

Utah Land Use Institute
Fall Conference 2021
Cosponsored by APA Utah
October 26-27 – Realtors Auditorium, Sandy

**TUESDAY, OCTOBER 26: THE PROPERTY RIGHTS OMBUDSMAN
FIFTEEN YEARS OF ADVISORY OPINIONS
PLUS RECENT HOT TOPICS IN LAND USE LAW**

- 1:30 p.m. **Welcome** – Brent Bateman, Denton Durham Jones Pinegar, Moderator
- 1:35 **Advisory Opinions.** An analysis of fifteen years and 235 advisory opinions prepared by the Ombudsman’s Office: topics, results, fairness and what has proven effective. Who is using this resource? What impact has it had in the local land use arena?
 Jordan Cullimore, Office of the Property Rights Ombudsman
 Craig Call, Utah Land Use Institute
 Others to be invited
- 3:00 **Break**
- 3:15 **Evolving Land Use Law** – An overview of recent cases, legislative amendments, and the evolving body of Utah Land Use Law.
 Substantial Evidence Standard
 Can you deny a conditional use permit?
 Appellate review – remanding back to the city or county.
 Which local actions are subject to referendum and initiative?
 New limits on local design controls.
 Ten-year land use regulation vesting for new subdivisions.
 Mandatory accessory dwelling units.
 Topics suggested by those attending.
- Panel of Experts:
 Wade Budge, Snell and Wilmer
 Gary Crane, Layton City Attorney
 Others to be invited.
- 4:15 **New tools for land use professionals:**
 The Land Use Academy of Utah
 New Edition of the Guide to Utah Land Use Regulations
 Land Use Law Library – online resource for land use professionals
 A database of all 235+ Advisory Opinions published to date.
 Craig Call
 Meg Ryan, Utah League of Cities and Towns (invited)
- 4:45 **Adjourn**

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**WEDNESDAY, OCTOBER 27: REGIONAL PLANNING AUTHORITIES
AND THE ROLE OF THE LEGISLATURE IN LOCAL PLANNING**

- 8:25 a.m. **Welcome** – David Hirschi, Chair, Utah Land Use Institute
- 8:30 **Who is in Charge Here?** Panel Discussion – Where city councils used to be in charge, regional development authorities now are taking on all the planning functions for Utah’s largest projects. Who will be deciding the pivotal issues for Utah’s immediate future? What will be the role of regional authorities such as MIDA, the Inland Port Authority (and its proposed satellites), the “Point” at the former Utah State Prison site, and the proposed Utah Lake Authority? How will this affect the citizens’ role in planning? Will there be a citizen’s role in planning?
 Wilf Sommerkorn, Utah Land Use Institute, Moderator
 Senator Jerry Stevenson, Layton
 Mayor Erin Mendenhall, Salt Lake City
 Arthur C. (Chris) Nelson, University of Arizona
 Paul Morris, Military Installation Development Authority
 Alan Matheson, The Point
- 10:15 **Break**
- 10:30 **Continued Discussion** – Specific Topics and Who Can Best Advance the Solutions. What is the proper role of zoning regulations? More insights on housing affordability and the role of the legislature and local government in land use controls, including specific proposals for the 2022 general session on Capitol Hill.
 Wilf Sommerkorn, Moderator
 Mayor Julie Fullmer, Vineyard City
 Chris Gamvroulas, Ivory Homes
 Cameron Diehl, Utah League of Cities and Towns
 Others may be invited to participate
- 11:30 **Wrap Up – Audience Participation** with response from panelists.
 Wilf Sommerkorn, Moderator
 Panelists will only respond to audience questions – this time is reserved for those attending - their comments and questions.
- 12:00 **Lunch is Served.**

12:15 **Ethics in a New Era of Land Use Planning.** This session will focus on ethics, civility and professionalism for both AICP and Utah Bar members. Our society is evolving at a rapid pace. What must we do as citizens and as local leaders to form an inclusive and fair, but effective approach to land use regulation?
Introduction of Speaker: Arthur C. (Chris) Nelson
Speaker: Mary Kay Peck Delk, FAICP, MK Peck Associates, Clearwater, Florida. Former President, American Planning Association

Break Out Sessions

1:30 **Legislative Efforts to Promote Housing Affordability.** The issue of housing costs has been driving land use legislation for several years. What effect have these new perspectives for housing had? What other solutions and strategies are being considered for 2022 and beyond?
Mike Ostermiller, Moderator
Arthur C (Chris) Nelson, University of Arizona
Others to be invited

Other break out sessions – to be assigned to 1:30, 2:40 or 3:50 p.m. starting times

Bargaining for a Rezone: Is Seeking Trade-Offs for Density Now the Norm?
The fallout from referenda, initiatives, lawsuits and amendments to the state land use statutes seems to reinforce a growing trend to lock in lower densities in residential zones than the market would justify. Will every subdivision or housing development now require a legislative rezone with its attendant requirements in time, cost, and political drama? What are the consequences and alternatives for better planning?
Wilf Sommerkorn, Moderator
Others to be invited

Pandemic Long-Term: What has Changed in How We Deal with Land Use Issues? Working from home, buying online, and skyrocketing prices for housing. As we look to 2022 and beyond, what cultural and economic changes will be driving future policies as our cities and counties evolve?
Nicole Cottle, West Valley City, Moderator
Others to be invited

The Role of the Planning Commission? Time to Rethink or at Least Reboot? With typical high turnover, newly appointed citizen planners often need intensive training and orientation. How do we implement new state training requirements to improve how planning commission and city or county legislators deal with planning issues?
David Thomas, Moderator
Others to be invited

Wednesday breakout sessions – continued

Design and Construction Solutions for Housing Affordability. The 2021 legislature took aim at local design standards as a means to lower housing costs. What are the likely consequences? How do design controls, materials requirements, and other regulations on residential construction affect the cost of a home?

Jodi Hoffman, Moderator

Others to be invited

Shall we Zoom? Innovative Methods to Engage the Public and What We Learned from the Pandemic. For more than a year, every meeting and hearing was online. What have been shown to be the positives and negatives of engaging the public virtually? Do we have new opportunities after the pandemic to reconsider how we interact with our constituencies? What changes did Covid bring to the larger planning landscape?

Jon Call, North Ogden City, Moderator

Meg Ryan, Utah League of Cities and Towns

Jordan Katcher, Utah Housing and Community Development

Others to be invited

4:50

Adjourn