



COMMISSION ON HOUSING AFFORDABILITY MEETING MINUTES

MEETING WAS HELD TUESDAY, OCTOBER 1, 2024

1:00 P.M. – 2:30 P.M.

THE MEETING WAS CONDUCTED IN PERSON AND ALSO VIA ZOOM AT
UTAH STATE CAPITOL – COMMISSION ROOM #445

AN AUDIO RECORDING OF THIS MEETING CAN BE FOUND AT [HTTPS://WWW.UTAH.GOV/PMNL/FILES/1176869.M4A](https://www.utah.gov/pmnl/files/1176869.m4a)

MATERIALS COVERED AT THE MEETING AND REFERENCED IN THESE MINUTES CAN BE FOUND AT
[HTTPS://WWW.UTAH.GOV/PMNL/SITEMAP/NOTICE/920919.HTML](https://www.utah.gov/pmnl/sitemap/notice/920919.html)

SENATOR LINCOLN FILLMORE AND REPRESENTATIVE STEPHEN WHYTE COCHAIR THIS COMMISSION

COMMISSION MEMBERS PRESENT:

LINCOLN FILLMORE COCHAIR
STEPHEN WHYTE COCHAIR
JOEL BRISCOE
STEPHEN WALDRIP
CHRISTINA OLIVER
ABBY HUNSAKER
CHRISTOPHER GAMVROULAS
MICHAEL OSTERMILLER
NICHOLAS BERGER
JANICE KIMBALL
ANDREW JOHNSTON
TOM MACDONALD
DANNY WALZ
DINA BLAES
RACHELLE CUSTER

REPRESENTING:

SENATOR
REPRESENTATIVE
REPRESENTATIVE
EXECUTIVE DIRECTOR DWS DESIGNEE
DIRECTOR, HOUSING & COMMUNITY DEVELOPMENT
EXECUTIVE DIRECTOR OF GOEO DESIGNEE
LAND DEVELOPMENT/UTAH HBA
UTAH ASSOCIATION OF REALTORS
UTAH BANKERS ASSOCIATION
PUBLIC HOUSING AUTHORITIES
ULCT (MUNICIPAL GOVERNMENT, SALT LAKE CITY)
ULCT (MUNICIPAL GOVERNMENT)
URA (REPRESENTATIVE FOR RDAs/CRA's)
UTAH ASSOCIATION OF COUNTIES (COUNTY GOVERNMENT 1ST CLASS)
UTAH ASSOCIATION OF COUNTIES (COUNTY GOVERNMENT 3RD-6TH CLASS)

COMMISSION MEMBERS ABSENT:

BETH HOLBROOK
DAVID DAMSCHEN
WAYNE NIEDERHAUSER
GINGER CHINN

GUESTS PRESENTING AS PART OF THE AGENDA:

REPRESENTATIVE CAROL SPACKMAN MOSS
KORY HOLDAWAY, KMH CONSULTING AND GOVERNMENT AFFAIRS
CAMERON DIEHL, DIRECTOR OF UTAH LEAGUE OF CITIES AND TOWNS
MEGAN TOWNSEND, WASATCH FRONT REGIONAL COUNCIL, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

SUPPORT STAFF PRESENT:

