



## THE CITY OF WEST JORDAN COMMITTEE OF THE WHOLE July 27, 2022

Thomas M. Rees Justice Center  
8040 S Redwood Road  
West Jordan, UT 84088

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### WORK SESSION 5:30 pm

#### 1. CALL TO ORDER

#### 2. DISCUSSION ITEMS

- a. Moderate Income Housing Goals  
Amendments to the Moderate Income Housing Plan updating strategies to be compliant with State Law.
- b. Discussion of outstanding and new matters related to the FY 2023 annual budget

#### 3. ADJOURN

### UPCOMING CITY COUNCIL MEETINGS

- Tuesday, August 9, 2022 – Truth in Taxation Meeting – 6:00p
- Wednesday, August 10, 2022 – 5:30p – Committee of the Whole; 7:00p – Regular Council Meeting
- Wednesday, August 24, 2022 – 5:30p – Committee of the Whole; 7:00p – Regular Council Meeting

- Wednesday, September 14, 2022 – 5:30p – Committee of the Whole; 7:00p – Regular Council Meeting

# REQUEST FOR COUNCIL ACTION

**Action:** Request feedback from Council

**Meeting Date Requested** : 07/27/2022

**Presenter:** Larry Gardner

**Deadline of item** : 07/14/2022

**Department Sponsor:** Community Development

**Agenda Type:** WORK SESSION

**Time Requested:** 15 minutes presentation, 10 minutes council

*(Council may elect to provide more or less time)*

## 1. AGENDA SUBJECT

Moderate Income Housing Goals. Amendment to the Moderate Income Housing Plan updating strategies to be compliant with State Law.

## 2. EXECUTIVE SUMMARY

The Utah State Legislature approved section 10-9a-403, requiring that municipalities of the first class update the housing strategies of the Moderate Income Housing Element of the General Plan. The updated moderate income housing strategies must be approved, after receiving recommendation from the Planning Commission, by the City Council and submitted to the State by October 1, 2022. New strategies must be established. The baseline under the law is that at least six moderate income housing strategies are required to be created and approved by the city council. By adopting the six moderate income housing goals the city can also qualify for "priority consideration" which means that the city will be eligible for:

- 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
- 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).

If the city fails to adopt the moderate income housing strategies the penalty is that the state can withhold transportation funding and other program funding.

The city council gave direction to staff to determine which moderate income housing goals are being met. Of the 2020 adopted MIH goals the following are being met:

*Goal 1: Preserve existing moderate income housing. Promote and continue to assist income qualified homeowners with home rehabilitations, emergency repairs and down payment assistance using Community Development Block Grant (CDBG) and HOME funds.*

*Goal 2: Create or allow accessory dwelling units in additional residential zones.*

None of the strategies recommended by the Planning Commission are being met. This is because the strategies are all new strategies from the law. The current goals that have been met must be replaced with new strategies. The Council could use current adopted goals that have not been met if the amended strategy meets letter X of state law:

*(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 the*

*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.*

From the training staff received from the league of cities and towns, cities must adopt new strategies once a strategy is met. Cities are not allowed to keep using the same fulfilled strategy over and over again. That is the reason letter “N” from the law is not on the recommended list.

*(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;*

The recommended strategies all have timelines, measures and benchmarks for the city to determine the feasibility of the proposed strategy. The law does allow for flexibility in the possible implementation of the strategy.

**3. TIME SENSITIVITY / URGENCY**

Urgent. Due to the State by October 1, 2022.

**4. FISCAL NOTE**

Dependent upon strategy adopted. Unable to determine costs and labor involved at this time.

**5. DEPARTMENT RECOMMENDATION**

Uphold recommendation of the Planning Commission.

**6. PLANNING COMMISSION RECOMMENDATION**

Matt Quinney motioned: “I move to forward a positive recommendation to the City Council amending the moderate income housing strategies of the moderate income housing element of the General Plan.” Second by: McKenna Marchant  
Vote: Unanimous

**7. MOTION RECOMMENDED**

Not required.

**8. MAYOR RECOMMENDATION**

**9. PACKET ATTACHMENT(S)**

PC Recommendations  
Strategies from State Law

**10. OTHER INFORMATION**



## **PLANNING COMMISSION RECCOMENDATION**

**SUBJECT:** General Plan amendment updating Moderate Income Housing Moderate Income Housing Strategies.

**SUMMARY:** Moderate Income Housing Strategies. Amendment to the Moderate Income Housing Plan updating strategies to be compliant with State Law [Larry Gardner]

**PLANNING COMMISSION RECOMMENDATION:** “I move to forward a positive recommendation to the City Council amending the moderate income housing strategies of the moderate income housing element of the General Plan.”

### **I. GENERAL INFORMATION & ANALYSIS**

The strategies, measure and benchmarks are the Planning Commission recommendations to the City Council. The strategies in red are required because of fixed guideway rail system that exists in West Jordan.

The Utah State Legislature approved section 10-9a-403, requiring that municipalities of the first class update the housing strategies of the Moderate Income Housing Element of the General Plan. The updated moderate income housing strategies must be approved, after receiving recommendation from the Planning Commission, by the City Council and submitted to the State by October 1, 2022. New strategies must be established. The baseline under the law is that at least six moderate income housing strategies are required to be created and approved by the city council. By adopting the six moderate income housing strategies the city can also qualify for “priority consideration” which means that the city will be eligible for:

- 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
- 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).

If the city fails to adopt the moderate income housing strategies the penalty is that the state can withhold transportation funding and other program funding.

In drafting the implementation plan portion of the moderate income housing element, the planning commission shall establish a timeline for implementing each of the moderate income housing strategies selected by the municipality for implementation. The timeline shall:

- identify specific measures and benchmarks for implementing each moderate income housing strategy selected by the municipality, whether one-time or ongoing; and
- provide flexibility for the municipality to adjust as needed.

## II. MODERATE INCOME HOUSING PLAN STRATEGIES:

The housing strategies in this section are what is established in the law. The city can suggest other strategies as long as it meets the description on letter “X” and is approved by the State. Because West Jordan has six Trax stations additional strategies are required. Letter “V” is mandatory, and the city can choose letter “G,” “H” or “Q” as strategies. Please consider the strategies, timeline, measures and benchmarks and be prepared to discuss and offer suggestions at the meeting. The letters in parenthesis correspond to those in 10-9a-403 (2)(b)(iii). The strategies are:

### **(A) Rezone for densities necessary to facilitate the production of moderate income housing.**

**Discussion:** *The IOZ is a tool that the city can use to create compatible neighborhoods adjacent to the Mountain View Corridor. The reason the IOZ was adopted was to create more desirable development patterns adjacent to the Mountain View Corridor and to support residential uses and densities anticipated by the 2012 General Plan. The IOZ ordinance allows the City Council the discretion to set the density for the properties located in the IOZ, after receiving recommendation from the Planning Commission. The IOZ is a perfect tool to create additional moderate income housing in the city because of anticipated increased densities and because the use and density can be controlled by an MDA.*

1. Strategy. Strategy type ongoing. Rezone for densities necessary to facilitate the production of moderate income housing.
2. Timeline: Rezone all qualifying properties to the Interchange Overlay Zone (IOZ) by December 31, 2025.
  - a. Measure: Identify the areas that qualify for the IOZ.
  - b. Measure: Complete existing conditions analysis of the areas.
    - i. Benchmark: Complete Measure a and b by May 31, 2023.
  - c. Measure: Identify utility constraints of each area and plot timeframe of utility development.
  - d. Measure: Identify transportation constraints of each area and plot timeframe of transportation development.
  - e. Measure: Conduct analysis of potential residential density in each IOZ area, including recommended percentage of moderate income housing.
    - i. Benchmark: Complete measures c through e by December 31, 2023.
  - f. Meet with property owners to determine feasibility.
    - i. Benchmark: Complete measure f by March 31, 2024.
  - g. Measure: Update Future Land Use Map in each IOZ area to reflect future rezone to IOZ.
    - i. Benchmark: Complete measure g by July 31, 2024.

