Committee (UPC) population estimates are to be used as basis in formulas for state funding distributions to local governments.

- Census Bureau estimates will continue to be used when Utah Population Committee estimates are unavailable or federally required.

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 an agreement with UPC to share data

HB 379 S1 Population Data Amendments

Rep. S. Gricius

Where it ended:

1st sub added requirement for Utah Population Committee to provide annual sub county estimates.



General Government

HB 249 Nuclear Energy Amendments

Rep. C. Albrecht

Where it started:

- Utah Energy Council
- Energy Development Zones created by municipalities, counties, or state land authorities
- **May** consult with local government for property tax distribution

Where it ended:

- Utah Energy Council
- Energy Development Zones created by municipalities, counties, or state land authorities
- **Must** consult with local government for property tax distribution



Billboards

HB 198 Highway Expansion Impact on Signage

Rep. V. Peterson

Where it started:

- Owner may relocate BB anywhere along the same road (but unclear about the same city) because of reconstruction or get compensated
- Removed the radius of 1 mile (freeway) or ½ mile (highway) of existing BB

Where it ended:

- Owner may move to:
 - Within the same city or unincorporated county
 - On the same freeway, on the same property, or on an adjacent property, or
 - On the same highway and within 1 mile in either direction
 - Within a different city or unincorporated county if mutually agreed upon by the owner and the different city or county



Transportation

SB 195 Transportation Amendments

Sen. W. Harper

Where it started:

Omnibus transportation bill

Canal road connections

- *Requires municipalities to:*
 - *inventory* each location where a city road dead ends due to a canal and *create* a plan to connect each dead end to other highways and submit the plan to MPO by Jan 1, 2027 and *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

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

SB 195 S1 Transportation Amendments

Sen. W. Harper

Where it became less complicated:

Canal planning requirements replaced with GP element.

By July 2027 Municipalities within MPO boundary shall update general plan transportation and traffic circulation element to identify priority connections to remedy physical impediments, including water conveyances, that improve circulation and enhance vehicle, transit, bicycle, or pedestrian access to significant economic, educational, recreational, and other priority destinations.

For each prioritized connection, the municipality shall identify:

- cost estimates
- potential funding sources, including state, local, federal, and private funding; and
- impediments to constructing the connections

MPOs, in connection with affected local governments shall report to interim committee on the status of general plan updates, regional grid network study, impediments, and potential funding sources.

SB 195 S7 Transportation Amendments

Sen. W. Harper

Where it ended:

Connectivity planning requirements, SAP +, and other provisions

SLC traffic mobility

- Requires UDOT, *with SLC*, to conduct a “mobility and environmental impact analysis” study on highway reduction strategies in SLC, going back to 2015 and through 2035
- Study goes before Transportation Interim Comm. by Oct 2025
- Restricts highway reduction strategy projects on arterial and collector highways if the projects are not part of an improved mobility plan

Req'ts repealed in July 2029

SB 195 S7 Transportation Amendments

Sen. W. Harper

Traffic Circulation

By July 1, 2027, cities in MPO boundaries must update their general plan transportation and traffic circulation elements to:

- Identify priority connections to remedy physical transportation circulation impediments (including canals) to significant destinations (schools, employment centers, etc.)
- For each connection identified determine:
 - Cost estimates, potential funding sources, and impediments to constructing the connections

SB 195 S7 Transportation Amendments

Sen. W. Harper

Station Area Plan Status Reports

- Every 5 years (up to 15 years) after MPO certification of a station area plan, the municipality must report to the MPO on the status of the implementation plan strategies and identify actions to be taken towards implementation in upcoming years.
- A municipality with multiple station area plans may consolidate their status reports.

Reminder: cities with station area plans must certify them by end of 2025!*

*some exceptions



Gravel

Gravel

HB 355

HB 355 Mining & Critical Infrastructure Amendments

Rep. C. Snider

Where it started:

- Gravel Operator can expand to any land owned or controlled
- Challenging vested use through clear and convincing evidence
- Notice to city or town of expansion
 - Public meeting at next available meeting more than 10 days after notice
 - Can only stop expansion if there is clear and convincing evidence of imminent endangerment of public health, safety, and welfare

SB 152 S1 Local Land Use Regulation Restrictions

Rep. C. Snider

Where it ended:

Gravel Operator can expand

- to contiguous land, with a common boundary, and is not separated by a highway
- that is owned or controlled before May 7, 2025
- if operation has not been abandoned for more than 24 months, and
- operation is producing commercial quantities of material

Notice to city or town of expansion

If the council makes findings of endangerment by preponderance of the evidence to public health, safety, and welfare and propose reasonable mitigation measures. If the operator agrees to comply the city or town may not prohibit expansion. *

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SPRING TRAINING

What happened in 2025? What should we consider for 2026?

Policies that have emerged from past spring trainings & interim discussions

- GRAMA: SRC to ALJ (SB 277), Garrity (2023)
- immunity for attorneys (HB 364)
- code enforcement enhancement (HB 320)
- closed mtg for city owned land (HB 368)
- noticing changes (HB 368)
- appeals and public input (HB 368)
- State \$ for parks, UORG grant rule change
- 5th 5th (2023)
- transit innovation grants (2024)
- MIHP safe harbor, priority (HB 37)
- STR (HB 256)
- legacy city \$ for ownership (HB 360)
- Research on entitled units
- TUF (HB 454)
- alcohol proximity (SB 328)