ALYSSA GAMBLE
CLAIRE HARRISON
ELLIOT LAWRENCE

EMILY WILLIS
JANELL QUIROZ
JENNIFER DOMENICI

JENNIFER EDWARDS
MCKENNA MARCHANT
SARAH NIELSON

- I. WELCOME & INTRODUCTIONS – Co CHAIRS
 - A. THE CoCHAIRS OPENED THE MEETING AT 1:05 PM AND WELCOMED THE COMMISSIONERS AND ATTENDEES. THE COMMISSIONERS WERE ASKED TO GO AROUND THE DAIS AND INTRODUCE THEMSELVES.
- II. PUBLIC COMMENTS
 - A. MARION WILLEY OF UTAH NONPROFIT HOUSING CORPORATION SPOKE TO RAISE AWARENESS REGARDING THE UTAH ENERGY OFFICE’S RECEIPT OF \$110M IN ENERGY REBATES AND HE WANTED TO ADVOCATE FOR SOME OF THAT REBATE TO BE SET ASIDE FOR AFFORDABLE AND MULTI-FAMILY HOUSING. HE ASKED THAT THE COMMISSION HELP TO MAKE THAT POSSIBLE.
 - B. RYAN KRISTOFF OF INTERNATIONAL CENTER FOR APPROPRIATE AND SUSTAINABLE TECHNOLOGY (ICAST) ECHOED THE COMMENT OF MARION WILLEY ADDING A CONCERN ABOUT A LACK OF STANDARDS ALLOWING NEW CONSTRUCTION AND MARKET RATE HOUSING TO CONSUME THE MAJORITY OF THE REBATE.
 - C. NO PUBLIC COMMENTS WERE SUBMITTED IN WRITING, EMAIL OR THROUGH THE PUBLIC NOTICE WEBSITE PRIOR TO THE MEETING.
- III. APPROVAL OF MEETING MINUTES
 - A. A MOTION TO APPROVE THE MEETING MINUTES FROM SEPTEMBER 3, 2024, WAS MADE BY COMMISSIONER ABBY HUNSAKER AND SECONDED BY COMMISSION NICHOLAS BERGER. THAT MOTION WAS PASSED BY A VOTE OF AFFIRMATION FROM ALL THE COMMISSIONERS PRESENT.
- IV. AFFORDABLE HOUSING FUNDING OPTION FROM REPRESENTATIVE CAROL SPACKMAN MOSS AND KORY HOLDAWAY
 - A. REPRESENTATIVE CAROL SPACKMAN MOSS AND KORY HOLDAWAY PRESENTED A FUNDING PROPOSAL CONCEPT THAT IS AN AUGMENTATION FROM PROPOSED HB141 (2024). THE KEY DIFFERENCE BEING THAT HB141 WAS WRITTEN AS A DEDICATED REVENUE SOURCE FOR THE OLENE WALKER HOUSING LOAN FUND, THE NEW PROPOSAL WOULD CREATE A NEW FUND TO FOCUS ON HOME OWNERSHIP AND RENTAL ASSISTANCE. THIS WOULD BE AIMED AT PERSONS WITH A 30-80% AMI. THEIR PROPOSAL WOULD ALLOCATE A PORTION OF THE NET STATE LIQUOR STORE PROFITS TO THIS NEW FUND. IT HAS NOT YET BEEN DETERMINED WHAT PERCENTAGE OF PROFITS WOULD BE APPROPRIATE TO ALLOCATE FROM THE STATE LIQUOR STORE TO THIS FUND. HB141 WAS ASKING FOR 25% BUT THAT IS NOT NECESSARILY WHAT WILL BE ASKED FOR ON THE NEW PROPOSAL. THE PURPOSE OF BRINGING THIS IDEA TO THE COMMISSION ON HOUSING AFFORDABILITY WAS TO BEGIN AN AWARENESS CAMPAIGN AROUND THE PROPOSAL AND TO HOPEFULLY GAIN ADVOCACY FROM THE COMMISSIONERS.
 - B. THE DISCUSSION FROM THE COMMISSIONERS INCLUDED A QUESTION ABOUT THE RATIO OF FUNDS ALLOCATED TO HOMEOWNER ASSISTANCE VS. RENTAL ASSISTANCE (KORY HOLDAWAY EXPLAINED THAT THERE IS NOT A SPECIFIC RATIO). A QUESTION ABOUT THE DRASTIC REVENUE CHANGES BETWEEN 2021 TO 2022, THE REASON FOR WHICH WAS NOT DETERMINED. AND COMMENTS WERE MADE ABOUT WHERE THE NUMBERS CAME FROM AND WHETHER THEY COULD BE VERIFIED. THE FINAL QUESTION WAS ABOUT THE PLANS FOR WHERE THE MONEY WOULD GO WHETHER THAT’S OWHLF, HABITAT FOR HUMANITY OR SOMEWHERE ELSE AND KORY HOLDAWAY SAID THAT THE DETAILS WEREN’T FLESHED OUT AS OF YET BUT THAT IT WOULD NEED TO BE SOME SORT OF STATE ADMINISTRATOR.
 - C. A PAMPHLET WAS CIRCULATED DURING THIS PRESENTATION THAT WAS BROUGHT BY REPRESENTATIVE CAROL SPACKMAN MOSS AND KORY HOLDAWAY. THE PAMPHLET WAS NOT GIVEN FOR RECORD BUT WAS RETAINED BY THE PRESENTERS.
- V. SUBGROUP 1 REPORT FROM COMMISSIONER STEPHEN WALDRIP AND COMMISSIONER MIKE OSTERMILLER
 - A. THE TOPICS OF INTEREST OF SUBGROUP 1 PUBLIC LANDS, RENTAL CONVERSIONS, ASSESSING TOOLS ARE OUTLINED BELOW:
 - I. PUBLIC LANDS – FEDERAL, STATE, LOCAL
 1. STEPHAN WALDRIP EXPLAINED THAT SINCE THE LAST UPDATE THEY HAVE MET WITH THE TAX COMMISSION, GIS AND DWS. THE VARIOUS GROUPS ARE, IN CONCEPT, COMMITTED TO CREATE A STATEWIDE DATABASE FOR LAND OWNERSHIP WITH THE FIRST FOCUS BEING PUBLIC LAND