- h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
- i. Measure: Identify components of MDA.
  - i. Benchmark: Complete measure h and i by December 31, 2024.
- j. Measure: Start process to rezone areas to IOZ.
- k. Hold Planning Commission public hearing(s).
- l. Hold City Council public hearing(s).
  - i. Benchmark: Complete by July 31, 2025
- m. Measure: Final revisions.
  - i. Benchmark adopt by December 31, 2025.

**(D) Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing.**

***Discussion:** A policy of using construction related fees to off-set the construction costs of moderate income housing, new construction or rehabilitation, could take thousands of dollars off the overall cost of the dwelling. This subsidy could make the dwelling more affordable to those in the moderate income range.*

1. Strategy. Strategy type ongoing. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing.
2. Timeline: Adopt policy to waive fees and subsidize moderate income housing by December 31, 2024.
  - a. Measure: Identify what general fund subsidies or other revenue sources could be used to waive fees.
  - b. Measure: Work with appropriate city departments to determine eligibility and scope of the program.
  - c. Measure: Work with appropriate city departments to determine cost to the city.
    - i. Benchmark: Complete Measures a and c by December 31, 2023.
  - d. Measure: Identify 2009 City Code sections that need to be modified.
  - e. Measure: Work with appropriate city departments to create policy plan and ordinance/resolution.
  - f. Hold public hearing(s).
    - i. Benchmark: Adopt policy plan by December 31, 2024.



**(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.**

**Discussion:** *The Residential Overlay District (ROD) is a tool that the city can use to promote and facilitate the redevelopment of large, underutilized, retail commercial properties with an influx of new residential and mixed-use development. The purpose of the ROD is to promote and maintain the viability of commercial retail shopping areas. The ROD will also reduce traffic congestion, air pollution and commutes to already existing shopping and entertainment areas. It is the intent of these districts to generally:*

- 1. Encourage flexibility in the redevelopment and reinvestment in retail and entertainment based properties.*
- 2. Encourage the use of innovative approaches to redevelopment that utilize sustainable development practices.*
- 3. Encourage and promote pedestrian activity and reduce vehicle miles traveled. This strategy includes consideration of off-site activities.*
- 4. Facilitate the redevelopment, and use of properties in West Jordan where public infrastructure is already in place.*
- 5. The ROD is not intended as a development tool on undeveloped property. However, the ROD may be overlayed on remnant properties that currently exist within retail and entertainment developments that were intended to be but have not been developed in SC-2 and SC-3 Zones.*

*The residential density in the ROD shall be a minimum of forty five (45) dwelling units per acre up to a maximum of seventy five (75) dwelling units per acre. Density is a function of site, landscaping and parking requirements. A minimum moderate income housing percentage should be required at entitlement and enforced through a master development agreement.*

- 1. Strategy. Strategy type ongoing. Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.**
- 2. Timeline: Rezone all qualifying properties, approved by the city council, to the Residential Overlay District (ROD) by December 31, 2025.**
  - a. Measure: Identify the areas that qualify for the ROD.**
  - b. Measure: Complete existing conditions analysis of potential ROD areas.**
    - i. Benchmark: Complete Measure a and b by March 31, 2023.**
  - c. Measure: Identify utility constraints of each area and plot timeframe.**
  - d. Measure: Identify transportation constraints of each area and plot timeframe.**
  - e. Measure: Conduct analysis of potential residential density in each ROD area, including recommended percentage of moderate income housing.**
    - i. Benchmark: Complete measures c through e by September 30, 2023.**

- f. Meet with property owners to determine feasibility.
  - i. Benchmark: Complete measure f by December 31, 2023.
- g. Measure: Update Future Land Use Map in each ROD area to reflect future rezone to ROD.
  - i. Benchmark: Complete measure g by July 31, 2024.
- h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
- i. Measure: Identify components of MDA.
  - i. Benchmark: Complete measure h and i by December 31, 2024.
- j. Measure: Start process to rezone areas to ROD.
- k. Hold Planning Commission public hearing(s).
- l. Hold City Council public hearing(s).
  - i. Benchmark: Complete measures j through l by July 31, 2025
- m. Measure: Final revisions.
  - i. Benchmark adopt by December 31, 2025.

**(G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.**

**Discussion:** *The current City Center ordinance does not mention the creation of moderate income housing within the CC district. The CC ordinance could be modified to require with any new development in the CC zone that moderate income housing be a percentage of and a component of CC development.*

1. Strategy. Strategy type one time. Amend land use regulations to allow for new moderate income residential development in mixed-use zones near major transit investment corridors.
2. Timeline: Modify City Center (CC) land use regulation by December 31, 2023
  - a. Measure: Analyze City Center zone ordinance and determine percentage of and qualifications for new moderate income housing development.
  - b. Measure: Determine how moderate income housing should be integrated into CC zones.
    - i. Benchmark: Complete Measure a and b by December 31, 2022.
  - c. Measure: Identify how new moderate income housing will be subsidized.
  - d. Measure: Analyze potential RDA housing set aside for new moderate income housing development in CC zone.
    - i. Benchmark: Complete measures c and d by May 31, 2023.

- e. Measure: Start process to amend CC zone language.
- f. Hold Planning Commission public hearing(s).
- g. Hold City Council public hearing(s).
  - i. Benchmark: Complete measures e through g by October 31, 2023
- h. Measure: Final revisions.
  - i. Benchmark adopt by December 31, 2023.

**(J) Implement zoning incentives for moderate income units in new developments.**

**Discussion:** *The city is currently in process to adopt the Integrated Housing Ordinance (IHD). This proposed ordinance will allow a density increase in the overall development if the applicant agrees to construct moderate income housing. The ordinance requires a minimum of 3% of the project be moderate income housing and allows the density increase beyond the minimum. The integrated housing ordinance requires integration of multi-family with single family units. Any development using the IHD will be new development up to 90 acres in area.*

1. Strategy. Strategy type ongoing. Implement zoning incentives for moderate income units in new developments.
2. Timeline: Implement Integrated Housing Ordinance (IHD) by December 31, 2024.
  - a. Adopt Integrated Housing Ordinance.
    - i. Benchmark: Complete measure a by September 30, 2022.
  - b. Measure: Identify the areas that could be used for the IHD.
  - c. Measure: Complete existing conditions analysis of each area.
  - d. Measure: Identify utility constraints of each area and plot timeframe.
  - e. Measure: Identify transportation constraints of each area and plot timeframe.
  - f. Measure: Conduct analysis of potential residential density in each IHD area, including recommended percentage of moderate income housing.
    - i. Benchmark: Complete Measure b through f by December 31, 2022.
  - g. Meet with property owners/developers to determine feasibility.
    - i. Benchmark: Complete measure g by March 31, 2023.
  - h. Measure: Update Future Land Use Map in each IHD area to reflect future rezone to IHD.
    - i. Benchmark: Complete measure h by July 31, 2023.
  - i. Measure: Determine if master development agreement (MDA) is required prior to rezone to IHD.
  - j. Measure: Identify components of MDA.
    - i. Benchmark: Complete measure i and j by October 31, 2023.
  - k. Measure: Start process to rezone areas to IHD.
  - l. Hold Planning Commission public hearing(s).
  - m. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures k through m by July 31, 2024
  - n. Measure: Final revisions.
    - i. Benchmark adopt by December 31, 2024.

