

PLANNING COMMISSION STAFF REPORT FOR UPDATES TO WHITE CITY MODERATE INCOME HOUSING PLAN, A SUPPLEMENTAL DOCUMENT TO THE GENERAL PLAN

Public Body: White City Planning Commission

White Planning Commission Meeting Date: July 28th, 2022

Location: Eastmont Middle School

Applicant Name: White City Staff

Planner: Erin O’Kelley

Planning Staff Recommendation: Approve White City Updated Moderate Income Housing Plan, with Included Revisions

SUMMARY

During the legislative session this year, the state approved HB 462, which made updates to SB34 (2019). HB 462 Housing Affordability Amendments have made significant changes to the process and requirements for community moderate-income housing plans regarding both implementation and annual reporting on how the community fulfills its housing plan goals. These changes are the reason that staff is bringing the proposed update to the moderate-income housing plan to the Planning Commission for review. Communities have been given a tight deadline to amend their existing moderate income housing plans by October 1, 2022. This does not mean that moderate income housing plan cannot be amended again after October 1st. If there are necessary changes that need to be done in subsequent years, staff will review and amend the housing plan.

Under state statute, moderate income housing plans are required as part of the municipality’s general plan. Therefore, the update to the moderate income housing plan is being processed as an amendment to the general plan and will follow all required noticing and processing per state statute. At a minimum, the Planning Commission is required to hold a public hearing for the community on the changes made to the moderate income housing.

EXHIBITS

1. White City Moderate Income Housing Plan (adopted in 2019).
2. Draft White City Moderate Income Housing Plan (2022)

MODERATE INCOME HOUSING PLAN RECOMMENDED CHANGES SUMMERY

The updated moderate income housing plan is the same structure as the original one adopted in 2019. There are a few changes that have been made to the plan as follows:

1. All language has been updated to refer to the new state requirements that were passed into law during the 2022 legislative session and became effective on June 1, 2022. All

language originally referring to ADUs (generally) now refers to IADUs, internal accessory dwelling units, that are now a permitted use residential zones per state statute.

2. All the original demographic and housing data is being updated to current conditions as a result of the 2020 census and any other updated information that staff deemed appropriate. Staff is also revising the land use data section to help community the current housing conditions in White City.
3. The three strategies previously chosen in the 2019 housing plan have been updated to the new language that the state statute dictates.

The previously chosen strategies in the 2019 plan were:

1. Previously known as Strategy (L) Preserve current moderate income housing.
2. Previously known as Strategy (W) Support measures and efforts that contribute to neighborhood stabilization and improvement.
3. Previously known as Strategy (E) Create more moderate income housing options.

The strategies that are being recommended by staff to the planning commission for review are:

1. Strategy (E) Create or allow for and reduce regulations related to, internal or detached accessory dwelling units in residential zones (C10-9a-403 2 (b) (iii) (E)).

This is similar to strategy E and L, previously chosen in the 2019 plan.

2. Strategy (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing (C10-9a-403 2 (b) (iii) (B)).

This is similar to strategy W previously chosen in the 2019 plan.

3. Strategy (I) Amend land use regulations to allow for single-family room occupancy developments (C10-9a-403 2 (b) (iii) (I)).

This is similar to strategy E previously chosen in the 2019 plan.

4. Strategy (U) Develop a moderate income housing project for residents who are disabled or 55 years old or older (C10-9a-403 2 (b) (iii) (U)).

This is similar to strategy E previously chosen in the 2019 plan.

5. Strategy (W) Create or allow for, and reduce regulations relate to multi-family residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones (C10-9a-403 2 (b) (iii) (W)).

This is similar to strategy E previously chosen in the 2019 plan.

6. Strategy (X) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing (C10-9a-403 2 (b) (iii) (X)).

This is similar to strategy E previously chosen in the 2019 plan.

Why five strategies?

The state has changed the original requirements to the number of strategies chosen by municipalities. Before, three strategies were required to adequately meet the state requirements. Now, if municipalities would like to be eligible for priority consideration for the Transportation Investment Fund (TIF), the Transit Transportation Investment Fund (TTIF), or the COVID 19 local assistance matching grant, municipalities must pick five strategies in their plan and then adequately fulfill or continue three or more of those strategies every year to continue to be eligible for priority consideration.

For White City, this is very important as the TIF funding opportunity can provide necessary funding for public improvements projects like roads, sidewalks, and other transportation infrastructure for White City. White City receives a considerable amount of funding for public improvement projects through grants and other sources and by not meeting requirements for one more available source of funding this would be limiting White City further from being able to fund projects that are very important to the community.

PLAN CHAPTER SUMMARY (similar to the original plan)

CHAPTER 1 INTRODUCTION – The introduction chapter reviews the current moderate income housing requirements that are required by state statute. Other context for the plan is also included like providing terminology for residents who may not be familiar with moderate income housing vocabulary.

