



TO: Santa Clara City Planning Commission  
FROM: Jim McNulty, Planning Manager  
DATE: January 12, 2023  
RE: 2022 Report on Actions Taken to Implement Moderate-Income Housing

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In 2019 the city adopted an Affordable Housing Plan as required by SB-34. Utah Code Annotated, Section 10-9a-403, required cities to select at least three moderate-income housing strategies. Santa Clara City selected four strategies (items A, E, F & J) in 2019. These items are in the 2022 Implementation Plan (attached). Utah Code Annotated, Section 10-9a-408 was revised in 2022 and took effect on July 1, 2022. The changes now require cities to provide **Benchmarks and Timelines** for each selected strategy (attached). On December 13, 2022, the city received verification that the revised 2022 Report on Actions Taken by the city has been accepted by the State Department of Workforce Services.

**This is a public hearing item on the January 12, 2023, Planning Commission agenda.** The State of Utah is requiring cities to adopt an Implementation Plan as part of the Moderate-Income Housing Element of the General Plan by city ordinance for 2022.

#### **State Code Requirements:**

Utah State Code, Section 10-9a-408 includes requirements for an Implementation Plan to be adopted as part of the Moderate-Income Housing Element of the General Plan as provided in Subsection 10-9a-403(2)(c) of State Code. To adopt an Implementation Plan, a city Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider the Implementation Plan requires a 10-day notice which requires the date, time, and place of the public hearing. Planning staff has determined that all State Code requirements have been met with this application.

#### **Recommendation:**

Planning Staff recommends that the Planning Commission hold a public hearing and forward a recommendation of approval for the adoption of an Implementation Plan for the Moderate-Income Housing Element of the General Plan to the City Council as required by Utah Code Annotated, Section 10-9a-408 and Subsection 10-9a-403(2)(c).

# **2022 Report on Actions Taken to Implement the Moderate-Income Housing Element of the General Plan Santa Clara City Mayor and City Council**

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### **Background**

Utah Code Annotated (UCA 10-9a-408), requires cities and towns to annually review and report on the implementation of their Moderate-Income Housing Plan, which is a required element in a General Plan. Santa Clara City adopted a Comprehensive General Plan in 2014, and Chapter 7 of the General Plan addresses the issue of “Housing Options and Affordable Housing”.

This updated 2022 report covers the four strategies selected in 2019 by the Planning Commission and City Council to encourage the development of moderate-income housing, and includes actions taken to implement these strategies from 2019 through 2022. ***Utah Code Annotated (UCA 10-9a-408), was revised in 2022 and now requires a yearly update on Actions Taken & Implementation.***

Under SB-34 adopted in 2019 by the State Legislature and now set forth in Utah Code Annotated, Section 10-9a-403, cities are required to address at least three moderate-income housing strategies listed in the statute. ***In 2019 Santa Clara City selected four strategies (Items A, E, F & J) to promote opportunities in Santa Clara City. These strategies were added to the City's Moderate-Income Housing Element of the General Plan and include the following:***

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

#### ***Benchmarks***

- ***Desert Village.*** In 2019, the city approved an amended Planned Development Residential, PDR Zone for 185 townhome units to provide moderate-income housing options near the heart of the city. Phase I (64-units), and Phase II (53-units) is completed. Phase III (68-units) construction is anticipated in 2023.
- ***Deserts Edge.*** In 2021, the Planning Commission and City Council approved a Rezoning and Project Plan for the Desert Edge project. In 2022, the Planning Commission and City Council approved the Site Plan and Subdivision Plat allowing for the project to proceed. The subject property is just over 20 acres and will include both townhomes and apartments. The townhome portion of the

project will include 120 owner-occupied units. The apartment portion of the project will include 120 moderate-income units for rent. As previously mentioned, the developer has received approval from Utah Housing to subsidize the apartment rents. Currently, this includes proposed rents at 50% of AMI. Site grading and utility work has started with vertical construction likely to commence in early 2023.

### ***Timeline***

- Desert Village, Phase III (68-units) will be under construction by January 2023 with anticipated occupancy in 2023.
- Deserts Edge, Phase 2 (60 apartment units) will likely be under construction in 2023 to 2024 with anticipated occupancy in 2024.
- Deserts Edge, Phase 6 (60 apartment units) will likely be under construction in 2024 to 2025 with anticipated occupancy in 2025.

2. **(Strategy E)** Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

### ***Benchmarks***

- In January 2020, Ordinance #2020-03 was adopted by the City Council allowing for detached ADUs. This allows for a separate detached dwelling on a property occupied by a single-family home.
- In October 2021, Ordinance #2021-14 was adopted by the City Council allowing for Internal Accessory Dwelling Units, IADU's. This was put in place to allow for compliance with HB-82 which was approved by the legislature

and signed by the governor in 2021. The city believes that this change will allow for more moderate-income housing options in the community. The process includes a streamlined administrative permitted use and building permit review prior to construction.

#### ***Timeline***

- The city is keeping track of ADU/IADU approvals which includes a business license allowing for the tracking of these moderate-income units. The city will be prepared to report these numbers with the state in 2023 and onward.

3. ***(Strategy 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.

#### ***Benchmarks***

- The proposed Silverado Mixed-Use project is on approximately 20 acres adjacent to a commercial center/employment center in the northwest part of the city. The Project Plan includes 24 single-family homes, 96 multi-family apartment units, retail and offices uses, as well as a large pickleball facility with a sports bar and grille. The city is working with the project developer to require a minimum of 10 apartment units as moderate-income units which will be rented at 80% of AMI in return for a higher project density. Even though the applicant will not be seeking Utah Housing assistance, city officials and the developer realize that affordable units are needed in the community.

### ***Timeline***

- This Silverado Mixed-Use project is currently going through a rezoning and entitlement process which began in fall 2022. This project will be built in four phases with the apartment project currently in Phase 2. Anticipated construction would likely occur from 2023 to 2025.

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

### ***Benchmarks***

- In 2021 the Planning Commission and City Council approved a Rezoning and Project Plan for the Deserts Edge Project. This property is located within the Planned Development Residential, PDR Zone. The PDR Zone has a base density of 8 dwelling units/acre. A density bonus may be recommended by the Planning Commission and approved by the City Council allowing for up to 12 dwelling units/acre. In 2021, the City Council approved a density bonus allowing for the maximum density of 12 dwelling units/acre. The density bonus was approved because of the commitment made by the developer to provide moderate-income housing with Utah Housing assistance.

### ***Timeline***

- This project developer has been approved through Utah Housing to do the first 60 apartment units. A 2023 start date for construction is likely with occupancy in 2024 to 2025.