



**State of Utah**

**SPENCER J. COX**  
*Governor*

**DEIDRE HENDERSON**  
*Lieutenant Governor*

## **Department of Workforce Services**

**CASEY R. CAMERON**  
*Executive Director*

**GREG PARAS**  
*Deputy Director*

**NATE MCDONALD**  
*Deputy Director*

**KEVIN BURT**  
*Deputy Director*

August 7, 2023

To: County Council  
Summit County

From: Department of Workforce Services  
Housing and Community Development Division

Re: Moderate Income Housing Report 2023—Notice of Non-Compliance

Dear County Council,

Thank you for submitting your County's Moderate Income Housing reports for this year in fulfillment of requirements set forth in State Code section 17-27a-408. The Housing and Community Development Division (HCD) has reviewed the reports and finds that the county is not in compliance with the requirements set forth in section 17-27a-403 and 17-27a-408 for the reasons noted below:

Section 17-27a-403(2)(b)(iii) notes that counties shall include a recommendation to implement three or more of the moderate income housing strategies outlined in the Code. The strategies selected and included in the report do not match the requirements of the Code as updated. Please ensure that the strategies match the language included in the state code exactly.

- In the amendments to the Snyderville Basin Implementation plan, Strategy I do not match the strategy language from state code. The implementation plan should be updated to include exact language from state code.
- In the amendments to the Eastern County Implementation Plan, Strategies E and M do not match the strategy language from state code. The implementation plan should be updated to include exact language from state code.

Section 17-27a-403(2)(c) notes that the County shall draft implementation plans that establish a 5-year timeline for implementing selected strategies which identifies specific measures and benchmarks for implementing each selected strategy, and provides flexibility for the county to adjust as needed. Future reporting years will require that the jurisdiction complete progress



**WORKFORCE  
SERVICES**  
**HOUSING & COMMUNITY  
DEVELOPMENT**

140 East 300 South, Salt Lake City, Utah 84111 • Telephone 385-249-4808  
Relay Utah 711 • Spanish Relay Utah 1-888-346-3162  
Fax 801-468-0211 • jobs.utah.gov • Equal Opportunity Employer/Programs

A proud partner of the  **americanjobcenter**® network

reports on the identified implementation plans. Implementation plans in the 2023 reporting year must be of a sufficient quality to show specific details on actionable tasks, timelines for implementation, measures used to demonstrate progress, and what resources the county will use to achieve the strategies selected. The adopted implementation plans are not sufficient to provide this guidance and enable reporting in the future.

- Strategy E in the Snyderville Basin Implementation Plan does not include any implementation benchmarks or timelines with the new edits. The implementation plan should be updated to include implementation metrics.

A subsequent progress report does not comply unless it demonstrates that plans were made to implement the minimum number and type of required strategies, in a form approved by the division, provides sufficient information for the division to assess progress, monitor compliance with implementation plan, identify clear correlation between land use regulations or decisions and actions taken, describes market responses, and identifies barriers experienced. The submitted report included deficiencies:

- Strategy J in the Snyderville Basin Report does not include any actions for the last 12-months, stating that the County is in year one of a two year implementation process. This strategy also marked all the market response sections as 0 or N/A, with no further description. The strategy should be updated to include detail from the last 12 months that demonstrate progress on the benchmarks and timelines included in the implementation plan.
- Strategy E in the Snyderville Basin Report does not have measurable implementation metrics or timelines to measure in the implementation plan, so HCD cannot assess progress. The implementation plan should be updated to include implementation metrics.
- Snyderville Basin Strategies A, W, F, and I, actions and land use decisions reported in the annual progress report do not reflect, nor do they describe any completed actions from the last year from the adopted implementation plan. These strategies should be updated to include detail from the last 12 months that demonstrate progress on the benchmarks and timelines included in the implementation plan.
- Strategies D, E, and J in the Eastern County Report include actions and land use decisions which do not reflect, nor do they describe completed actions from the adopted implementation plan in the last 12-months. These strategies should be updated to include detail from the last 12 months that demonstrate progress on the benchmarks and timelines included in the implementation plan.

The county may address deficiencies in one of two ways per 17-27a-408(7)(b)(ii). They may submit a corrected report using the form found at <https://jobs.utah.gov/housing/affordable/moderate/reporting/> that cures each deficiency identified in the letter by November 5, 2023 or they may request an appeal of the HCD notice of compliance by August 17, 2023.

An appeal of a notice of noncompliance must be filed in writing and include the name of the entity filing the appeal, signature of its representative, and the grounds for appeal. The appeal may be filed by email to [angamble@utah.gov](mailto:angamble@utah.gov), facsimile at 801-468-0211 to Alyssa Gamble, or physical delivery to Department of Workforce Services, 140 E 300 S, 1st Floor, C/O Housing and Community Development, Salt Lake City, UT 84111. If an appeal is filed by physical delivery, the date of filing is the date the appeal is received by HCD. Additional supporting

materials and argument to the appeal board may be provided within 15 days of the date of the request for an appeal.

Failure to appeal by August 17, 2023 or cure the described deficiencies in your county's report by November 5, 2023 will make your community ineligible for Utah Department of Transportation (UDOT) Transportation Investment Fund of 2005, including the Transit Transportation Investment funding in the 2025 fiscal year.

The Housing and Community Development Division is available to help you address the noted deficiencies. If you have any questions or concerns, please contact Alyssa Gamble at [angamble@utah.gov](mailto:angamble@utah.gov)

Sincerely,

Alyssa Gamble  
Program Manager – Moderate Income Housing Database  
Housing and Community Development  
Department of Workforce Services