

RIVERTON CITY, UTAH
RESOLUTION NO. 24-01

**A RESOLUTION OF THE RIVERTON CITY COUNCIL REJECTING THE FINDINGS
AND CONCLUSIONS OF THE UTAH LEGISLATIVE AUDITOR GENERAL'S
REPORT NO. 2023-16: "A PERFORMANCE AUDIT OF UTAH HOUSING POLICY."**

WHEREAS, the Utah Legislative Auditor General's Report No. 2023-16 fails to acknowledge that market forces have a far greater influence on housing affordability than local or state policy; and

WHEREAS, Report No. 2023-16 makes no mention of the progress developers in possession of land with development rights are making to actually construct dwelling units to the extent allowed by approved zoning and entitlements; and

WHEREAS, according to the Utah League of Cities and Towns, 190,000 residential dwelling units are approved for development in the state of Utah, but developers have not taken action to construct said units; and

WHEREAS, developers have chosen not to request building permits on more than 2,800 entitled units in the southwest area of Riverton City, which have been ready for construction since 2016; and

WHEREAS, Report No. 2023-16 fails to highlight the effect of the aforementioned influences on the market, nor on sound economic data, such as land price, construction costs, labor availability, and financing interest rates; this limits state or local policymakers from determining what level of density housing can produce an affordable dwelling, or if any increase in housing density results in affordable dwelling for Utah residents; and

WHEREAS, Riverton City has acted in good faith by dutifully complying with over two dozen new laws imposed on municipalities by the Utah State Legislature to address the issue of housing supply and affordability; and

WHEREAS, the Riverton City Council finds and determines that Utah Code §§ 10-9a-509, and 10-9a-509.5, together with other statutes which prohibit municipalities from adopting restrictive standards on land development, operate to prohibit municipalities from "stifling" housing construction, and unless the Utah Legislative Auditor can identify a single instance where this has lawfully occurred, the Utah Legislative Auditor has reached an incorrect conclusion; and

WHEREAS, Report No. 2023-16 encourages the consolidation of land-use authority by

advocating for passage of “statewide housing goals” to be imposed on counties and municipalities, together with “penalties for noncompliance;” if a municipality is found to not have complied with a statewide housing goal; and

WHEREAS, to augment this argument, Report No. 2023-16 refers to several other states -California being one of them- which have adopted a “top down” approach to making land use decisions; and

WHEREAS, of the states examined under Report No. 2023-16, not a single state mandating land use policy has indeed relieved any affordable housing shortage experienced by the state under examination; and

WHEREAS, in addressing California’s sweeping changes to its land use process, Report No. 2023-16 itself simply states, “Time will tell whether these changes in land use regulation will result in more housing units and whether these new units will improve affordability;” and

WHEREAS, the Riverton City Council finds insufficient evidence within Report No. 2023-16 to support the conclusion that a statewide adoption of land use policies which target unit production and impose penalties will solve or otherwise make a material difference in the supply of affordable housing in Utah; and

WHEREAS, Report No. 2023-16 makes no mention of the effect of single family home acquisitions by private equity, large corporations, or publicly-traded real estate companies, commonly known as “Wall Street Landlords” are having on the ever increasing price to acquire housing in the state of Utah; and

WHEREAS, Report No. 2023-16 does not consider what the added burden illegal immigration places on the state housing supply, nor what the state can do to alleviate that burden; and

WHEREAS, Governor Spencer Cox has correctly stated: “when investment in infrastructure precedes growth, quality of life stays high. If growth precedes infrastructure, the quality of life goes down every single time,” the state legislature should therefore focus its efforts on constructing efficient infrastructure; and

WHEREAS, the Riverton City Council finds that it has no statutory control, and insignificant influential power, over the costs to construct affordable housing, or upon increasing the median income for Utah workers; and

WHEREAS, the Riverton City Council finds and determines that Report No. 2023-16 has examined the wrong causes, and reached the wrong recommendations, to address a legitimate housing supply problem in the state of Utah; and

NOW, THEREFORE, BE IT RESOLVED that the Riverton City Council, categorically objects to the approach the Utah Legislative Auditors have taken to evaluate the difference in housing supply and available demand in the state of Utah.

BE IT FURTHER RESOLVED that Riverton City Council calls on the Utah Legislative Auditor's office to examine the most significant problems which slow the development of housing in the state of Utah.

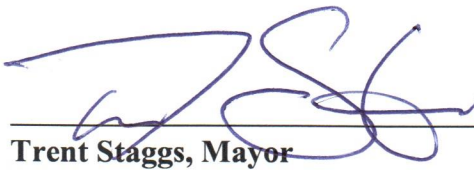
BE IT FURTHER RESOLVED that Riverton City Council calls on the Utah Legislature to recognize that land use authority is most appropriately exercised at the local level, and that Riverton City, is already utilizing that authority in compliance with existing laws to properly plan housing supply and commensurate infrastructure.

PASSED AND ADOPTED by the City Council of Riverton, Utah, this 2nd day of January 2024 by the following vote:

	YES	NO
Councilmember Tish Buroker	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Spencer Haymond	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Tawnee McCay	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Troy McDougal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Andy Pierucci	<input checked="" type="checkbox"/>	<input type="checkbox"/>




RIVERTON CITY



Trent Staggs, Mayor

ATTEST:



Jamie Larsen, Recorder

CERTIFICATE OF PASSAGE

I, Jamie Larsen, the duly acting and appointed Recorder for Riverton City hereby certify that the foregoing Resolution No. 24-01 was adopted by the Riverton City Council on the 2nd day of January 2024.

Dated this 2nd day of January 2024.





Jamie Larsen, Recorder