**(M) Demonstrate creation of, or participation in, a community land trust program for moderate income housing.**

**Discussion:** *The city is currently in process to adopt the Integrated Housing Ordinance (IHD). This proposed ordinance will allow a density increase in the overall development if the applicant agrees to construct moderate income housing. The IHD anticipates that the moderate income housing would be held in a community land trust. West Jordan has not participated in a community land trust (CLT) before. The purpose of this strategy would be to explore the possibility of partnering with a community land trust for moderate income housing.*

1. Strategy. Strategy type one time. Explore participation in a community land trust program for moderate income housing.
2. Timeline: Determine feasibility by December 31, 2023.
  - a. Measure: Identify potential CLT partners.
  - b. Measure: Determine city involvement.
    - i. Benchmark: Complete Measure a and b by January 31, 2023.
  - c. Measure: If feasible start process for city involvement in CLT.
  - d. Measure: Determine how city will be involved and requirements of CLT.
  - e. Measure: Select CLT partner.
  - f. Measure: Complete required documents for CLT partnership.
    - i. Benchmark: Complete measures c through f by May 31, 2023.
  - g. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures g by October 31, 2023.
  - h. Measure: Final revisions.
    - i. Benchmark if feasible adopt by December 31, 2023.

**(Q) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.**

**Discussion:** *This strategy is new to West Jordan and will require more research to determine if it a possibility. If the planning commission wants to keep this strategy the possibility will be explored further before city council adoption.*

1. Strategy. Strategy type one time. Create a housing and transit reinvestment zone (TRZ) pursuant to Title 63N, Chapter 3, Part 6.
2. Timeline: Determine feasibility of TRZ by December 31, 2025.
  - a. Measure: Identify areas to be considered.
  - b. Measure: Complete existing conditions analysis of areas under consideration.
    - i. Benchmark: Complete Measure a and b by December 31, 2022.
  - c. Measure: Identify stakeholders.

- d. Measure: Interview stakeholders.
- e. Measure: Interview all affected city staff and departments.
- f. Measure: Conduct cost/benefit analysis.
  - i. Benchmark: Complete measures c through f by December 31, 2023.
- g. Measure: Analysis of proposed land uses in each area.
- h. Measure: Analysis of proposed residential density in each station area, including moderate income housing.
- i. Measure: Complete feasibility analysis.
  - i. Benchmark: Complete measures g, h and i by July 31, 2024.
- j. Measure: If feasible start process for city involvement in TRZ.
- k. Measure: Determine how city will be involved and requirements of TRZ.
- l. Measure: Complete required documents for TRZ.
  - i. Benchmark: Complete measures i through k by March 31, 2025.
- m. Hold City Council public hearing(s).
  - i. Benchmark: Complete measures l by December 31, 2025.
- n. Measure: Final revisions.
  - i. Benchmark if feasible adopt by December 31, 2025.

**(U) Develop a moderate income housing project for residents who are disabled or 55 years old or older;**

**Discussion:** *West Jordan has two city sponsored senior housing projects; sugar factory and the 3200 West senior housing. It has been well over a decade since the completion of the 3200 West project. This strategy will analyze the feasibility of a new senior housing project specifically aimed at those in the moderate income housing range.*

1. Strategy. Strategy Type ongoing. Develop a moderate income housing (MIH 55+) project for residents who are disabled or 55 years old or older.
2. Timeline: Complete project by December 31, 2028.
  - a. Measure: Identify preferred potential areas for MIH 55+.
  - b. Measure: Complete existing analysis of preferred areas.
    - i. Benchmark: Complete Measure a and b by December 31, 2023.
  - c. Measure: Identify potential MIH 55+ partners.
  - d. Measure: Determine city involvement in MIH 55+ project.
  - e. Measure Determine funding sources.
    - i. Benchmark: Complete Measure c through e by July 31, 2024.
  - f. Measure: Analysis of proposed land uses and utility constraints in each MIH 55+ area.
  - g. Measure: Analysis of proposed connectivity improvements.

- h. Measure: Analysis of proposed MIH 55+ residential density in each MIH 55+ area.
- i. Apply for funding sources.
  - i. Benchmark: Complete measures f through i by December 31, 2024.
- j. Measure: Concept plan and revisions.
- k. Measure: Entitlement.
  - i. Benchmark: Complete j and k by July 31, 2024.
- l. Measure: Preliminary plan completion and review.
  - i. Benchmark: Complete by July 31, 2025
- m. Measure: Final plan and revisions.
  - i. Benchmark approval by December 31, 2025.
- n. Measure: Construction phase.
  - i. Benchmark: Construction complete by December 31, 2028.

**(V) Develop and adopt a station area plan in accordance with Section 10-9a-403.1.**

**Discussion:** *This is a requirement of state law because West Jordan has six TRAX stations. Planning has been done in the past in all station areas and the new plans will update and identify needed changes.*

- 1. Strategy. Strategy type ongoing. Develop and adopt station area plan(s) in accordance with Section 10-9a-403.1.
- 2. Timeline: Adopt four station area plans by December 31, 2025.
  - a. Measure: Identify the four station areas to be planned.
    - 1. Task: Apply for Technical Assistance by July 15, 2022
  - b. Measure: Complete existing conditions analysis of the four station areas.
    - i. Benchmark: Complete Measure a and b by August 31, 2022.
  - c. Measure: Identify stakeholders.
    - 1. Task: Identify stakeholders by July 1, 2022
  - d. Interview Stakeholders.
    - 1. Task: Interview stakeholders by December 31, 2022
  - e. Meet with adjacent jurisdictions.
    - 1. Task: Meet with adjacent jurisdictions by August 1, 2022
  - f. Hold public meetings.
    - i. Benchmark: Complete measures c through f by December 31, 2023.
  - g. Measure: Analysis of proposed land uses in each station area.
  - h. Measure: Analysis of proposed connectivity improvements.
  - i. Measure: Analysis of proposed residential density in each station area, including moderate income housing.
    - i. Benchmark: Complete measures g through i by July 31, 2024.
  - j. Measure: Concept plan and revisions.

- i. Benchmark: Complete measure j by December 31, 2024.
- k. Measure: Preliminary plan completion and review.
  - i. Benchmark: Complete by July 31, 2025
- l. Measure: Final plan and revisions.
  - i. Benchmark adopt by December 31, 2025.