OWNERSHIP. THIS WILL LIKELY REQUIRE A CODE CHANGE TO SPECIFICALLY ALLOW THIS AND THE GOVERNOR'S GENERAL COUNSEL IS WORKING ON THAT. THE LANGUAGE WOULD SIMPLY ENSURE THAT PUBLIC DATA COMING INTO THE TAX COMMISSION (WHICH WOULD BE USED TO CREATE THE MAPPING TOOLS) WOULD REMAIN PUBLIC THROUGHOUT THE PROCESS.

2. OTHER EXECUTIVE AGENCIES LIKE UDOT AND DFCM ARE STARTING TO DO AN INVENTORY OF LAND THAT THEY OWN.
3. THERE MAY BE DISCUSSION ABOUT PUBLIC ENTITIES BEING ABLE TO SELL OR DISPOSE OF LAND FOR LESS THAN FAIR MARKET VALUE.

II. HELPING LEGACY CITIES CONVERT RENTALS TO OWNER-OCCUPIED HOUSING.

1. CAMERON DIEHL INTRODUCED THE TOPIC BY DISCUSSING SOME OF THE STRUGGLES LEGACY CITIES HAVE WITH EXISTING HOUSING STOCK BEING CONVERTED INTO RENTALS WHICH CAN LEAD TO INSTABILITY IN THE COMMUNITIES. THERE IS NOT A GENERAL CONSENSUS ON WHAT THE PROBLEM TO SOLVE IS AND THERE ARE MANY PROPERTY RIGHTS AND TAX CODES TO BE COGNISANT OF. THE GROUP HAS LOOKED A VARIETY OF PATHS FORWARD AND IS LOOKING AT CONCEPTS FROM OTHER STATES AS WELL. CAMERON DIEHL EXPLAINED THAT ADDRESSING THIS TOPIC CAN ALSO ULTIMATELY AFFECT THE SHORT TERM RENTAL CONVERSATION AS WELL SINCE MUCH OF THE LEGACY CITY HOUSING STOCK IS USED FOR SHORT TERM OR VACATION RENTALS INSTEAD OF ONGOING RESIDENCY. THE LEAGUE IS WAITING ON SHORT TERM RENTAL DATA BEFORE STARTING POLICY DISCUSSIONS SPECIFIC TO THAT TOPIC. HE CLOSED HIS REMARKS WITH THE COMMENT, "SO LOTS OF DIALOGUE AROUND EVERYTHING FROM PROPERTY TAX, TO VACANCY TAX, AND SHORT TERM RENTALS, BUT NO CONSENSUS YET.
2. ADDITIONAL DISCUSSIONS BETWEEN THE COMMISSIONERS AND CAMERON DIEHL WERE AROUND SPECIFIC EXAMPLES OF WHAT IS BEING LOOKED AT AND TRIED AROUND THE COUNTRY.

III. OWNER OCCUPIED DEED RESTRICTION MONITORING

1. COMMISSIONER STEPHAN WALDRIP SHARED THAT HOA MONITORING OF DEED RESTRICTIONS IS CURRENTLY EXISTING WITH REGARDS TO CONDOS BUT VERY LITTLE IS BEING DONE IN SINGLE FAMILY NEIGHBORHOODS. THE THOUGHT IS TO ALLOW HOAs TO CONTINUE THAT MONITORING AND POSSIBLY HAVE THE COUNTIES BE A BACKUP.

