



# THE UTAH LAND USE INSTITUTE

## Land Use Issues 2025

### Housing – Past Legislatures

- Council cannot review subdivisions
- Statewide minimum street standards
- No referendum if 2/3 vote by legislative body
- Innovative financing of infrastructure
- Moderate income housing plans
- Plan review efficiencies
- Alternative building inspection options

### Housing

- Local Moderate Income Housing Plan HB37, HB88
- Density overlay zone HB37
- Accessory dwelling units. HB 88, HB398
- Modular construction allowed. HB88
- 6000 sq. ft. lots – larger counties. HB90
- Permits - HB 368
- Plan review – entitlement to approval
- Identical Plans
- Landscaping requirements
- Cannot require a garage. SB152 S1
- Parking requirements. SB181
- State Housing Plan Review and Input – Gov's Office

### Public Hearings and Input

- No hearings on land use appeals and variances HB368
- Public notice requirements – ministerial decisions HB368

## Gravel - HB355

- “Critical Infrastructure Materials”
- State or local control and management?
- Grandfathered rights to expand unless “clear and convincing evidence of imminent danger to public health, safety and welfare.”

## Roads – SB195

- Dead end at canal
- Corridor preservation with TIF funding

## Other

- Private duty to maintain public facilities (other than sidewalks). HB368
- School district exemptions to land use rules. SB211
- Construction standards for three and four-plexes – same as one and two-unit dwellings. HB175
- Residential turf regulation. HB318

## Court Decisions

- Initiative and Referenda – League of Women Voters v. Utah Legislature
- Standing to File Appeals – Northern Monticello Alliance v. San Juan Co., others
- Importance of the Record – McElhaney v. Moab

## Resources:

Utah Land Use Library - <https://utahlanduse.org/land-use-library/>

Utah Land Use Blog: - <https://utahlanduse.org/blog/>

Land Use Academy of Utah -: <https://luau.utah.gov/>

Office of the Property Rights Ombudsman – Advisory Opinions: - <https://propertyrights.utah.gov>

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