### **III. ATTACHMENTS:**

Exhibit A – Station Areas half mile radius

## **MODERATE INCOME HOUSING STRATEGIES FROM STATE LAW:**

The housing strategies in this section are what is established in the law. The city can suggest other strategies as long as it meets the description on letter “X” and is approved by the State. Because West Jordan has six Trax stations additional strategies are required. Letter “V” is mandatory, and the city can choose letter “G,” “H” or “Q” as strategies. The hope is to have a discussion at the meeting to aid the Planning Commission in choosing the best strategies for the moderate income housing plan. The strategies are:

- (A) rezone for densities necessary to facilitate the production of moderate income housing;
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or,



notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;

(L) reduce, waive, or eliminate impact fees related to moderate income housing;

(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;

(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;

(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;

(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;

(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;

(S) create a program to transfer development rights for moderate income housing;

(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;

(U) develop a moderate income housing project for residents who are disabled or 55 years

old or older;

(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;

(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and

(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 the 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.

# **INFORMATIONAL ITEM**

**MODERATE INCOME HOUSING STRATEGIES;** PRESENTATION AND DISCUSSION OF AMENDMENT TO THE MODERATE-INCOME HOUSING PLAN UPDATING STRATEGIES AND POLICIES TO BE COMPLIANT WITH STATE LAW. [LARRY GARDNER]

# Requirements

- ❖ The updated moderate income housing strategies must be approved, after receiving recommendation from the Planning Commission, by the City Council and submitted to the State by October 1, 2022.
- ❖ The baseline under law is that five moderate income housing strategies are required to be created and approved by the city council. The city can also qualify for “priority consideration” which means that the city will be eligible for:
  - 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
  - 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).

If the city fails to adopt the moderate-income housing strategies the penalty is that the state can withhold transportation funding and other program funding.

# Requirements

- ❖ In drafting the implementation plan portion of the moderate-income housing element, the planning commission shall establish a timeline for implementing each of the moderate-income housing strategies selected by the municipality for implementation. The timeline shall:
  - identify specific measures and benchmarks for implementing each moderate-income housing strategy selected by the municipality, whether one-time or ongoing; and
  - provide flexibility for the municipality to adjust as needed.

# Requirements

- ❖ City must adopt 6 strategies:
- ❖ Because West Jordan has six Trax stations additional strategies are required. Letter “V” is mandatory, and the city can choose letter “G”, “H” or “Q” as strategies.
  - ***(V) Develop and adopt a station area plan in accordance with Section 10-9a-403.1***
  - (Q) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
  - (G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
  - (H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

# Strategies

- ❖ City must adopt 6 strategies:
- ❖ Four strategies required

- (A) rezone for densities necessary to facilitate the production of moderate-income housing;
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing;
- (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate-income housing;

# Strategies

- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;
- (L) reduce, waive, or eliminate impact fees related to moderate income housing;



# Strategies

(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;

(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;

# Strategies

(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate-income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate-income housing;

# Strategies

(U) develop a moderate income housing project for residents who are disabled or 55 years old or older;

(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and

(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 the 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.

# **MODERATE INCOME HOUSING STRATEGIES RECOMMENDATION FROM PLANNING COMMISSION:**

# Strategies

1. **Goal. Goal type ongoing. Rezone for densities necessary to facilitate the production of moderate-income housing.**
2. **Timeline: Rezone all qualifying properties to the Interchange Overlay Zone (IOZ) by December 31, 2025.**
  - a. Measure: Identify the areas that qualify for the IOZ.
  - b. Measure: Complete existing conditions analysis of the areas.
    - i. Benchmark: Complete Measure a and b by May 31, 2023.
  - c. Measure: Identify utility constraints of each area and plot timeframe of utility development.
  - d. Measure: Identify transportation constraints of each area and plot timeframe of transportation development.
  - e. Measure: Conduct analysis of potential residential density in each IOZ area, including recommended percentage of moderate-income housing.
    - i. Benchmark: Complete measures c through e by December 31, 2023.
  - f. Meet with property owners to determine feasibility.
    - i. Benchmark: Complete measure f by March 31, 2024.
  - g. Measure: Update Future Land Use Map in each IOZ area to reflect future rezone to IOZ.
    - i. Benchmark: Complete measure g by July 31, 2024.
  - h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
  - i. Measure: Identify components of MDA.
    - i. Benchmark: Complete measure h and i by December 31, 2024.
  - j. Measure: Start process to rezone areas to IOZ.
  - k. Hold Planning Commission public hearing(s).
  - l. Hold City Council public hearing(s).
    - i. Benchmark: Complete by July 31, 2025
  - m. Measure: Final revisions.
    - i. Benchmark adopt by December 31, 2025.

# Strategies

1. Goal. Goal type ongoing. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate-income housing.
2. **Timeline: Adopt policy to waive fees and subsidize moderate income housing by December 31, 2024.**
  - a. Measure: Identify what general fund subsidies or other revenue sources could be used to waive fees.
  - b. Measure: Work with appropriate city departments to determine eligibility and scope of the program.
  - c. Measure: Work with appropriate city departments to determine cost to the city.
    - i. Benchmark: Complete Measures a through c by December 31, 2023.
  - d. Measure: Identify 2009 City Code sections that need to be modified.
  - e. Measure: Work with appropriate city departments to create policy plan and ordinance/resolution.
  - f. Hold public hearing(s).
    - i. Benchmark: Adopt policy plan by December 31, 2024.

# Strategies

1. **Goal. Goal type ongoing. Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.**
2. **Timeline: Rezone all qualifying properties, approved by the city council, to the Residential Overlay District (ROD) by December 31, 2025.**
  - a. Measure: Identify the areas that qualify for the ROD.
  - b. Measure: Complete existing conditions analysis of potential ROD areas.
    - i. Benchmark: Complete Measure a and b by March 31, 2023.
  - c. Measure: Identify utility constraints of each area and plot timeframe.
  - d. Measure: Identify transportation constraints of each area and plot timeframe.
  - e. Measure: Conduct analysis of potential residential density in each ROD area, including recommended percentage of moderate-income housing.
    - i. Benchmark: Complete measures c through e by September 30, 2023.
  - f. Meet with property owners to determine feasibility.
    - i. Benchmark: Complete measure f by December 31, 2023.
  - g. Measure: Update Future Land Use Map in each ROD area to reflect future rezone to ROD.
    - i. Benchmark: Complete measure g by July 31, 2024.
  - h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
  - i. Measure: Identify components of MDA.
    - i. Benchmark: Complete measure h and i by December 31, 2024.
  - j. Measure: Start process to rezone areas to ROD.
  - k. Hold Planning Commission public hearing(s).
  - l. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures j through l by July 31, 2025
  - m. Measure: Final revisions.
    - i. Benchmark adopt by December 31, 2025.

# Strategies

1. Goal. Goal type one time. Amend land use regulations to allow for new moderate income residential development in mixed-use zones near major transit investment corridors.
2. **Timeline: Modify City Center (CC) land use regulation by December 31, 2023**
  - a. Measure: Analyze City Center zone ordinance and determine percentage of and qualifications for new moderate income housing development.
  - b. Measure: Determine how moderate-income housing should be integrated into CC zones.
    - i. Benchmark: Complete Measure a and b by December 31, 2022.
  - c. Measure: Identify how new moderate-income housing will be subsidized.
  - d. Measure: Analyze potential RDA housing set aside for new moderate income housing development in CC zone.
    - i. Benchmark: Complete measures c and d by May 31, 2023.
  - e. Measure: Start process to amend CC zone language.
  - f. Hold Planning Commission public hearing(s).
  - g. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures e through g by October 31, 2023
  - h. Measure: Final revisions.
    - i. Benchmark adopt by December 31, 2023.