IV. REVIEW EXISTING TOOLS

1. CAMERON DIEHL ADDRESSED THIS TOPIC ADDING THAT THEY DID NOT YET HAVE LANGUAGE DRAFTED BUT WOULD BE REGARDING CONSISTENCY IN TERMINOLOGY. HE SAID THEY DO HAVE LANGUAGE DRAFTED TO MAKE SOME FIXES TO HAVE THE 1ST HOME INVESTMENT ZONE WORK AS INTENDED.

V. BARRIERS TO BUILDING CONDOS

1. MEGAN TOWNSEND SPOKE ABOUT THIS TOPIC IDENTIFYING SOME LARGE PROBLEMS WITH THE INABILITY TO ACQUIRE AFFORDABLE INSURANCE ON A CONDO, THE FINANCING HURDLE OF ROLLING OFF ALL THE MORTGAGES OF SEPARATE UNITS, CONSTRUCTION COSTS AND DIFFERENCES IN BUILDING CODES BETWEEN RENTAL UNITS AND CONDO UNITS. THE GROUP HAS IDENTIFIED THAT WORKING ON THE INSURANCE PIECE HAS A LARGE OPPORTUNITY FOR IMPACT. THE STATE OF UTAH PUT INTO PLACE PROTECTIONS FOR CONSTRUCTION LIABILITY AND DEFAULT LIABILITY BACK IN 2008 BUT THE INSURANCE INDUSTRY LIMPS UTAH IN WITH OTHER SURROUNDING STATES THAT DO NOT HAVE SUCH PROTECTIONS IN PLACE AND THAT IS WHAT DRIVES THE COSTS UP. THE SUBGROUP HAS NOT YET DRAFTED ANY LANGUAGE BUT IS LOOKING INTO WAYS FOR THE STATE TO INTERVENE. THE GROUP IS LOOKING INTO A FEDERAL PROGRAM CALLED THE 221D4 PROGRAM THAT IS A BACKSTOP FINANCING AND INSURANCE PROGRAM THAT MIGHT BE ADOPTABLE IN THIS SITUATION.

