

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 22-43

**AN ORDINANCE APPROVING AN AMENDMENT TO THE GENERAL PLAN
FOR THE MODERATE INCOME HOUSING STRATEGIES ELEMENT**

WHEREAS, the City of West Jordan (“**City**”) adopted the Comprehensive General Plan (“**General Plan**”) in 2012, as amended, which provides for a Moderate Income Housing Strategies Element (“**MIHS Element**”), which is periodically updated; and

WHEREAS, Utah Code Ann. Section 10-9a-403(2)(b)(iii) also requires that the MIHS Element be periodically updated; and the City desires to update the MIHS Element (“**General Plan MIHS Element Amendment**”) at this time to comply with this statutory requirement and to plan for and to encourage more opportunities for moderate income housing within the boundaries of the City; and

WHEREAS, on June 7, 2022 the General Plan MIHS Element Amendment was considered by the West Jordan Planning Commission (“**Planning Commission**”), which held a public hearing and made a recommendation to the West Jordan City Council (“**City Council**”) concerning the General Plan MIHS Element Amendment; and

WHEREAS, work sessions were held, followed by a public hearing which was held before the City Council on August 24, 2022 concerning the General Plan MIHS Element Amendment; and

WHEREAS, consistent with City Code Section 13-7C-6, the City Council has determined the following concerning the General Plan MIHS Element Amendment:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the City General Plan;
2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;
3. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity;
4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity;
5. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change; and
6. The proposed amendment is consistent with other adopted plans, codes and ordinances.

WHEREAS, in its sole legislative discretion, the City Council now finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following General Plan MIHS Element Amendment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:

Section 1. Adoption of General Plan MIHS Element Amendment. The MIHS Element is hereby amended by replacing the existing MIHS Element with the General Plan MIHS Element Amendment in “Attachment 1”, which is attached hereto.

Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 24TH DAY OF AUGUST 2022.

CITY OF WEST JORDAN

By: *Kayleen Whitelock*
Kayleen Whitelock (Aug 26, 2022 10:09 MDT)
Kayleen Whitelock
Council Chair

ATTEST:

Cindy M. Quick
Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council	"YES"	"NO"
Council Chair Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON AUGUST 25, 2022.

Mayor's Action: X Approve Veto

By: *Dirk Burton*
Mayor Dirk Burton

Aug 26, 2022
Date

ATTEST:



Tangee Sloan
Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OF PASSAGE (check one)

X The Mayor approved and signed Ordinance No. 22-43.

_____ The Mayor vetoed Ordinance No. 22-43 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.



_____ Ordinance No. 22-43 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 29th day of August, 2022. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan
City Recorder

**Attachment 1 to
ORDINANCE NO. 22-43**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE GENERAL PLAN
FOR THE MODERATE INCOME HOUSING STRATEGIES ELEMENT**

Moderate Income Housing Strategies Element of the General Plan:

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

1. Strategy. Strategy type ongoing. Rezone for densities necessary to facilitate the production of moderate income housing.
2. Timeline: Rezone all qualifying properties to the Interchange Overlay Zone (IOZ) by December 31, 2025.
 - a. Measure: Identify the areas that qualify for the IOZ.
 - b. Measure: Complete existing conditions analysis of the areas.
 - i. Benchmark: Complete Measure a and b by May 31, 2023.
 - c. Measure: Identify utility constraints of each area and plot timeframe of utility development.
 - d. Measure: Identify transportation constraints of each area and plot timeframe of transportation development.
 - e. Measure: Conduct analysis of potential residential density in each IOZ area, including recommended percentage of moderate income housing.
 - i. Benchmark: Complete measures c through e by December 31, 2023.
 - f. Meet with property owners to determine feasibility.
 - i. Benchmark: Complete measure f by March 31, 2024.
 - g. Measure: Update Future Land Use Map in each IOZ area to reflect future rezone to IOZ.
 - i. Benchmark: Complete measure g by July 31, 2024.
 - h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
 - i. Measure: Identify components of MDA.
 - i. Benchmark: Complete measure h and i by December 31, 2024.
 - j. Measure: Start process to rezone areas to IOZ.
 - k. Hold Planning Commission public hearing(s).
 - l. Hold City Council public hearing(s).
 - i. Benchmark: Complete by July 31, 2025
 - m. Measure: Final revisions.
 - i. Benchmark adopt by December 31, 2025.

(See the next page.)

(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;

1. Strategy. Strategy type on going. Explore demonstration in rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing:
2. Timeline: Demonstrate nexus by July 31, 2024.
 - a. Measure: Identify potential infrastructure improvements that will contribute to the rehabilitation or expansion of MIH.
 - b. Measure: Identify areas where infrastructure improvements will result in preservation of and/or the creation of MIH.
 - c. Measure: Determine cost of infrastructure improvements.
 - i. Benchmark: Complete Measure a, b and c by July 31, 2023.
 - d. Measure: If feasible identify potential preservation of or creation of MIH because of infrastructure investment.
 - e. Measure: Establish nexus between investment in infrastructure and creation of MIH.
 - i. Benchmark: If feasible establish nexus and potential rehabilitation of and/or the creation of MIH by July 31, 2024.

(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.