# Strategies

1. **Goal. Goal type ongoing. Implement zoning incentives for moderate income units in new developments.**
2. **Timeline: Implement Integrated Housing Ordinance (IHD) by December 31, 2024.**
  - a. Adopt Integrated Housing Ordinance.
    - i. Benchmark: Complete measure a by September 30, 2022.
  - b. Measure: Identify the areas that could be used for the IHD.
  - c. Measure: Complete existing conditions analysis of each area.
  - d. Measure: Identify utility constraints of each area and plot timeframe.
  - e. Measure: Identify transportation constraints of each area and plot timeframe.
  - f. Measure: Conduct analysis of potential residential density in each IHD area, including recommended percentage of moderate-income housing.
    - i. Benchmark: Complete Measure b through f by December 31, 2022.
  - g. Meet with property owners/developers to determine feasibility.
    - i. Benchmark: Complete measure g by March 31, 2023.
  - h. Measure: Update Future Land Use Map in each IHD area to reflect future rezone to IHD.
    - i. Benchmark: Complete measure h by July 31, 2023.
  - i. Measure: Determine if master development agreement (MDA) is required prior to rezone to IHD.
  - j. Measure: Identify components of MDA.
    - i. Benchmark: Complete measure i and j by October 31, 2023.
  - k. Measure: Start process to rezone areas to IHD.
  - l. Hold Planning Commission public hearing(s).
  - m. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures k through m by July 31, 2024
  - n. Measure: Final revisions.
    - i. Benchmark adopt by December 31, 2024.

# Strategies

1. Goal. Goal type one time. Explore participation in a community land trust program for moderate income housing.
2. **Timeline: Determine feasibility by December 31, 2023.**
  - a. Measure: Identify potential CLT partners.
  - b. Measure: Determine city involvement.
    - i. Benchmark: Complete Measure a and b by January 31, 2023.
  - c. Measure: If feasible start process for city involvement in CLT.
  - d. Measure: Determine how city will be involved and requirements of CLT.
  - e. Measure: Select CLT partner.
  - f. Measure: Complete required documents for CLT partnership.
    - i. Benchmark: Complete measures c through f by May 31, 2023.
  - g. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures g by October 31, 2023.
  - h. Measure: Final revisions.
    - i. Benchmark if feasible adopt by December 31, 2023.

# Strategies

1. Goal. Goal type one time. Create a housing and transit reinvestment zone (TRZ) pursuant to Title 63N, Chapter 3, Part 6.
2. **Timeline: Determine feasibility of TRZ by December 31, 2025.**
  - a. Measure: Identify areas to be considered.
  - b. Measure: Complete existing conditions analysis of areas under consideration.
    - i. Benchmark: Complete Measure a and b by December 31, 2022.
  - c. Measure: Identify stakeholders.
  - d. Measure: Interview stakeholders.
  - e. Measure: Interview all affected city staff and departments.
  - f. Measure: Conduct cost/benefit analysis.
    - i. Benchmark: Complete measures c through f by December 31, 2023.
  - g. Measure: Analysis of proposed land uses in each area.
  - h. Measure: Analysis of proposed residential density in each station area, including moderate income housing.
  - i. Measure: Complete feasibility analysis.
    - i. Benchmark: Complete measures g, h and i by July 31, 2024.
  - j. Measure: If feasible start process for city involvement in TRZ.
  - k. Measure: Determine how city will be involved and requirements of TRZ.
  - l. Measure: Complete required documents for TRZ.
    - i. Benchmark: Complete measures i through k by March 31, 2025.
  - m. Hold City Council public hearing(s).
    - i. Benchmark: Complete measures l by December 31, 2025.
  - n. Measure: Final revisions.
    - i. Benchmark if feasible adopt by December 31, 2025.

# Strategies

1. Goal. Goal Type ongoing. Develop a moderate-income housing (MIH 55+) project for residents who are disabled or 55 years old or older.
2. **Timeline: Complete project by December 31, 2028.**
  - a. Measure: Identify preferred potential areas for MIH 55+.
  - b. Measure: Complete existing analysis of preferred areas.
    - i. Benchmark: Complete Measure a and b by December 31, 2023.
  - c. Measure: Identify potential MIH 55+ partners.
  - d. Measure: Determine city involvement in MIH 55+ project.
  - e. Measure Determine funding sources.
    - i. Benchmark: Complete Measure c through e by July 31, 2024.
  - f. Measure: Analysis of proposed land uses and utility constraints in each MIH 55+ area.
  - g. Measure: Analysis of proposed connectivity improvements.
  - h. Measure: Analysis of proposed MIH 55+ residential density in each MIH 55+ area.
  - i. Apply for funding sources.
    - i. Benchmark: Complete measures f through i by December 31, 2024.
  - j. Measure: Concept plan and revisions.
  - k. Measure: Entitlement.
    - i. Benchmark: Complete j and k by July 31, 2024.
  - l. Measure: Preliminary plan completion and review.
    - i. Benchmark: Complete by July 31, 2025
  - m. Measure: Final plan and revisions.
    - i. Benchmark approval by December 31, 2025.
  - n. Measure: Construction phase.
    - i. Benchmark: Construction complete by December 31, 2028.

# Strategies

1. Goal. Goal type ongoing. Develop and adopt station area plan(s) in accordance with Section 10-9a-403.1.

2. **Timeline: Adopt four station area plans by December 31, 2025.**

- a. Measure: Identify the four station areas to be planned.
  - 1. Task: Apply for Technical Assistance by July 15, 2022
- b. Measure: Complete existing conditions analysis of the four station areas.
  - i. Benchmark: Complete Measure a and b by August 31, 2022.
- c. Measure: Identify stakeholders.
  - 1. Task: Identify stakeholders by July 1, 2022
- d. Interview Stakeholders.
  - 1. Task: Interview stakeholders by December 31, 2022
- e. Meet with adjacent jurisdictions.
  - 1. Task: Meet with adjacent jurisdictions by August 1, 2022
- f. Hold public meetings.
  - i. Benchmark: Complete measures c through f by December 31, 2023.
- g. Measure: Analysis of proposed land uses in each station area.
- h. Measure: Analysis of proposed connectivity improvements.
- i. Measure: Analysis of proposed residential density in each station area, including moderate income housing.
  - i. Benchmark: Complete measures g through i by July 31, 2024.
- j. Measure: Concept plan and revisions.
  - i. Benchmark: Complete measure j by December 31, 2024.
- k. Measure: Preliminary plan completion and review.
  - i. Benchmark: Complete by July 31, 2025
- l. Measure: Final plan and revisions.
  - i. Benchmark adopt by December 31, 2025.

## Moderate Income Housing Strategies

### PURPOSE OF THIS REPORT

Provide context to help the City Council determine which combination of strategies under Utah Code [§10-9a-403](#) will help the City increase and maintain moderate income housing.

Six strategies need to be included in the finalized General Plan and be submitted to the State by October 1<sup>st</sup>.

Therefore, it is important for the Council to select strategies sooner rather than later, so City Staff may assess the viability of these strategies. Especially if a strategy selected by the Council has not been recommended by the Planning Commission, as unrecommended strategies will need to be assigned timelines, measures, and benchmarks by the Planning Commission.

### BACKGROUND

After receiving a presentation on the need for the moderate income housing strategies and the nine strategies that were recommended by the Planning Commission out of the list of twenty-four strategies, the Council requested that the item return with more information.