2. COMMISSIONER MICHAEL OSTERMILLER ADDED DETAILS REGARDING THE 221D4 PROGRAM THAT COULD BE ADAPTABLE TO THE STATE'S NEEDS AND POSSIBLY BE A PROFITABLE SITUATION FOR THE STATE WHILE PROVIDING AFFORDABLE INSURANCE FOR CONSTRUCTION OF AND POSSIBLY MORTGAGE INSURANCE FOR CONDOS.
- VI. SUBGROUP 2 REPORT FROM COMMISSIONER CHRISTOPHER GAMVROULAS AND COMMISSIONER TOM MACDONALD
- A. COMMISSIONER CHRISTOPHER GAMVROULAS INTRODUCED THE TOPICS OF INTEREST OF SUBGROUP 2 ZONING, PROCESS ISSUES, AND REGULATORY AS FOLLOWS AND EXPOUNDED ON EACH TOPIC.
 - I. ZONING +1 TO +4 AND EXTERNAL ADU'S
 1. COMMISSIONER CHRISTOPHER GAMVROULAS EXPLAINED THEY ARE PURSUING THESE CONCEPTS TOGETHER AND WORKING ON LANGUAGE TO PROPOSE TO THE BOARD.
 2. COMMISSIONER JOEL BRISCOE SHARED THAT FARMINGTON CITY, MILLCREEK AND ST. GEORGE HAVE WORKING ADU CONCEPTS WHICH ARE INTRIGUING AND SHOULD BE DISCUSSED AND LOOKED AT FURTHER.
 - II. PARKING, GARAGE REQUIREMENTS
 1. COMMISSIONER CHRISTOPHER GAMVROULAS EXPLAINED THAT THE SUBGROUP IS WORKING WITH THE LEAGUE FOR LANGUAGE TO TIE LOT SIZE REQUIREMENTS TO AFFORDABILITY, CREATE A STANDARDIZED DEFINITION OF "PARKING SPOT" ACROSS THE STATE AND LANGUAGE PROHIBITING CITIES FROM ADOPTING ZONING ORDINANCES THAT REQUIRE A GARAGE AS THAT HAS AN AFFORDABILITY COMPONENT AS WELL.
 - III. PROCESS ISSUES—ENTITLEMENT, DUPLICATE PLAN REVIEW
 1. COMMISSIONER CHRISTOPHER GAMVROULAS TOLD THE COMMISSION THAT THERE WAS SOME LANGUAGE LAST SESSION AROUND ENTITLEMENT THAT HAD SOME PROCESS ISSUES THAT THE SUBGROUP IS WORKING ON. REGARDING THE DUPLICATE PLAN REVIEW, HE EXPLAINED THAT THE CODE LANGUAGE HAS BEEN AROUND FOR OVER 30 YEARS AND IT IS A LITTLE CLUNKY SO THE WORKING GROUP IS PROPOSING SOME LANGUAGE TO CLEAN THAT UP. THE IDEA WOULD BE TO HAVE AN EXPEDITED REVIEW PROCESS IF A DEVELOPER WERE USING DUPLICATE PLANS THAT HAVE ALREADY BEEN REVIEWED AND APPROVED ON A PREVIOUS PROJECT. THIS WOULD CUT DOWN TIME AND COSTS IN THE DEVELOPING/REVIEWING/APPROVING PROCESS.
 - IV. REGULATORY—STATEWIDE APPEALS PROCESS
 1. COMMISSIONER CHRISTOPHER GAMVROULAS SHARED THE WORKING GROUPS PROGRESS WORKING WITH THE LAST 2 PROPERTY RIGHTS OMBUDSMAN ON EFFICIENCIES AND IMPROVING TIMELINES FOR THE PROCESS.
 - V. TECHNICAL ASSISTANCE FOR GROWING COMMUNITIES
 1. COMMISSIONER CHRISTINA OLIVER AND CAMERON DIEHL ADDRESSED THIS TOPIC SAYING THAT THERE HAD BEEN FUNDING ALLOCATED FOR MUNICIPALITIES TO USE FOR TECHNICAL ASSISTANCE AND IT HAS BEEN INCREDIBLY HELPFUL. 96% OF THE CITIES AND TOWNS THAT HAVE RESPONDED TO THE SURVEY HAVE BEEN ABLE TO COMPLETE THEIR SUBDIVISION UPDATES.
 - VI. STARTER HOME MODERATE INCOME HOUSING PLAN STRATEGY
 - B. THE COCHAIRS SAID THEY HAD ALREADY RECEIVED THE LANGUAGE ON PARKING AND COMMISSIONER CHRISTOPHER GAMVROULASSAID THE OTHER LANGUAGE IS IN THE WORKS AND WILL BE READY SHORTLY.
- VII. SUBGROUP 3 REPORT FROM COMMISSIONER ANDREW JOHNSTON AND COMMISSIONER CHRISTINA OLIVER
- A. COMMISSIONER ANDREW JOHNSTON SUMMARIZED THAT THE GROUP HAS 5 ITEMS WITH 1 POSSIBLE STATUTE CHANGE RECOMMENDATION AND ONE POSSIBLE FUNDING NEED. HE INTRODUCED THE TOPICS OF FOCUS OF SUBGROUP 3 REPORTING TOOLS, DATA, AND MEASURABLE GOALS/OUTCOMES AS FOLLOWS AND EXPOUNDED ON EACH TOPIC.
 - I. HOUSING STATISTICS

- IX. OTHER BUSINESS - THE COCHAIRS THANKED ALL OF THE PARTICIPANTS OF THE SUBGROUPS FOR THEIR HARD WORK THIS YEAR. THEY SAID THEY WILL BE GETTING ALL THE RECOMMENDATIONS TO THE DRAFTING ATTORNEYS TO CAPTURE THE RECOMMENDATION AND PREPARE THEM FOR POSSIBLE ACTION.
- X. MEETING WAS ADJOURNED AT 2:08 PM BY A MOTION FROM COMMISSIONER NICHOLAS BERGER AND SECONDED BY COMMISSIONER JOEL BRISCOE WITH A UNANIMOUS VOTE OF AFFIRMATION.
- XI. THE NEXT SCHEDULED MEETING FOR THE COMMISSION ON AFFORDABLE HOUSING IS SCHEDULED FOR NOVEMBER 5, 2024, AT 1:00PM.

MINUTES APPROVED ON:

CERTIFIED CORRECT BY: JANELL QUIROZ

Draft