1. Strategy. Strategy type ongoing. 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.
2. Timeline: Rezone all qualifying properties, approved by the city council, to the Residential Overlay District (ROD) by December 31, 2025.
 - a. Measure: Identify the areas that qualify for the ROD.
 - b. Measure: Complete existing conditions analysis of potential ROD areas.
 - i. Benchmark: Complete Measure a and b by March 31, 2023.
 - c. Measure: Identify utility constraints of each area and plot timeframe.
 - d. Measure: Identify transportation constraints of each area and plot timeframe.
 - e. Measure: Conduct analysis of potential residential density in each ROD area, including recommended percentage of moderate income housing.
 - i. Benchmark: Complete measures c through e by September 30, 2023.
 - f. Meet with property owners to determine feasibility.
 - i. Benchmark: Complete measure f by December 31, 2023.
 - g. Measure: Update Future Land Use Map in each ROD area to reflect future rezone to ROD.
 - i. Benchmark: Complete measure g by July 31, 2024.
 - h. Measure: Determine if master development agreement (MDA) is required prior to rezone to IOZ.
 - i. Measure: Identify components of MDA.
 - i. Benchmark: Complete measure h and i by December 31, 2024.
 - j. Measure: Start process to rezone areas to ROD.
 - k. Hold Planning Commission public hearing(s).
 - l. Hold City Council public hearing(s).
 - i. Benchmark: Complete measures j through l by July 31, 2025
 - m. Measure: Final revisions.
 - i. Benchmark adopt by December 31, 2025.

(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.

1. Strategy. Strategy type one time. Amend land use regulations to allow for new moderate income residential development in mixed-use zones near major transit investment corridors.
2. Timeline: Modify City Center (CC) land use regulation by December 31, 2023
 - a. Measure: Analyze City Center zone ordinance and determine percentage of and qualifications for new moderate income housing development.
 - b. Measure: Determine how moderate income housing should be integrated into CC zones.
 - i. Benchmark: Complete Measure a and b by December 31, 2022.
 - c. Measure: Identify how new moderate income housing will be subsidized.
 - d. Measure: Analyze potential RDA housing set aside for new moderate income housing development in CC zone.
 - i. Benchmark: Complete measures c and d by May 31, 2023.
 - e. Measure: Start process to amend CC zone language.
 - f. Hold Planning Commission public hearing(s).
 - g. Hold City Council public hearing(s).
 - i. Benchmark: Complete measures e through g by October 31, 2023
 - h. Measure: Final revisions.
 - i. Benchmark adopt by December 31, 2023.

(J) Implement zoning incentives for moderate income units in new developments.

1. Strategy. Strategy type ongoing. Implement zoning incentives for moderate income units in new developments.
2. Timeline: Implement Integrated Housing Ordinance (IHD) by December 31, 2024.
 - a. Adopt Integrated Housing Ordinance.
 - i. Benchmark: Complete measure a by September 30, 2022.
 - b. Measure: Identify the areas that could be used for the IHD.
 - c. Measure: Complete existing conditions analysis of each area.
 - d. Measure: Identify utility constraints of each area and plot timeframe.
 - e. Measure: Identify transportation constraints of each area and plot timeframe.
 - f. Measure: Conduct analysis of potential residential density in each IHD area, including recommended percentage of moderate income housing.
 - i. Benchmark: Complete Measure b through f by December 31, 2022.
 - g. Meet with property owners/developers to determine feasibility.
 - i. Benchmark: Complete measure g by March 31, 2023.
 - h. Measure: Update Future Land Use Map in each IHD area to reflect future rezone to IHD.
 - i. Benchmark: Complete measure h by July 31, 2023.
 - i. Measure: Determine if master development agreement (MDA) is required prior to rezone to IHD.
 - j. Measure: Identify components of MDA.
 - i. Benchmark: Complete measure i and j by October 31, 2023.
 - k. Measure: Start process to rezone areas to IHD.
 - l. Hold Planning Commission public hearing(s).
 - m. Hold City Council public hearing(s).
 - i. Benchmark: Complete measures k through m by July 31, 2024
 - n. Measure: Final revisions.
 - i. Benchmark adopt by December 31, 2024.

(M) Demonstrate creation of, or participation in, a community land trust program for moderate income housing.

1. Strategy. Strategy type one time. Explore participation in a community land trust program for moderate income housing.
2. Timeline: Determine feasibility by July 31, 2024.
 - a. Measure: Identify potential CLT partners.
 - b. Measure: Determine city involvement.
 - i. Benchmark: Complete Measure a and b by May 31, 2023.
 - c. Measure: If feasible start process for city involvement in CLT.
 - d. Measure: Determine how city will be involved and requirements of CLT.
 - e. Measure: Select CLT partner.
 - f. Measure: Complete required documents for CLT partnership.
 - i. Benchmark: Complete measures c through f by December 31, 2023.
 - g. Hold City Council public hearing(s).
 - i. Benchmark: Complete measures g by March 31, 2023.
 - h. Measure: Final revisions.
 - i. Benchmark if feasible adopt by July 31, 2023.

(O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

1. Strategy. Strategy Type one time. Apply for and/or partner with an entity that applies for funding, programs or incentives to promote, preserve or create MIH.
2. Timeline: Complete MIH project by December 31, 2028.
 - a. Measure: determine potential MIH projects, including potential locations.
 - b. Measure: Identify potential funding sources.
 - c. