

Submitter: Shawn Hunter
On Behalf Of: Self
Committee: House Committee On Housing and Homelessness
Measure, Appointment or Topic: HB2138

As I understand HB 2138, it removes many current considerations and restrictions related to permissible "low & middle housing" construction. Under the banner of a "housing emergency." This recent article documents that additional housing in absence of a more-complete plan, will actually magnify issues, rather than solve them.

<https://www.deseret.com/politics/2025/02/20/utah-legislature-approves-bills-that-change-housing-first-approach-to-homeless-policy/>

The article documents that reacting to the current "emergency" with a plan that blindly focuses only upon removing constraints for housing, without additional support structures for those the housing is intended to help, will only grow the existing "emergency" situation AND create more new ones!

At a more personal level, I've seen directly how developers want to take advantage of the reduced restrictions - to their own advantage (more rental income) at the expense of individuals and neighborhoods in which they have no other interest. This bill enables non-resident developers (mostly not residents of a given neighborhood they want to build in - and often not even residents of the state!) to wedge rental units between existing homes with increasingly little oversight and review. Quaint terms like "cottage clusters" and "small footprint homes" are used to describe groupings of 2-story rental units potentially wedged between single-level, single family, owner-occupied homes with little, if any, consideration for parking, garbage collection, design, long-term maintenance, privacy, loss of values to neighborhoods generally nor surrounding homes specifically.

In my specific experience, a developer from Idaho attempted to place SIX 2-story, 2-bedroom "small footprint" rental units - called in this bill "cottages" - on a small pan-handled lot created within an established neighborhood of single-level, single-family homes - governed and protected by CC&Rs for 55 years. There was no consideration given for the impact on neighboring homes and neighborhood generally. While it's easy to see the units could house roughly 12 adults, there was no allowance for parking for the proposed residents within a neighborhood where parking is already limited. In this very real example, there is a fire hydrant directly across from the location housing was proposed and, on garbage day there are as many as 3 wheelie-bins plus glass containers needing open curb space in front of each existing home - as well as spacing between them - all along the street. Allowances for mail delivery further restrict parking. Garbage collection for the 6 additional residences, as proposed, required a garbage truck to back up within an 18-foot easement - within a few feet of bedrooms of an existing home to reach a

proposed bin behind the existing homes. No indication of how that buildings and shared portions of the property would be maintained. No consideration for 2-story units having views across existing 6-foot fences into each of the surrounding backyards and windows on the back side of existing homes.

The existence of CC&R's - established in the first place to maintain and protect established characteristics of neighborhoods - was the only legal recourse for neighbors to question or prevent the actions of the developer, whose actions were primarily in their own interest to create more rental-income.

Please do NOT pass this bill which will create different emergencies - rather than solving the claimed current emergency.