

UTAH LEAGUE OF CITIES AND TOWNS



# CitiesWork

ON HOUSING  
AND LAND USE

# **CITIES CAN PLAN FOR HOUSING, BUT CITIES DO NOT BUILD HOUSING**

*Because the weather is finally cooling down, you've decide to throw a potluck in your backyard. You tell your friends that they should bring a dish and invite other friends.*

*To prepare for the potluck, you set up several tables and chairs and set out various types of dishware and cutlery. You think, "I hope I have enough plates for everyone and have the correct serving utensils..." But you come to realize that the number of attendees and the dishes they bring are beyond your control, despite your preparations.*

Cities currently plan for housing, but do not build the units that will help close the housing gap.

Housing developers often base their decisions on numerous factors, such as market demand, profitability, and feasibility. When these factors are not ideal, developers may wait to build already entitled units. For example, one city reported to ULCT that they had entitled 3,300 units of various sizes in 2015, but construction on these units did not begin until 2023.

Essentially, cities have invited developers to their development "potluck", but cities

cannot control which type of housing developers want to build or if developers show up with applications. Cities also have no control over land costs, supply chains, labor shortages, inflation, or interest rates.

## **LOCAL OFFICIALS CAN ADVOCATE BY REMINDING LEGISLATORS THAT CITIES HAVE ENTITLED AND PERMITTED RECORD NUMBERS OF HOUSING UNITS OF ALL SIZES**

**WHY ADVOCATE?** Because it takes several partners to build a neighborhood, sometimes its easy to suggest that someone within the housing space isn't doing their part. It is important to remind legislators that cities are fulfilling their role in working on the state-wide housing shortage through updating general plans and zoning codes to allow for various types of housing as mandated by Moderate Income Housing Plans and Station Area Plans. Additionally, cities cannot support state mandates that do not respect their responsibility to plan our communities.

**HOW SHOULD I ADVOCATE?** Give your legislators an update about how your municipality has worked on housing. This update may include:

- Total number of entitled units in your city and how many applications for new-builds your city has received.
- Total number of units that have been completed annually over the past three years. You may also consider providing a break down of the units by year they were originally entitled, as this helps show that it takes time to build units.

- Any overlay zones you have created to incentivize various housing types and where it fits in your community's plan, or master development opportunities.
- Sharing your moderate income housing selections or station area planning efforts (if applicable).

**WHEN SHOULD I ADVOCATE?** Prior to Legislative Session, you should consider creating a one-page report on housing

featuring items from the list above. You will also need to remind legislators of these items during Session as housing bills appear in committee meetings or on the floor.

**Pro tips:** You can subscribe to the League's Daily Legislative Recaps to stay caught up on what is happening at the Capitol during Session. Make sure someone from your city is attending LPC, and subscribe to Friday Facts.

# PLANNING BY THE NUMBERS

## 127,343

Residential Permits issued from 2019-2022

*Source: Kem C. Gardner Policy Institute*

## 111,707

Entitled Units Across 57 Utah Cities that have not started construction as of Feb. 2022

*Source: ULCT Fall 2022 internal survey*

**"UTAH IS THE STATE WITH THE MOST NEW CONSTRUCTION HOMES BEING DEVELOPED, WITH 11.7 NEW BUILDS PER 1,000 RESIDENTS."**

**THE NATIONAL AVERAGE FOR NEW BUILDS PER 1,000 RESIDENTS IS 5.3.**

*New data reveals Utah is the state with the most new construction homes being developed. Utah Business, January 19, 2023*

## ADAPTING TO NEW REGULATORY POLICIES TAKES TIME

*Imagine you were asked to bake brownies for a social gathering and decided to impress everyone by making them from scratch. Just as you put the brownies in the oven, the host unexpectedly arrives and asks to see them. Despite finding this strange, you show them the in-progress brownies and proudly inform the host that you made them from scratch. However, the host insists that they wanted box brownies instead and asks you to start over.*

*In order to make sure there's dessert for the gathering, you rush to the store, buy a brownie mix, and bake them. Unfortunately, you have to pull the brownies out half-baked in order to get to the party in time. The host criticizes your brownies, but you explain that you would have had fully-baked brownies they had specified their brownie preference earlier.*

Currently, cities are facing the challenge of balancing regulatory compliance targets with limited resources and the growing needs of their communities. This becomes

increasingly challenging as compliance targets change during implementation.

When new regulations are passed or revised, the act of becoming compliant can lead to greater administrative burdens for cities. These costs can be substantial and may lead to reduced opportunities for development application review. State planning requirements often compete for the same resources at city hall as developers. As a result, cities must try to balance the workload among current staff, or consider hiring new staff in a competitive labor market. Many cities experienced this with changes in Moderate Income Housing Plan requirements and revisions to development processes generally, such as 2023 General Session S.B. 174.

Changing regulations and practices also impact developers, as they must adapt to new processes for projects that start after new legislation is enacted.

*The Legislature and municipalities share the objective of planning for a variety of housing types and to create efficient land use processes. We've worked hard in recent years to find consensus on bills that will make a positive impact over time. In order to*

**"COMMUNITIES ARE MAKING STRIDES TO PLAN AND DEVELOP AREAS AROUND FRONTRUNNER, TRAX, AND BUS RAPID TRANSIT (BRT) STATIONS AS WE ADDRESS TODAY'S GROWTH CHALLENGES WHILE PRESERVING QUALITY OF LIFE"**

*Station Area Plan Progress Update (HB462)*  
Wasatch Front Regional Council | Mountainland Association of Governments  
Read the report: <https://bit.ly/UTsap>

**HOUSING UNITS IN  
CERTIFIED STATION  
AREA PLANS**

**Farmington**  
4,500 Units

**Vineyard**  
6,500-8,500 Units

**Roy**  
2,000 Units

*allow these processes to work and give the the market time to adjust, we must let the brownies bake!*

**LOCAL OFFICIALS CAN ADVOCATE BY SHARING HOW POLICY IMPLEMENTATION TAKES TIME.**

**WHY ADVOCATE?** Some legislators are not familiar with how community development and planning works at a municipal level, in fact, very few current Utah legislators have been elected at a municipal level. When legislators make changes during session, they may not realize they are passing on various hidden costs or "pulling the brownies out of the oven" early.

**HOW SHOULD I ADVOCATE?** Showing your legislators how your community functions is a great place to start! Show them how your general plan, zoning code, and city departments work together to ensure the safety and welfare of residents. For example, builders put in pipes and streets, but cities are responsible for caring and maintaining these pieces of infrastructure.

You can also use the Housing Legislation 2018-2023 table as a starting point to examine how series of bills have impacted the way your staff reviews and plans for

housing. Show your legislative members how you are implementing these plans.

You may also want to consider presenting the following to your elected officials:

- What does growth mean for your city?
- How many staff members did it take to meet a new compliance target? Did you need to hire new staff or hire a consultant? How long has this taken?
- How has implementation slowed down other tasks that need to be completed for application reviews?
- How has the market responded to these changes in your city?

**WHEN SHOULD I ADVOCATE** A great time to talk to your legislators about changing compliance targets is before Session starts. This can be accomplished by inviting your legislators to a city field trip! You should "show off" new infrastructure and plans you've entitled. This gives you the opportunity give context to your experiences!

**Pro tips:** You can subscribe to the League's Daily Legislative Recaps to stay caught up on what is happening at the Capitol during Session. Make sure someone from your city is attending LPC, and subscribe to Friday Facts.

**HOUSING LEGISLATION 2018-2023**

|                                                            | 2018  | 2019  | 2020 | 2021           | 2022           | 2023                    |
|------------------------------------------------------------|-------|-------|------|----------------|----------------|-------------------------|
| <b>MODERATE INCOME HOUSING PLANS-STATE REQUIREMENT</b>     | HB259 | SB34  |      |                | HB462          | HB364                   |
| <b>INTERNAL ACCESSORY DWELLING UNITS-STATE REQUIREMENT</b> |       |       |      | HB82           | HB462          | SB174                   |
| <b>CONNECTING TRANSPORTATION AND HOUSING</b>               | SB136 |       |      | SB217          | SB140<br>HB462 | SB185<br>SB260          |
| <b>STREAMLINING DEVELOPMENT APPROVAL PROCESSES</b>         |       | HB119 |      | HB98<br>HB1003 |                | HB364<br>HB406<br>SB174 |

## STAYING COMMITTED TO SMART GROWTH

On a rainy summer day, you decide to break out a new puzzle to put together with your family. One of your family members suggests that you should try to complete the puzzle without looking at the box. Although your family has done this with puzzles in the past, you're not sure that this is the right strategy for this puzzle, as it is a 1000-piece photo puzzle of various National Park patches layered on top of each other.

Hours pass with little progress. Finally your family member who suggested the burdensome strategy says, "I have no idea how this is supposed to go together, let's use the box to help us."

Local officials and legislators share many policy goals when it comes to growth, but these groups sometimes lack consensus on whether certain policy actions represent a realistic and viable means to achieve their shared policy goals.

Disagreement often comes from each group having diverse experiences within their different but complimentary roles. However,

collaboration and partnership ultimately creates greater quality of life for current and future residents.

### **LOCAL OFFICIALS CAN CONTINUE TO ADVOCATE FOR SMART HOUSING AND LAND USE POLICIES BY ASKING FOUR CRUCIAL QUESTIONS.**

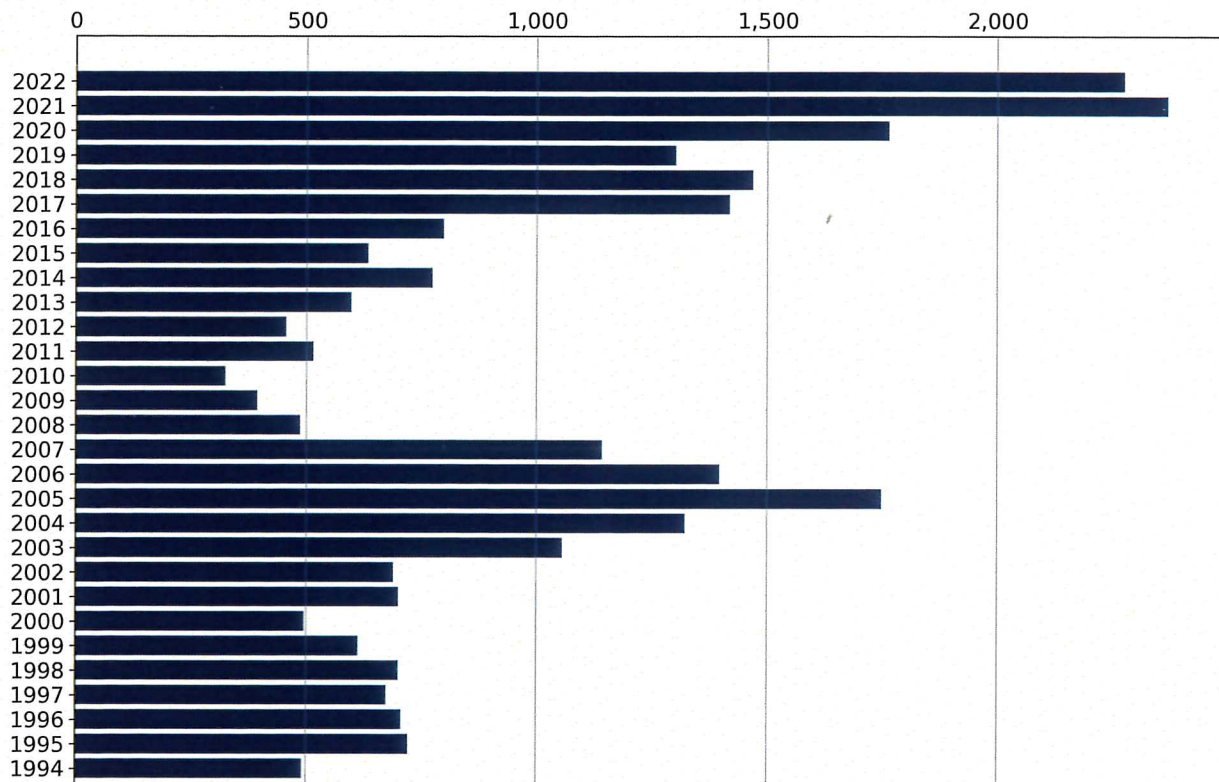
**WHY ADVOCATE?** Because housing policy is complicated, it's easy to forget what targets our communities are trying reach: affordability, ownership, quality of life, and functional infrastructure.