This council report aims to help provide additional information on the strategies listed in Utah Code [§10-9a-403](#) by including a table of all twenty-four strategies with corresponding background information from a variety of sources on each strategy. The table also includes the Council Office's initial thoughts as to whether the strategy is a good fit for the City.

Within this report, strategy letters with a “~~strikethrough~~” are not considered viable for the City, while letters that have been “highlighted” in the table have been recommended by the Planning Commission and include assigned timelines, measures, and benchmarks within the packet prepared by Community Development.

While the Council Office does its best to provide accurate, relevant, and timely information, the thoughts and information in this table is meant to facilitate questions from the Council to various members City Staff and discussion amongst Council Members. The table is not designed to be the ultimate authority on whether a specific strategy will prove to be successful for the City.

### TYPES OF STRATEGIES

Within the twenty-four strategies listed in Utah Code there are three broad categories.

## COUNCIL STAFF REPORT

### Moderate income Housing Strategies

1. Financial Tools
2. Policy Tools
3. Social Programs

Financial Tools		
B	C	D
L	P	
Policy Tools		
V	G	H
Q	A	E
F	I	J
M	R	S
W	X*	
Social Programs		
K	N	O
T	U	X*

\*Under Strategy X, creating a minimum 10% moderate income housing requirement for new residential development is a policy tool; where creating a program for residents who earn less than 80% of the area median income is a social program.

Although there is often overlap between strategies, it may be helpful for the Council to consider selecting strategies from each section, as this would create a multi-facet approach to improving moderate-income housing within the City.

Or the Council may choose to approach the issue through policy tools to help create more opportunities for development of future financial and social strategies. Picking a way to approach the strategies will likely make the process of selection less daunting.

## CONCLUSION AND ACTION NEEDED

Ultimately, the Council should select six strategies the body believes will be of greatest benefit to the City and its residents. The body should not only consider what impact each individual strategy has on the City, but also how these strategies combined can impact development in the City.

STRATEGY LETTER	(V)	(G)	(H)	(Q)
STRATEGY	develop and adopt a station area plan in accordance with Section 10-9a-403.1;	amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;	amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;	create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;
ADDITIONAL RESOURCES/INFORMATION	Station Area Plan <a href="#">summary</a> (WFRC; pages 3-7)	<a href="#">Map</a> of major transit investment corridors (WFRC)	WJ <a href="#">Code</a> relating to current parking requirements	Utah Code <a href="#">§63-3-6</a>
INITIAL THOUGHTS	Cost depends on how much the City and its partner municipalities wish to invest into planning.	<p>The Council could include a moderate income housing component in the City Center ordinance. (Maybe other stationary plans in the City as well?)</p> <p><i>*see page 6 of "Moderate Income Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i></p>	<p>Low upfront cost to City, but has a potential burden for residents. Reducing parking could make snow removal difficult in neighborhoods near these areas as people who live in more dense developments cannot find parking.</p> <p>The Council has previously discussed this matter and did not find it favorable.</p>	<p>TRZ zones require that at least 10% of proposed dwellings are affordable housing units and at least 51% of the zone is used for residential</p> <p><i>*see page 7 of "Moderate Income Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i></p>
IS IT POSSIBLE?	Yes	Yes	Yes	Yes
	REQUIRED	THE CITY MUST PICK AT LEAST ONE OF THESE THREE STRATEGIES		



STRATEGY LETTER	(A)	(B)	(C)	(D)	(E)
STRATEGY	rezone for densities necessary to facilitate the production of moderate income housing;	demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;	demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;	identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;	create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
ADDITIONAL RESOURCES/INFORMATION	IOZ <a href="#">code</a> and map.			City fees for building permits can be found on <a href="#">page 4</a>	<a href="#">Supplemental Application Packet</a> that includes list of regulations for both internal or external accessory dwelling units
INITIAL THOUGHTS	<p>Staff has suggested that the IOZ can be rezoned to be inclusive of moderate income housing.</p> <p><i>*see page 2 of “Moderate Income Housing Strategies 2022 approved by the planning commission” for a framework of how this strategy may be approached*</i></p>	<p>If the assertion that certain Capital Improvement Projects rehabilitate or expand infrastructure that facilitates the construction of moderate income housing is true, than the City may already have improvement plans that go hand-in-hand with this strategy.</p> <p>Perhaps an assessment discussing how compatible affordable housing would be with the end goal of the capital improvement project could help show that the City is working toward Strategy B?</p>	The City does not have an ample supply of uninhabitable housing stock, therefore this strategy would not be helpful in promoting moderate income housing in West Jordan	<p>Is the Council willing to use the General Fund or other money in this way?</p> <p><i>*see page 3 of “Moderate Income Housing Strategies 2022 approved by the planning commission” for a framework of how this strategy may be approached*</i></p>	<p>Because the City allows internal and external ADU’s, it would need to reduce current regulations.</p> <p>If there are no regulations the Council is willing to reduce, this is not a good strategy to adopt.</p>
IS IT POSSIBLE?	Yes	Maybe, more research is needed	No	Yes	Yes

STRATEGY LETTER	(F)	(I)	(J)	(K)
STRATEGY	zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;	amend land use regulations to allow for single room occupancy developments;	implement zoning incentives for moderate income units in new developments;	preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;
ADDITIONAL RESOURCES/INFORMATION	Residential Overlay District <a href="#">Code</a>	<p>Single room occupancy developments are affordable, smaller living units. The units consist of one or more sleeping rooms and may contain either a private kitchen or private bathroom, but not both. Building tenants share whichever amenities are not contained within the individual unit.</p> <p>Shared Housing developments provide weekly rental options allowing those who cannot afford a full months' rent to acquire shelter with smaller payments.</p>	<p>Relevant Planning Commission <a href="#">Minutes</a></p> <p>Relevant Planning Commission <a href="#">Staff Report</a></p>	<p>Department of Workforce Services Landlord Incentive <a href="#">program</a></p> <p>Park City deed restriction <a href="#">requirements</a></p> <p>Utah Housing Corporation (UHC) Loss Mitigation <a href="#">application</a></p>
INITIAL THOUGHTS	<p>Staff has suggested that rezoning qualifying properties to an Residential Overlay District (ROD) can be used as a tool to encourage mixed-use and new residential.</p> <p><i>*see page 4 of "Moderate Income Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i></p>	<p>Does the City have other mechanisms set in place to help prospective tenants thrive in locations where these developments would be placed?</p> <p>The development would need to be owned by a nonprofit or a local housing authority for it to fit under "Balanced Housing."</p>	<p>The City is already working on the Integrated Housing Ordinance (IHO), which would satisfy this strategy</p> <p><i>*see page 6 of "Moderate Income Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i></p>	<p>Many of these programs require money to be set aside for successful implementation. Moreover, more staff may need to be hired to create and administer these programs</p>
IS IT POSSIBLE?	Yes	Maybe, with more research	Yes	Yes, with staff/\$ investment

