



## MEMORANDUM

To: Sandy City Council  
From: Lynn Pace – City Attorney  
Date: April 10, 2026  
Subject: April 14, 2026 Discussion

Council members-

This message is provided in preparation for a housing discussion scheduled on the Council agenda for Tuesday, April 14, 2026.

In the fall of 2025, the City Council conducted a series of work sessions to discuss issues related to housing within Sandy City. That process ultimately resulted in the City Council adoption of a final Housing Report in March 2026 entitled “Building Our Future. A Community Housing Workshop Series.”

That Housing Report contains information collected from a survey of the City elected officials, identifying the housing issues of greatest concern within the City. One of the top concerns identified was “Lack of tools to enforce owner occupancy.” The Housing Report also identified financial and regulatory incentives, as well as optional tools, that could be utilized to help accomplish the City’s housing objectives. And finally, the Housing Report also anticipated a future discussion about the interconnected use of development agreements, by-right approvals, and certain incentive programs to achieve the City’s desired housing outcomes. While those incentives and tools could be used to help accomplish a number of different goals, the specific purpose of this discussion is to focus on how those incentives and tools can be used to help accomplish the goal of creating and maintaining greater owner occupancy of housing units within Sandy City.

As a general rule, the City’s existing land use tools (the zoning code and the land use development code), are focused on the form of the housing units built, but not on the ownership or occupancy of those units. Thus, we can regulate the height and location of a housing unit, but not who owns it or who lives inside. If the City wants to encourage and increase the owner occupancy of housing units within the City, we will need to utilize other tools and incentives beyond those that currently exist in our land use code. What we cannot require by regulation alone, however, we may be able to obtain through a negotiated contract, or development agreement, with the developer or property owner.

In preparation for this Council meeting, please consider and come prepared to discuss the following issues:



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1. What are your top priorities with respect to owner occupied housing?
2. How important is it to you that we create for sale housing, rather than rental housing units?
3. How important is it to you to maintain owner occupancy of those housing units after the initial sale?
4. If so, for how long would you want to maintain those owner occupancy restrictions?
5. What incentives would you be willing to offer in exchange for a commitment to develop and/or maintain an owner-occupied housing product?
6. Are you willing to identify and codify those owner occupancy incentives in the City code, rather than requiring developers to engage in a case-by-case negotiation?

Your feedback on these questions will help City administrative staff to identify the next steps to be taken in drafting changes to our land use code and for use in the upcoming discussions and development of potential City housing projects. Thanks.