**WHEN SHOULD I ADVOCATE?** Whenever your legislators are considering a new housing policy, or any growth policy, you should ask them the following ULCT Board-endorsed questions:

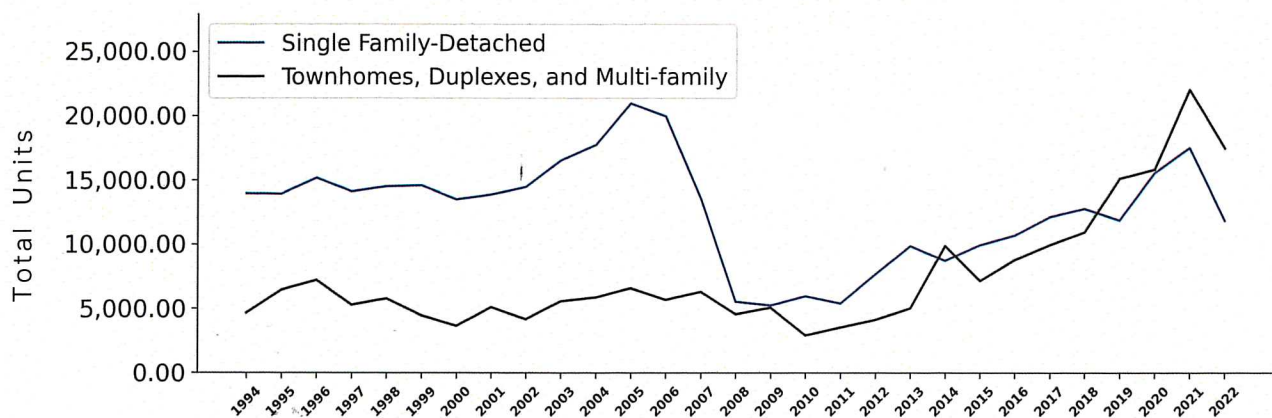
- How does the proposal **preserve the quality of life** of current and future residents?
- How does the proposal **allocate the current and future costs and ensure sustainability of infrastructure?**
- Will this proposal result in **more housing units that are more directly affordable** to the buyer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

# CITIES ACROSS UTAH HAVE PERMITTED A RECORD NUMBER OF TOWNHOMES, DUPLEXES, AND MULTI-FAMILY UNITS

## Permitted Townhomes and Duplexes 1994-2022



## Permitted Units by Type 1994-2022



Source: Kem C. Gardner Policy Institute

# DIRECTOR'S MESSAGE

On behalf of the ULCT Board of Directors, thank you for your involvement with the League.

Talking to legislators about how "one size misfits all" for housing policy is challenging for even the most experienced local officials, in an effort to help local officials talk about how cities work on housing by planning for housing, we've created this guide for you.

This guide is broken out into three housing discussion topics. We have also included a travel-size advocacy card you can utilize on-the-go.

Our hope is that this guide will help you convey to legislators how changes in legislative policy have impacted housing development within your community.

Thank you in advance for advocating with us. The strength of the League is the membership—you!



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SIGN UP FOR  
DAILY  
LEGISLATIVE  
RECAPS TO  
KEEP UP ON  
ADVOCACY  
NEEDS DURING  
SESSION