STRATEGY LETTER	(L)	(M)	(N)
STRATEGY	reduce, waive, or eliminate impact fees related to moderate income housing;	demonstrate creation of, or participation in, a community land trust program for moderate income housing;	implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
ADDITIONAL RESOURCES/INFORMATION	<a href="#">FY2022 Impact Fees</a> for reference, remember the Council voted to change them in the June 22, 2022 <a href="#">meeting</a> .	An <a href="#">article</a> describing the success of community land trusts	Down Payment Assistance <a href="#">Program</a>
INITIAL THOUGHTS	Waiving or eliminating impact fees would be great loss of revenue for the City. Each unit in a multi-family dwelling has impact fees of \$5,237 dollars for FY2022 (without counting storm drain and water fees). So if a new moderate income housing development has 50 units and the City eliminated these fees, the City would lose \$261,850+ dollars. The Council could choose to reduce the fees and lose less revenue while encouraging development of moderate-income housing. How do you justify some waivers, but not others?	The City is already working on the Integrated Housing Ordinance (IHD), which would satisfy this strategy if the City explores partnering with a community land trust.  <i>*see page 7 of "Moderate Income Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i>	The City has already implemented a similar program, this strategy has been fulfilled and may not be reused.
IS IT POSSIBLE?	Yes, but probably not the best idea	Yes	No

STRATEGY LETTER	(O)	(P)	(R)
STRATEGY	<p>apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;</p>	<p>demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;</p>	<p>eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;</p>
ADDITIONAL RESOURCES/INFORMATION	<p>There are several entities the City could partner with but are not listed here due to length of list.</p>	<p>Millcreek did this with the Millcreek Center. Approximately 15% of their <a href="#">tax increment</a> is going to go toward affordable housing.</p>	<p>The City doesn't collect impact fees for external dwelling units, so it cannot reduce them.</p>
INITIAL THOUGHTS	<p>With the deadline for submitting the City's moderate income housing goals in October, it might be a little late to start seeing which entities have applications open or which entities would like to partner with the City.</p> <p>This could be a great strategy for future use once another strategy is met.</p>	<p>The RDA would likely need to start transferring a percentage of tax increment to a housing fund to provide moderate income housing in a current or future development. Is this an option the RDA board would be okay with?</p>	
IS IT POSSIBLE?	<p>Maybe, but the City is a little late to the game</p>	<p>Maybe?</p>	<p>No</p>

STRATEGY LETTER	(S)	(T)	(U)
STRATEGY	create a program to transfer development rights for moderate income housing;	ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;	develop a moderate income housing project for residents who are disabled or 55 years old or older;
ADDITIONAL RESOURCES/INFORMATION	Helpful <a href="#">guide</a> for understanding how transfer of development rights looks in different communities	Potential partner political subdivisions: Kearns, Taylorsville, Murray, Midvale, Sandy, South Jordan, Salt Lake County	The City already has constructed two successful city-sponsored senior housing facilities with the help of other entities. <a href="#">Jordan Valley Website</a> <a href="#">Jordan River</a>
INITIAL THOUGHTS	This program will take a lot of staff time to create. Additionally, a repository of transferred rights will need to be kept. The Council will also need to decide if transferred rights can only be applied to certain areas of the City or if the transfer can only go to adjacent properties. Moreover, can rights be transferred if this density comes from the implementation of other strategies? (Like strategy J for example.) Will there be enough infrastructure to transfer these rights to another area?	Are there any local political subdivisions interested in combining resources? It would make the most sense to look for property/properties near city borders.  Acquisition and development would require an interlocal agreement.  Would the Council be willing to work jointly with a political subdivision, even if the development ended up being built entirely within West Jordan?	The likelihood of success is high as the City has demonstrated an ability to complete projects like this before; however, would the Council like to try a new strategy?  <i>*see page 8 of "Moderate Income Housing Housing Strategies 2022 approved by the planning commission" for a framework of how this strategy may be approached*</i>
IS IT POSSIBLE?	Maybe	Maybe, more outreach is needed	Yes

STRATEGY LETTER	(W)	(X)
STRATEGY	create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;	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 the 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;
ADDITIONAL RESOURCES/INFORMATION	What these dwellings can look like: <a href="#">Fourplexes</a> (or more) <a href="#">Duplexes</a>	An example of a program that might fit under this requirement could be a tenet-based rental assistance program, which would give a household a subsidy to use for a privately-owned rental unit that meets certain guidelines. If these subsidies follow a household, it may allow families to be able to access resource-rich neighborhoods.
INITIAL THOUGHTS	Currently, Balanced Housing would not allow for such developments, which may have an unintended consequence to future development.  The Council would need to consider in which areas would these dwellings be appropriate and rewrite the Balance Housing section of the City Code.	The first half of this strategy is open for creative solutions that may not be featured elsewhere on this list; while the 10% requirement is very straight forward.  If you implement the second half of this requirement, it probably doesn't make sense to implement strategies where developers get bonus densities for implementing moderate income housing.
IS IT POSSIBLE?	Yes	Yes, but it may be redundant with other strategies.

# REQUEST FOR COUNCIL ACTION

**Action:** Request feedback from Council

**Meeting Date Requested** : 07/27/2022

**Presenter:** Danyce Steck

**Deadline of item** : 07/27/2022

**Department Sponsor:** Admin. Services

**Agenda Type:** WORK SESSION

**Time Requested:** 15 minutes presentation, 10 minutes council

*(Council may elect to provide more or less time)*

## 1. AGENDA SUBJECT

Discussion of outstanding and new matters related to the FY 2023 annual budget

## 2. EXECUTIVE SUMMARY

Council to discuss any outstanding matters related to the FY 2023 annual budget prior to the property tax public hearing on August 9<sup>th</sup> and consideration of adoption of the budget on August 10<sup>th</sup>. Below are known matters for discussion. Council is encouraged to bring up any additional matters they wish to discuss as a whole.

1. NEW MATTER: State Liquor Tax – Consider proposal from the Police Chief to use the restricted reserves and FY 2023 from the City’s allocated state liquor tax. Budget request: \$300,000 from reserves, \$300,000 for vehicles, equipment, overtime
2. NEW MATTER: Contract Services for Dept of Health & Human Services – The City is under contract with the Utah Dept of Health & Human Services to manage and administer a state-wide mental health program for first responders. The contract provides for reimbursement of all actual provider costs associated with the program outside of dedicated time. Budget request: \$72,500 in contract revenue, \$72,500 for professional & technical services
3. CURRENT MATTER: Federal Lobbying – Council to consider the cost benefit to a contract for federal lobbying services Budget: \$100,000
4. CURRENT MATTER: City-wide Survey – Council to consider the cost benefit to a city-wide survey Budget: \$35,000
5. CURRENT MATTER: Annual Resident Report – Council to consider the cost benefit to an annual resident report Budget: \$20,000
6. CURRENT MATTER: Other Council discussion topics

It is important to note that any changes to the items listed as current matters are allocated between the General Fund and the enterprise funds. The financial impact to the General Fund is approximately 70% of the cost with the remaining costs allocated between the water, sewer, solid waste, and storm water funds.

## 3. TIME SENSITIVITY / URGENCY

State law requires the FY 2023 final budget must be adopted prior to September 1, 2022. The FY 2023 budget will be considered for adoption on August 10, 2022.

