

ORDINANCE NO. 2023-02

**AN ORDINANCE AMENDING AND UPDATING
CHAPTER 8 OF THE FARR WEST CITY GENERAL PLAN
REGARDING MODERATE INCOME HOUSING**

WHEREAS, Farr West City (“City”) established a General Plan (“Plan”) adopted on October 06, 2022; and

WHEREAS, U.C.A. Title 10 Chapter 9a Sections 403 and 408 require municipalities throughout the State of Utah to establish and report on moderate income housing strategies to the Housing and Community Development Division within the Department of Workforce Services; and

WHEREAS, H.B. 462 “Utah Housing Affordability Amendments”, passed in 2022, modified provisions related to affordable housing and required municipalities to update their general plans accordingly; and

WHEREAS, Chapter 8 of City’s Plan titled “Moderate Income Housing” provides for the City’s establishment and compliance with the State of Utah’s Moderate Income Housing strategies and reporting requirements; and

WHEREAS, pursuant to H.B. 462, City does hereby desire to amend and update Chap 8 of its Plan regarding moderate income housing; and

NOW THEREFORE, the City Council of Farr West City ordains as follows:

Chap 8 of the Farr West City General Plan shall be amended to read as provided in “Chapter 8: Moderate Income Housing” as attached to this Ordinance.

Effective Date. This ordinance shall take effect upon its passage.

[signature page to follow]

Passed by the Farr West City Council on the 2nd day of February, 2023



MAYOR



Attest:



CITY RECORDER

Vote of City Council

Yes No

- ___ Council Member Leatham
- ___ Council Member Blazzard
- ___ Council Member Ferrin
- ___ Council Member Chugg
- ___ Council Member Williams

ATTACHMENT

CHAPTER 8: MODERATE INCOME HOUSING

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I. INTRODUCTION

Farr West City recognizes the need for moderate income housing to meet the needs of our citizens both now and in the future. Farr West will meet all statutory requirements of moderate-income housing, and consider additional options to provide additional moderate-income housing.

II. GOALS & STRATEGIES

Section 10-9a-403(2)(b)(iii) of the Utah Code notes that cities shall include a recommendation to implement three or more of the moderate-income housing strategies. HB 462, passed in 2022, included substantive changes to the strategies requiring communities to update their general plans with the new language. Farr West City has chosen five strategies, three of which are already implemented. The chosen strategies, implementations, and timelines are listed below:

- (A) Rezone for densities necessary to facilitate the production of moderate-income housing
 - Implementation: Farr West City has updated the R-1-15 Zone (17.28.050) to allow up to 20% smaller lots with specific requirements to provide for moderate income housing. An additional 10% is allowed when incorporating open space per the general plan.
 - Timeline: Complete. This implementation was codified by Ord. 21-02 (January 7, 2021). The city will review the implementation annually as part of the moderate-income housing reporting process to determine if there are any barriers to developing moderate income housing. If there are barriers, or if changes need to be made to the code, the planning commission will prepare those changes and present them to the city council. It will also review developers' plans as they apply for subdivisions to determine the percentage of smaller lots and how it fits into the implementation of this strategy.

- (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
 - Implementation: Farr West City allows internal accessory dwelling units in residential zones with the minimum required regulation. 17.44.210 was created to address this and is allowed in all residential zones. A permit is required and will enable the city to measure success.
 - Timeline: Complete. This implementation was codified by Ord. 21-10 (January 7, 2021). Permits will be reviewed annually to determine how many internal accessory dwelling units have been approved. The city will also implement community outreach throughout 2023 and 2024 to encourage owners of existing, unpermitted accessory dwelling units to obtain permitting, and will document that increase.

- (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.
 - Implementation: Farr West City has reduced the required acreage for the mixed-use zone (17.34.030) that allows higher density residential development in commercial and mixed-use zones, commercial centers, or employment centers.
 - Timeline: Complete. This implementation was codified by Ord. 21-02 (January 7, 2021). The city will review the implementation annually as part of the moderate-income housing reporting process to determine if there are any barriers to developing higher density housing. If there are barriers, or if changes need to be made to the code, the planning commission will prepare those changes and present them to the city council. It will also review developers' plans as they apply for subdivisions to determine how any higher density acreage fits into the implementation of this strategy.

- (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.
 - Implementation: Allow for a variety of land uses (residential, commercial, office and public spaces) in the C-3 Zone located within one half mile of a transportation hub. Residential use shall not constitute more than fifty percent (50%) of the gross acreage of the entire project. Townhouses are permitted when *no* more than four (4) units are attached and the height does not exceed two levels above grade level. Townhouses shall not exceed fifty percent (50%) of the total dwelling units.
 - Timeline: The proposed changes to the zone have been completed. A public hearing was held Dec. 2022. The approval was recommended to the city council and approved. This implementation was codified by ordinance 23-01 (January 5, 2023). The city is working closely with Pleasant View City on a Station Area Plan that incorporates the city's C-3 zone. The city will also coordinate with developers and land owners on potential development of this area. A review will be done annually as part of the moderate-income housing reporting process to ensure that the implementation is still effective and that there are no barriers to development within the zone. If there are barriers, or if changes need to be made to the code, the planning commission will prepare those changes and present them to the city council

- (U) Develop a moderate-income housing project for residents who are disabled or 55 years old or older.
 - Implementation: Farr West City allows the development of a moderate-income housing project for residents who are disabled or 55 years old or older. The planning commission will also consider creating a new zone for these communities or a planned development overlay.
 - Timeline: These proposals will take some discussion and decisions will be made during the first quarter of 2023 on whether to implement a new zone or a planned development overlay; it is anticipated that any new zone or planned unit overlay changes will be implemented during the second quarter of 2023.