CHAPTER 2 METHODOLOGY – The methodology chapter outlines the steps staff has taken to provide a thorough analysis of the moderate income housing strategies and public engagement that was involved to educate the public on the new strategies and state requirements.

CHAPTER 3 DEMOGRAPHIC SUMMARY – The moderate income housing plan is being updated with current 2020 census data to accurately portray the existing conditions of the community.

CHAPTER 4 HOUSING STOCK – The moderate income housing plan is being updated with current 2020 census data to accurately portray the existing conditions of the community.

CHAPTER 5 HOUSING AVAILABILITY & AFFORDABILITY The moderate income housing plan is being updated with current 2020 census data to accurately portray the existing conditions of the community.

CHAPTER 6 IMPLEMENTATION PLAN – The implementation outlines the recommended strategies for the community with the desired goals, actions, and steps to accomplish the strategies chosen. As required by state statute, there is also a timeline outlining when the steps are estimated to be complete. The timeline is required by state statute so that in the subsequent years when communities are filling out the moderate income housing reporting form they can report on where in the implementation process they are at and how these steps have been accomplished.

RECOMMENDED IMPLEMENTATION PLAN

The implementation plan breaks down the chosen strategies into actions and steps that the city may take over the next 5 years to improve moderate income housing conditions in the community and continue to meet state requirements to be eligible for transportation funding projects. In order to adequately meet the new state requirements, the community must demonstrate how it is following through on the chosen strategies on a yearly basis by reporting the implementation of the moderate income housing plan to the state by October 1, every year after 2022. Therefore, a timeline is also required by state statute to be included in the implementation plan.

New Strategies

Strategy #1 (E) Create or allow for and reduce regulations related to, internal or detached accessory dwelling units in residential zones (C10-9a-403 2 (b) (iii) (E)).

Action 1: Educate residents on the new ordinance that permits internal accessory dwelling units in residential zones.

Action Goal: Where residents may not be aware of the newly established ordinances that allow IADUs, this action will help make residents aware and hopefully seek to legally establish an IADU on their property which will increase the city's moderate income housing stock.

Step 1: Advertise the newly adopted permitted uses related to IADUs.

Step 2: Provide materials to help residents understand the benefits of having a legally established IADU on the property.

Step 3: Encourage residents with existing IADUs to report them to the city to be included in the city's moderate income housing stock.

Action 2: Reduce regulations related to establishing legal IADUs.

Action Goal: Some residents in the community may not be converting or reporting on their internal accessory dwelling unit because current regulations are restricting them creating one that meets requirements. This action will help residents qualify for an IADU and make it legally established with the City.

Step 1: Study where residents are having a difficult time converting portions of a home to an IADU and direct reduced regulations to help with these problems.

Step 2: Reduce fees related to converting a portion of a home to an IADU, where feasible.

Step 3: Reduce parking regulations, where residents may already have additional parking on their property for an IADU.

Step 4: Consider adopting ideal scenarios and properties for IADUs and allow these properties to be eligible for a fast tracked and reduced cost application process.

Step 5: Reduce regulations related to expansion or conversion of a portion of their house for the purposes of adding an IADU.

Action 3: Provide resources to residents that assist with creating of IADUs.

Action Goal: While establishing an IADU is important to increasing the city's moderate income housing stock, maintaining these units in the future will prevent degradation of buildings and ultimately degradation of the neighborhood fabric.

Step 1: Create programs that assist with maintenance of IADUs.

Step 2: Establish a process of reviewing existing IADUs to ensure that expansions haven't been made and units are meeting livable conditions.

Strategy #2 (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing (C10-9a-403 2 (b) (iii) (B)).

Action 1: Increase access to utility services, like internet.

Action Goal: This action will help residents have greater access to needed services for daily life and increase their access to internet that may help with work or school which will increase their chances of staying in white city in their current residence and build lifelong communities.

Steps 1: Continue building relationships with private internet providers that increase access to digital infrastructure.

Action 2: Increase access to safe pedestrian infrastructure and access to nearby amenities, like parks and schools.

Action Goal: This action will help maintain the strong neighborhood fabric of the community which will keep current families in their houses.

Step 1: Complete the Walk White City Plan to have an established priority list of key pedestrian improvements.

Step 2: Start construction on the sego lily improvements.

Step 3: Apply for grants and other funding sources to implement the projects over the next 5 years. Seek to start construction on at least one new transportation or pedestrian project a year.

Action 3: Continue to make improvements regarding water in the city.

Action Goal: White City works very hard to provide exceptional water services to the community and will continue to do so and ensure that residents are satisfied with their services.

Action 4: Advocate for increased bus service to the community for residents that may not be able to drive or cannot afford to do so.

