



# Staff Report

DATE: November 18, 2019

SUBJECT: Proposed Ordinance Numbers 904 and 905, amending Chapter 7. Moderate-Income Housing Element of the Eastern Summit County General Plan and Chapter 6. Housing Element of the Snyderville Basin General Plan, adopting the 2019 Moderate-Income Housing Report, Resolution No. 2019-31.

ISSUING DEPARTMENT: Economic Development and Housing

## SUMMARY:

### Issues:

Shall the Summit County Council review and consider adopting amendments to Chapter 6. Housing Element of the Snyderville Basin General Plan, Chapter 7. Moderate Income Housing Element of the Eastern Summit County General Plan and the 2019 Moderate-Income Housing Report that will be filed with the Utah Department of Workforce Services and the Mountainland Association of Governments (MAG)?

### Recommendation:

Staff recommends that the County Council review the proposed General Plan Amendments, Moderate-Income Housing Plan/Presentation, Staff Report, Attachments and the 2019 Moderate-Income Housing Report, conduct a public hearing, accept the findings, and approve Ordinance Number(s) 904 and 905 and Resolution No. 2019-31.

### Fiscal Impact:

None.

## DISCUSSION:

**Background:**

Two bills the Legislature passed in the 2018 session provide the foundation for SB 34, HB 259 (Moderate-Income Housing Amendments) and SB 136 (Transportation Governance Amendments).

In 2019, the Legislature passed SB 34 which added to the foundation of HB 259 and SB 136 in two main ways: (1) adding elements that reinforce transportation-efficient land use into cities and counties' general plans; and (2) providing specific strategies cities and counties must consider adopting in their MIH plans.

SB 34 requires cities and counties to include at least four (4) of the twenty plus (20+) strategies in their general plan(s) and submit to workforce services by December 1, 2019.

Cities and counties must be up-to-date on the MIH plan elements and reporting requirements in order to be eligible for Transportation Investment Fund (TIF) and Transit Transportation Investment Fund (TTIF) money. The TIF was \$702 million last year, and 65 out of 81 (80%) of cities that are subject to the MIH requirements either have funds currently programmed or are in phase 1 of the TIF process.

Amendments to the County's General Plan(s) requires a Planning Commission review, a public hearing and a Commission's recommendation to the County Council. The Summit County Council shall review the proposed General Plan Amendments and Annual Moderate-Income Housing Plan Report, conduct a public hearing, and adopt the General Plan Amendments and Annual Moderate-Income Housing Plan Report by Ordinance and/or Resolution.

On November 7, 2019 the Eastern Summit County Planning Commission reviewed the Moderate Income Housing Plan/Presentation and proposed General Plan Amendments conducted a public hearing and forwarded a positive recommendation for Council's consideration. The Staff Report for the Commission may be viewed [here](#).

On November 12, 2019 the Snyderville Basin Planning Commission reviewed the Moderate Income Housing Plan/Presentation and proposed General Plan Amendments conducted a public hearing and forwarded a positive recommendation for Council's consideration. The Staff Report for the Commission may be viewed [here](#).

SB 34 also require that the Summit County Council adopt by resolution an

Annual Moderate-income Housing Report (Attachment 6) and submit the report to the required entities by December 1, 2019.

**Plan Requirements:**

The updates to the Eastern Summit County and Snyderville Basin General Plans are needed to meet the state law for SB 34 reporting and are required to be turned into workforce services by December 1, 2019.

- Reporting will be due annually on December 1st going forward.
- As part of the annual review, staff will need to demonstrate that the Planning Commission and County Council reviewed the goals and demonstrate what works and what does not work in Summit County.
- A general plan amendment is a legislative process.

**Analysis:**

**2020 Housing Assessment and Plan**

The Goals, Objectives and Policies in the Snyderville Basin General Plan and the Eastern Summit County General Plan are ongoing and have been supplemented by the attached Moderate Income Housing Plan/Presentation, proposed General Plan Amendments and associated Attachments.

**2019 Moderate Income Housing Report**

The Utah Department of Workforce Services (UDWS) provides a template for cities and counties to submit their Moderate Income Housing (MIH) Report. UDWS also creates excel spreadsheets for cities and counties to calculate their need for affordable housing units based on population growth for those at 30, 50 and 80 percent of AMI using data from the American Community Survey (ACN) (Attachment 3).

UDWS also provides Counties with a Gap Analysis for rental units based on the HUD Comprehensive Housing Affordability Strategy (CHAS) (Attachment 4). These documents appear to be somewhat in conflict.

For the State-required MIHP Report (Attachment 3), the County exceeds the affordable housing stock (2018 ACN data) for households at 50 to 80 percent AMI and a deficit of 355 “available” units at the <30% AMI. However, in the UDWS Gap Analysis based on the (CHAS) (Attachment 4), Summit County

has a deficit of 550 “available” units at the <80% AMI; 620 “available” units at the <50% AMI; and a gap of 695 “available” units at the <30% AMI. The CHAS data also estimates a shortage of 300 “affordable” units.

The County’s affordable housing deficit was estimated at approximately 1,000 units in the 2015-2020 Consolidated Plan. The following affordable housing projects were completed after the Consolidated Plan date of publication.