## 4. FISCAL NOTE

See the FY 2023 Annual Budget

## 5. DEPARTMENT RECOMMENDATION

N/A

## 6. PLANNING COMMISSION RECOMMENDATION

N/A

**7. MOTION RECOMMENDED**

N/A

**8. MAYOR RECOMMENDATION**

N/A

**9. PACKET ATTACHMENT(S)**

**10. OTHER INFORMATION**

N/A





MINUTES OF THE CITY OF WEST JORDAN  
CITY COUNCIL WORK SESSION  
Approved June 22, 2022

Wednesday, June 8, 2022 - 5:30 pm

Thomas M. Rees Justice Center Community Room • 8040 S Redwood Road • West Jordan, UT 84088

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**COUNCIL:** Chair Kayleen Whitelock, Vice-Chair Kelvin Green, Pamela Bloom (via Zoom), Zach Jacob, Christopher McConnehey, David Pack (joined 5:32 pm), and Melissa Worthen

**STAFF:** Council Office Director Alan R. Anderson, Public Services Director Isaac Astill, Mayor Dirk Burton, Public Works Director Brian Clegg, Becky Condie, Utilities Manager Greg Davenport, Policy Analyst & Public Liaison Cassidy Hansen, City Administrator Korban Lee, IT Administrative Assistant Rachel MacKay, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, and City Attorney Robert Wall

**A. Agency Meetings**

At 5:30 pm, Council Members temporarily recessed the Work Session to hold the Fairway Estates Special Service Recreation District, Municipal Building Authority, and Redevelopment Agency meetings where Board Members approved minutes and held public hearings regarding the FY 2023 Final Budget.

**B. Fiscal Year 2023 Budget Discussion**

Becky Condie reviewed the schedule for budget discussions with the Council, and explained that the FY 2023 Operating Budget, once adopted, could be amended by resolution with a public hearing. Ms. Condie summarized changes made to the Tentative Budget following the last budget discussion. She reported that CDBG Funds awarded were lower than expected, requested changes to the dumpster rental program would be effective January 1, 2023, and other utility rate changes would take effect on October 1, 2022.

Council Member McConnehey said he would like to see a position added for a grant writer to help identify grant opportunities for all areas, not just CDBG. Vice Chair Green said he agreed with the idea and suggested the position could also work with the Governor's Office to take advantage of AmeriCorps and similar programs for community projects. Council Member McConnehey suggested that finding someone to fill the position who had experience and genuine interest would greatly benefit the City. He said he thought \$80,000-\$100,000 would be a good placeholder estimate. City Administrator Korban Lee said the City had one employee who spent a significant amount of time focusing on grants. Council Member McConnehey responded that several departments were still needing to spend time trying for grants on their own and said he would want to expand the role further. Vice Chair Green requested the Council receive grant award reports. Chair Whitelock and Council Members Jacob and Worthen said they would be willing to explore the idea of adding a position but would need more information before approval.

Council Member McConnehey said he wanted to find funding to build a citizen reporting tool that was usable. Mayor Burton responded that the current system worked but was easier to use on a personal computer than on a cell phone. Council Member McConnehey said it was difficult for citizens to report a problem when they were out and about and needed to be able to report issues to the City. Chair Whitelock said she believed the Council was interested in getting more information. Ms. Steck asked that the Council identify revenue sources as they discussed adding expenses to the budget.

Vice Chair Green said he believed two additional flag poles were needed at Veterans Memorial Park to recognize additional branches of service. Mr. Astill commented that the three flag poles recently added to the rodeo grounds cost a total of \$14,000. He pointed out that adding two flag poles at Veterans Memorial Park would require an adjustment to the whole memorial area and would be more complicated than adding poles at the rodeo grounds. Chair Whitelock requested more information from staff. Vice Chair Green said he would be comfortable moving forward with planning and design for the monument in FY 2023, and funding implementation in FY 2024. Council Member Jacob expressed support for a complete redesign of the monument. Mr. Astill suggested setting aside funding for a master plan of the entire park. Vice Chair Green spoke of the need for an update to the rodeo grounds master plan as well. Council Member McConnehey said he would be comfortable using reserve funds for an improved citizen reporting tool, a Veterans Memorial Park master plan, and a rodeo grounds master plan.

Vice Chair Green commented that all but three positions in the City were included in the recent compensation study. He said he wanted to see comparative data for those three positions and wanted to make sure the positions were not treated differently. Ms. Steck responded the information would be provided in the next week or so.

Vice Chair Green requested an update on projects included in the Alternate Transportation Master Plan. He suggested the Schorr Gallery and Room 331 needed to be removed from the Consolidated Fee Schedule.

Vice Chair Green said he believed the City was at least 50% responsible for the current condition of the Drake's driveway and expressed the opinion that the City needed to fix the driveway. Chair Whitelock said she agreed, and suggested funding should come out of Development Services. She said she would be comfortable with curb and gutter. Council Member McConnehey said he agreed the driveway needed to be fixed expeditiously but did not agree the City was at fault. Vice Chair Green said he would agree with the City Attorney seeking cost recovery from the developer. Mayor Burton commented that the existing work had not been approved by the City. Vice Chair Green said he wanted to fix City Code so similar situations did not happen in the future.

Vice Chair Green expressed disappointment that the City server was down for maintenance at 4:00 pm that day, and said he wanted to put the service out for bid to possibly change contracts. A majority of the Council expressed agreement.

Vice Chair Green commented that West Jordan City owned a lot of vacant property. He said he wanted to explore the possibility of turning property into community gardens, especially on 7000 South. The Council unanimously indicated support.

Vice Chair Green said it was his understanding that Jordan School District was not funding crossing guards for students picking up free lunch. Chair Whitelock said the School District funded crossing guards for that purpose in the past but did not feel they currently had funding that could be allocated. Chair Whitelock said Jordan School District representatives learned that in other areas funding came from cities rather than the school districts. Vice Chair Green expressed the opinion that the City needed to find a way to fund crossing guards for kids crossing busy streets. Mayor Burton said the School District agreed in a conversation with him that day to fund crossing guards that summer and said crossing guards would be in place the next day.

Council Member Jacob shared his idea to set aside \$50,000 each year to accept proposals for art installations in the City. He suggested art installations could set West Jordan apart and suggested

adding \$50,000 to the Community Arts Budget. Council Member Worthen said she liked the idea but questioned where the money would come from. Council Office Director Alan Anderson suggested steps would need to be put in place to make it happen before a budget amendment for allocation in FY 2023. Council Member McConnehey expressed interest in putting together a community arts master plan to provide guidelines and boundaries. Council Member Jacob said he envisioned something ad hoc with guardrails.

Council Member Worthen left the meeting at 6:30 pm, and returned at 6:31 pm

Mr. Wall commented that good case law had come out of the Supreme Court in recent years affirming a city's right to pick and choose what would be allowed on infrastructure. Vice Chair Green said he liked the idea of starting with what Council Member Jacob envisioned and putting a more structured long-term plan in place. Council Member Bloom said she agreed with Vice Chair Green. Council Member Pack expressed support for anything that would enhance the spirit of place and spirit of community in a guided, approved way to ensure it would be something the community at large could support.

A majority of the Council indicated support for putting together a community arts master plan. Council Member Jacob suggested adding further discussion of a budget amendment to allocate funds for art installations to a future work session agenda.

### ***C. City Code Discussion***

Chair Whitelock said one of her goals for the Council was to start reviewing City Code. She said she wanted to begin with a review of short-term rentals and commercial vehicles on streets. Vice Chair Green said he wanted to update Titles 4, 8, 13, and 16. Council Member McConnehey said there were sections of Code he wanted to review as well.

Chair Whitelock adjourned the work session at 6:43 pm

*I, Cindy Quick, hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on June 8, 2022. This document constitutes the official minutes for the West Jordan City Council meeting.*

Cindy M. Quick, MMC  
Council Office Clerk

Approved this 22<sup>nd</sup> day of June 2022