

House Political Subdivisions Committee
February 7th, 2025

Bill: HB 88 – Housing Policy Amendments

Sponsor: Representative Raymond P. Ward

Floor Sponsor: Senator Lincoln Fillmore

UASD Position: Tracking

This Bill modifies provisions relating to moderate income housing reports and municipal zoning.

Discussion: Representative Ward began by stating that this Bill works in collaboration with 1st Substitute HB 90. His presentation on this Bill focused on laying the groundwork for HB 90. Representative Ward addressed the lack of affordability in Utah's housing market, suggesting that increased construction is key to improving affordability. HB 88 updates housing regulations by adjusting the frequency of moderate-income housing progress reports and permitting accessory dwelling units (“ADUs”), both internal and external, in residential zones of urban municipalities. It prohibits urban municipalities from banning modular units in residential zones and includes technical and conforming changes. He noted that this Bill represents a small step toward reducing housing costs. Additionally, it reduces the reporting requirement for the moderate-income housing plan from annually to every three years, a change supported by the Utah League of Cities and Towns. Steve Waldrip, the Senior Advisor for Housing and Strategy Innovation, spoke in support of the Bill. He emphasized the complexity of housing affordability and highlighted the importance of incremental changes, like those proposed in this Bill, in helping more people afford to live in Utah.

Representative Peterson asked if the Bill allows cities to require owner occupancy. The sponsor clarified that the Bill does not address that issue but noted that future changes to the Code might be needed if cities interfere with the Bill’s intentions. Representative Peterson also questioned the use of the term "safety purposes". The sponsor suggested that its interpretation might need further clarification in the future but that his intention was to ensure that municipalities could only deny an adu if there were true safety concerns. Representative Dunnigan asked about the placement of external ADUs on existing properties. The sponsor replied that any adu that would not qualify under the setback regulations would require approval from the neighboring property.

The Utah League of Cities and Towns opposed the Bill, arguing that it undermines their authority over land use. It may increase available rental properties, it would reduce homeownership. Representative Teuscher asked the League representative for clarification on setback concerns. The League responded that they already have a good understanding of what works in specific neighborhoods and stated that ADUs should be placed in areas designed for them. Alliance for a Better Utah, the Utah Association of Realtors, and several members of the public spoke in support of the Bill. Representative Bennion motioned to hold the Bill, stating that while she might support proposals to increase ADUs in the future, she wants to observe how an increase in housing construction impacts the state’s housing shortage before further densifying certain areas. The sponsor opposed the motion, arguing that immediate action was necessary to address housing affordability and expressed a willingness to collaborate with stakeholders while moving the Bill forward. No further discussion ensued.

Yeas: 7

Nays: 1

N/V: 2

Outcome: HB 88 was held in the Committee.

Bill: 1st substitute HB 90 – Zoning Amendments

Sponsor: Representative Raymond P. Ward

Floor Sponsor: Senator

UASD Position: Tracking

This Bill modifies zoning authority in an urban municipality.

Discussion: The sponsor explained that this Bill complements HB 88 by designating that detached single-family homes on lots of at least 6,000 square feet would qualify as a permitted use in residential zones within urban municipalities. He reiterated similar arguments and sentiments from the discussion on HB 88. Alliance for a Better Utah spoke in favor of the Bill. The Utah League of Cities and Towns expressed opposition. Representative Peterson motioned to hold the Bill, raising concerns that allowing ADUs could reduce the quality of life in neighborhoods. She echoed Representative Bennion's remarks on HB 88, suggesting a year's pause to observe an increase in housing construction occur before further adding to high density areas. The sponsor opposed the motion.

Yeas: 7

Nays: 1

N/V: 2

Outcome: 1st substitute HB 90 was held in the Committee.

Bill: SB 50 – Limited Purpose Local Government Entities Board of Trustees Compensation Amendments

Sponsor: Senator Calvin R. Musselman

Floor Sponsor: Representative Thomas Peterson

UASD Position: Support

This Bill eliminates the compensation limit for a member of a board of trustees of a limited purpose local government entity.

Discussion: The sponsor, Senator Musselman, explained that this Bill removes the cap on compensation for board members of special districts and special service districts. The Bill adds a transparent process by requiring a public hearing before board compensation may be increased. He noted that board members of smaller districts often do quite a bit of work. For example, a cemetery maintenance district board member may use their own backhoe to dig a grave for a member of their community. These board members may be compensated for their time and costs associated with using their own equipment, but that compensation cannot go beyond the \$5,000

per year cap placed on compensation in state statute. The sponsor asserted that with the ever increasing cost of living and inflation, it doesn't make sense to have to continually change the statute. No other form of governmental entity has a cap on compensation. The sponsor said that the compensation for board members would remain transparent because the district would have to hold a public hearing that is solely for the purpose of increasing board member compensation and the increase would be discussed during the public hearing before the annual budget is adopted. There was no discussion by the Committee and there were no comments from the public.

Yeas: 5

Nays: 0

N/V: 5

Outcome: 1st substitute SB 50 was passed out of the Committee with a favorable recommendation.