- Richer Place, 28 Units
- Canyon Corners, 20 Units
- Utah Olympic Park, 30 Units (8 Workforce Units, 7-Year Around Athlete, 15 – Seasonal Athlete)

The Regional Housing Needs Assessment: Summit and Wasatch Counties prepared by Jim Wood in May of 2019 (Attachment 5), appears to strike a balance with regards to the future level of Moderate (<80% AMI) and middle (81-120% AMI) income housing (with the exception of the <30% AMI targets) necessary to meet the County’s Moderate-Income 5-Year housing needs:

#### **Snyderville Basin Planning Area, 2020-2025**

- 40 Rental Units at <80% AMI per year
- 30 Rental Units at <50% AMI per year
- 53 Units at <30% AMI per year

#### **Eastern Summit County Planning Area, 2020-2025**

- 9 Rental Units at <80% AMI per year
- 13 Rental Units at <50% AMI per year
- 24 Units at <30% AMI per year

The <30% AMI targets are extremely challenging without deep subsidy. A few units may be developed using Low-Income Housing Tax Credits, etc., but it is not financially feasible or “reasonable” to address the identified shortages ranging between 355-695 units without additional funding sources. If the County creates a new “Housing Authority” and are able to qualify applicants who might obtain potential “housing choice” vouchers, they could be used to assist this income target group.

#### **Development Pipeline**

A total of 662 income/deed restricted Moderate-Income <80% AMI housing units are currently in the development pipeline.

- Discovery Ridge, 30 units/ownership
- Silver Creek Village, 330 units/ownership & rental
- Lincoln Station, 52 units/rental
- CVMA, 169 units (1,153 pillows)/rental
- Woodward, 8 units/rental
- Newpark Commons, 38 units (Average 80% AMI)/rentals
- Promontory, 35 Units (80 bedrooms)/Rentals

### **Summary of General Plan Amendments:**

The request is to review and update Chapter 7. of the Eastern Summit County General Plan, Moderate Income Housing and Chapter 6 of the Snyderville Basin Summit County General Plan as follows:

#### **Eastern Summit County General Plan**

- Add Policy 7.1 g. to Incorporate the definition of “Middle Income Housing” in the Development Code and other policy documents.
- Add Policy 7.1 h. to explore a Fee Deferral Program and/or other incentive to facilitate the development of Deed-Restricted ADUs.
- Add Policy 7.1 g. to examine any potential programs or partnerships with the Mountainlands Association of Governments (MAG).

#### **Snyderville Basin County General Plan**

- Amend the title in Chapter 6 to Housing and Moderate-Income Housing.
- Amend the Chapter 6 Goal statement to the include moderate-income housing provision requirement, “to meet the needs of people of various income levels living, working, or desiring to live or work in the community.” (Utah Code 17-27a-403)
- Amend Chapter 6, Objective A: to include the moderate-income housing provision requirement, “to meet the needs of people of various income levels living, working, or desiring to live or work in the community.” (Utah Code 17-27a-403)
- Add Policy 6.1: f. to explore the creation of a Summit County Housing Authority and/or regional housing authority.
- Add Policy 6.1: g. to potentially provide land as a public subsidy and build development partnerships.

- Add Policy 6.1: h. to incorporate the definition of “Middle Income Housing” in the Development Code and other policy documents.
- Add Policy 6.1: i. Beginning in 2020, conduct a biennial review of Chapter 5, Affordable Housing, Snyderville Basin Development Code and update the County’s inclusionary housing ordinance as necessary.
- Add Policy 6.10: To encourage and incentivize the distribution of workforce housing throughout the Snyderville Basin. The County will use financing strategies and land use tools to encourage and incentivize the geographic distribution and neighborhood integration of new affordable housing units to achieve the objectives of the Moderate-Income Housing Plan.

### **Citizen Participation**

Notice of the County Council meeting was published in the Park Record on November 13, 2019.

### **Public Input**

No public input was received when this report was published.

### **Alternatives**

- County Council may adopt the General Plan Amendments recommended by the Planning Commission and the 2019 Moderate-Income Housing Report.
- County Council may deny the General Plan Amendments recommended by the Planning Commission and the 2019 Moderate-Income Housing Report.
- County Council may modify the proposed General Plan Amendments recommended by the Planning Commission and the 2019 Moderate-Income Housing Report.

### **Consequences of not Taking Recommended Action**

The Legislature conditioned funds from the Transit Transportation Investment Fund (TTIF) and the Transportation Investment Fund (TIF) on county compliance with the SB 34.

**CONCLUSION:**

Staff recommends that the County Council review the Moderate-Income Housing Plan/Presentation, proposed General Plan Amendments, the 2019 Moderate-Income Housing Plan Report, Attachments, conduct a public hearing, accept the findings and adopt Ordinance Number 904 and 905 (General Plan Amendments) and Resolution No. 2019-31, the 2019 Moderate-Income Housing Report.

**ATTACHMENTS:**

1. Utah Code, 17-27a-403 Plan preparation
2. Moderate-Income Housing Plan/Presentation
3. State of Utah, Department of Workforce Services ACN Data Points and Gap Analysis
4. State of Utah, Department of Workforce Services HUD CHAS Gap Analysis
5. Jim Wood Final Regional Needs Assessment 5.28.19
6. Moderate Income Housing Report and 5-Year Needs Projection
7. Ordinance No. 904, Eastern Summit County General Plan
8. Ordinance No. 905, Snyderville Basin General Plan
9. Resolution No. 2019-31, 2019 Moderate-Income Housing Report