



SANDY CITY COMMUNITY DEVELOPMENT

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MEMORANDUM

August 18, 2022

To: Planning Commission
From: Community Development Department
Subject: General Plan Amendment – Moderate-Income Housing
Amending the Housing Element and adding the
Moderated-Income Housing Element, including a
revised list of moderate-income housing strategies

GPA07272022-6366

HEARING NOTICE: *This item has been noticed on public websites, at three physical locations, and mailed to affected entities.*

REQUEST

The Community Development Department is proposing an amendment to the Sandy City General Plan by amending the Housing Element and adding a new chapter, the Moderate-Income Housing Element.

BACKGROUND

Revisions to Utah Code in 2022 by House Bill 462 require that Sandy City amend the Sandy City General Plan. Per HB 462, Sandy City is required to do the following:

- Select a minimum of four moderate-income housing implementation strategies from a revised list. Two additional strategies are required to receive priority consideration when requesting State transportations funds.
- Prepare an implementation plan for each of the selected strategies.
- Amend the General Plan to include a new chapter (Moderate Income Housing Element).
- Complete the above requirements and submit the Moderate-Income Housing Element to the State by October 1, 2022.

In 2019, Senate Bill 34 introduced a list of moderate-income housing strategies into Utah Code. Cities such as Sandy City were required to adopt four strategies to be implemented from the list of strategies. HB 462 revised the list of moderate-income housing strategies. The revisions require that Sandy City again consider and adopt housing moderate income housing strategies.

City staff has received input regarding the list from the Mayor, City Council, Planning Commission, Administrative Staff, and the City Attorney. City staff has identified six strategies that, in general, address the input received. An implementation plan was prepared that identifies actions, and a timeline for those actions, for each of the six strategies.

The strategies and the implementation plan are included in the proposed Moderate-Income Housing Element, as now required by Utah Code. The City's existing Housing Element contains information (narrative, goals, policies, data) pertaining specifically to moderate-income housing. The new Moderate Income Housing Element was created by using the moderate-income housing portions of the Housing Element, together with the recommended strategies and implementation plan. In addition to adopting the Moderate-Income Housing Element, it is proposed that the Housing Element be amended to remove those portions that will now be included in the Moderate-Income Housing Element.

FACTS AND FINDINGS

- Due to HB 462, the following sections of Utah Code now include requirements pertaining to the selection of moderate-income housing strategies and amending the General Plan:

10-9a-401

“(3)(a) The general plan of a specified municipality, as defined in Section 10-9a-408, shall include a moderate income housing element that meets the requirements of Subsection 10-9a-403(2)(a)(iii).”

“(b) On or before October 1, 2022, a specified municipality, as defined in Section 10-9a-408, with a general plan that does not comply with Subsection (3)(a) shall amend the general plan to comply with Subsection (3)(a).”

10-9a-403

“(2)(a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements: ...”

“(iii) for a specific municipality as defined in Section 10-9a-408, a moderate income housing element that:

“(A) provides a realistic opportunity to meet the need for additional moderate housing within the next five years;

“(B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and

“(C) includes an implementation plan as provided in Subsection (2)(c); and ...”

10-9a-408

“(5)(a) A specified municipality qualifies for priority consideration under this Subsection (5) if the specified municipality's moderate income housing report:

“(i) complies with Subsection (2); and

“(ii) demonstrates to the division that the specified municipality made plans to implement:

“(A) five or more moderate income housing strategies if the specified municipality does not have a fixed guideway public transit station; or

(B) six or more moderate income housing strategies if the specified municipality has a fixed guideway public transit station.

(b) The following apply to a specified municipality described in Subsection (5)(a) during the fiscal year immediately following the fiscal year in which the report is required:

(i) the Transportation Commission may give priority consideration to transportation projects located within the boundaries of the specified municipality in accordance with Subsection 72-1-304(3)(c); and

(ii) the Governor's Office of Planning and Budget may give priority consideration for awarding financial grants to the specified municipality under the COVID-19 Local Assistance Matching Grant Program in accordance with Subsection 63J-4-802(6)."

- City staff consulted with the Planning Commission, City Administrative Staff, the City Attorney, the City Council, and the Mayor to review the requirements introduced by HB 462 and receive input regarding the revised list of moderate income housing strategies.
- Six recommended strategies were presented to the Planning Commission on July 21, 2022 and the City Council on July 26, 2022 for additional input.
- A notice of intent to prepare a general plan amendment was published and posted on August 2, 2022.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend the Sandy City General Plan, revising the Housing Element and adopting the Moderate Income Housing Element.

ALTERNATIVES

- Forward a positive recommendation of the proposed amendment to the City Council
- Forward a negative recommendation of the proposed amendment to the City Council
- Forward a recommendation proposing a modified amendment to the City Council
- Table the decision

Planner:



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