

**CITY OF SANTA CLARA
ORDINANCE 2023-02**

AN ORDINANCE UPDATING THE SANTA CLARA CITY GENERAL PLAN

WHEREAS, the City Council of the City of Santa Clara met in regular session on Jan. 25, 2023 to consider updating the Santa Clara City General Plan to Implement a Moderate-Income Housing Element of the General Plan, and

WHEREAS, the 2019 State Legislature adopted a new state requirement for cities to update the Moderate-Income Housing element of their General Plan by selecting at least three strategies to further promote or facilitate the development of moderate-income housing, and

WHEREAS, the 2019 State Legislative Act includes a list of 23 possible strategies from which cities can choose which of the possible strategies best fits their community, the City selected 4 strategies ,and

WHEREAS, beginning in 2020, cities are required to provide an annual report to the state describing progress towards implementing strategies to facilitate the development of additional moderate-income housing, effective July 1, 2022 in 2022 are required to provide Benchmarks and Timelines, and

WHEREAS, Utah 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.

WHEREAS, the Planning Commission held a Public Hearing on January 12, 2023 on the 2022 Report on actions taken to implement the Moderate-Income Housing element of the General Plan, and recommends City Council adopt it as part of the City's General Plan, and

WHEREAS, after careful consideration and review the City Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of the City of Santa Clara to adopt the recommendation to update the Santa Clara City General Plan as proposed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara as follows:

Section 1. Findings. The City Council finds and determines the four strategies as follows with Benchmarks and Timelines.

1. Rezone for densities necessary to assure production of MIH.
2. Allow for reduce regulations for Accessory Dwelling Units in residential zones.
3. Allow for higher densities in mixed-use zones, commercial centers, or employment centers.
4. Implement zoning incentives for low to moderate income units in new developments.

See Exhibit "A"

Section 2. Adoption.

The City Council hereby approves and adopts the update to the Santa Clara City General Plan, and reflected therein. this Ordinance shall become effective on January 25, 2023.

PASSED, ADOPTED AND APPROVED this 25th day of January 2023.

ATTEST:


Chris Shelley, City Recorder



CITY OF SANTA CLARA

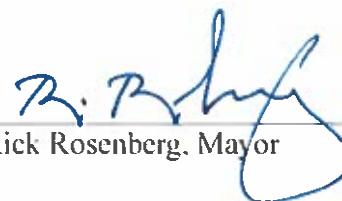

Rick Rosenberg, Mayor

EXHIBIT “A”

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

Rick Rosenberg, Mayor
Dennis Drake
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Jarett Waite
Christa Hinton
Ben Shakespeare

Santa Clara City Planning Commission

Mark Weston, PC Chair
Ryan Anderson
Curtis Whitehead
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Santa Clara City Staff

Brock Jacobsen, City Manager
Cody Mitchell, City Building Official
Jim McNulty, Planning Manager

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.