Action Goal: White city is a small residential community but is located near some important transportation corridors that provide access to vital amenities for daily life. Increasing access to transit will help low-income families, children who can't drive, and other residents who may not be able to drive. Expanding transportation services will contribute to the general plan goal of building a lifelong community for all stages of life.

Action 5: Increase access to programs that relate to property resilience.

Action Goal: Residents in the community may not be aware of conditions in their home that lead to building degradation and make them vulnerable to weatherization or other disasters. This action will help connect residents with resources to keep their homes maintained and possibly mitigate potential health risks.

Step 1: Educate residents on the Green and Healthy homes initiative where funding may be available to reduce conditions within a home that may be harmful to families like water leaks and ventilation issues.

Step 2: Educate residents on programs like Assist Utah and Salt Lake County Lead Safe Housing Program.

Step 3: Educate residents, who may be low-income, on the various programs they may qualify for like HEAT and Weatherization Assistance Program.

Strategy #3 (I) Amend land use regulations to allow for single-family room occupancy developments (C10-9a-403 2 (b) (iii) (I)).

Actions: Adopt an ordinance that allows for single-room occupancy.

Action Goal: For residents that may not wish to create an IADU on their property but would like to have the opportunity to rent out a portion of their house and be included in the city's moderate income housing stock this action will provide more variation in the way housing stock can be utilized.

Step 1: Study the appropriate conditions for allowing single-room occupancy that is compatible with the existing neighborhood fabric.

Step 2: Adopt ordinance related to single-room occupancy.

Strategy #4 (U) Develop a moderate income housing project for residents who are disabled or 55 years old or older (C10-9a-403 2 (b) (iii) (U)).

Actions: Study where a moderate income housing project for 55 years or older would be appropriate in the community and adopt ordinances where appropriate.

Action Goal: Allowing for the opportunity to develop moderate income housing projects for residents who are 55 years or older can provide variation and flexibility and allow for residents to continue living in their own community.

Step 1: Review existing residential properties in the community and determine which properties may be ideal for a moderate income housing project for residents that are 55 years or older.

Step 2: Engage the community and seek feedback where such projects may be appropriate.

Step 3: Where the community support changes in regulation, adopt an ordinance that allows for the development of a moderate income housing project for residents who are 55 years or older.

Strategy #5 (W) Create or allow for, and reduce regulations relate to multi-family residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones (C10-9a-403 2 (b) (iii) (W)).

Action 1: Study where multi-family residential dwellings compatible in scale and form with detached single-family residential dwellings may be appropriate in the community and adopt ordinances if such conditions are present.

Action Goal: If there are properties in the community that may be redeveloped in the future and may be appropriate for multi-family residential that is compatible in scale and form with single-family residential dwellings this action will help the community evaluate these situations and adopt the appropriate ordinances for such development that is not detrimental to the community.

Step 1: Perform an in-depth housing analysis of property conditions, size, and setbacks and determine where such regulations may be appropriate.

Step 2: Engage the community and seek feedback on the possible scenarios for such regulation.

Step 3: Where the community support changes in regulation, adopt ordinances that assist in the creation of multi-family residential dwellings compatible in scale and form with detached single-family residential dwellings.

Strategy (X) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing (C10-9a-403 2 (b) (iii) (X)).

Action: It may be appropriate for White City to pass legislation that would require any new construction of multi-family or otherwise dedicate 10% of housing units to moderate income housing. Although it is not anticipated development will take place in White City soon, passing this legislation now would ensure that if development were to occur moderate income housing would be provided.

Action Goal: This would help protect White City in the future if property owners choose to sell to developers. Property owners can make application to develop land at any time and implanting legislation before develop occurs is advantageous for White City.

Step 1: Research and review existing codes to understand what type of legislation would be best and compatible with existing land use and potential future develop.

Step 2: Draft proposed legislation and perform public engagement to collect community buy-in.

Step 3: Adopt legislation.

Alternative Strategies

The 5 strategies proposed in the previous section are meant to be reviewed and implemented over the next 5 years. With the previous strategies, part of the implementation process is to review the strategies for compatibility and feasibility in the community. In some cases, it may be discovered that the strategies are not feasible in the community. To meet state requirements and remain eligible for priority consideration for improvement projects it may be necessary to review and include some additional strategies in the plan to be able to successful preserve and expand moderate income housing opportunities in the community.

Strategy (L) Reduce, waive, or eliminate impact fees related to moderate income housing (C10-9a-403 2 (b) (iii) (L)).

Action: Over the next 5 years of implementing this plan, if the municipality finds that it can further reduce or eliminate fees related to moderate income housing it will do so. At of right now, the current fees being reviewed to eliminate or reduce have been outlined in the previous five strategies, but if others are presented to the city through the implementation process it will review and adjust fees where feasible.

Strategy (K) Preserve existing and new moderate income housing subsidized units by utilizing a landlord incentive program, providing deed restricted units through a grant program, or, notwithstanding section 10-9a-535, establishing a housing loss mitigation fund.

Action: Although not all strategies relating to subsidizing units may be feasible for White City, as it is a Metro Township with limited funding sources, if it is found over the next five years that implementing a housing program, like a Good Landlord Program, can be accomplished successfully, the city will review and adopt as needed.

Timeline and Benchmarks (5 Year Plan)

As part of the new requirements from HB 462, an implementation plan with a timeline is required. In the subsequent years after the adoption of the new moderate income housing plan, each municipality will be required to report on the steps they have taken to implement the chosen strategies to maintain or increase moderate income housing. This implementation plan is broken down into two phases with a third phase being on going work the municipality will do continually every year. Much of the ongoing work described in this implementation plan relates to providing continued education and resources to the existing and new families of the community.

Phase 1 (1-3 Years)

Goal: Focus on improving conditions that foster internal accessory dwelling units and provide infrastructure that facilitates the continued preservation of moderate-income housing.

During the first phase of the implementation plan the city will focus on steps toward accomplishing strategies (E) (B), and (I) described under the new strategies section. The steps taken during this time will be to reduce regulations related to internal accessory dwelling units invest in infrastructure that facilitates the construction or preservation of moderate income housing, and review and reduce regulations related to single-room occupancy. During this time the city will also continue education and resources for residents relating to housing maintenance and resilience.

At the end of phase 1 the city hopes to increase the number of identified internal accessory dwelling units in the community and provide all residential dwellings with adequate infrastructure related to internet and walkability.

Because there is very limited opportunity for redevelopment in White City there is a greater focus on preserving and expanding opportunities for moderate income housing using single-family dwellings and internal accessory dwellings units.

Phase 2 (1-5 years+)

Goal: Explore other options that may reduce regulation for IADUs and start new infrastructure projects. Research possible implementation of single-occupancy and adopt applicable ordinances.

During the second phase of the implementation plan the city will focus on exploring opportunities to increase moderate income housing through strategies (U) and (W) and explore other alternative strategies that may come up like utilizing a good landlord program.

Ongoing Work

It is very important to note that White City is completely built out with strong long-standing single-family residential neighborhoods and so, a third portion of this plan will focus on the continued preservation and maintenance of these units. This is to prevent existing families in the community from leaving by providing them with the necessary tools and resources to keep their properties in good condition.

Milestones

It is anticipated, by the state, that once the updated moderate income housing plan is adopted the municipality will report on a yearly basis the milestones that have been achieved in the implementation plan. With the strategies recommended by staff, there are some milestones that may be anticipated if the actions are implemented.

Year 1 Milestone(s):

Internet improvements to install google fiber have been completed and residents are taking advantage of the new services.

Some residents have gone through the process to have a legally established IADU which has been properly permitted and are renting it out to a third party.

Some residents have provided for single-occupancy housing and rental options and have been properly permitted.

Sidewalk improvements have been installed to expand White City's pedestrian network and improve safe routes to school via the Walk White City plan.

Year 2 Milestone(s):

Sidewalk improvements have been installed to expand White City's pedestrian network and improve safe routes to school via the Walk White City plan.

The city has reduced regulations and fees as they relate to IADUs and the number of legally permitted IADUs in White City has increased.

Residents have applied for various programs provided by the county or state to help improve or maintain their houses.

Year 3 Milestone(s):

The city has started review of modifying existing land use regulations to allow for multi-family where it may be appropriate and started review on possible opportunities to allow for the development of a project directed at residents who are 55 years or older.

The city has reduced regulations and fees as they relate to IADUs and the number of legally permitted IADUs in White City has increased.

Residents have applied for various programs provided by the county or state to help improve or maintain their houses.

The city has started review of the possibility of adopting a land use regulation that will required 10% of new development be dedicated to moderate income housing. This may not be immediately utilized as development in White City is unlikely, but will be adopted to ensure future moderate income housing will be provided if development occurs.

Year 4 Milestone(s):

The city has started to review alternative strategies that may help preserve or create moderate income housing like utilizing a good landlord program that may incentivize good property maintenance and rental maintenance.

The city has reduced regulations and fees as they relate to IADUs and the number of legally permitted IADUs in White City has increased.

Residents have applied for various programs provided by the county or state to help improve or maintain their houses.

Year 5 Milestone:

The city has adequately taken the necessary actions improve moderate income housing where available without reducing the strong single-family neighborhood fabric that is a key feature of the community.

RECOMMENDATIONS

With the very tight deadline to adopt an updated moderate income housing plan by October 1, 2022, staff is recommending that the Planning Commission hold the public hearing as required by state statute and incorporate public comments and comments from the planning commission in a recommendation to adopt the plan with requested changes to be incorporated and presented to the council in August.

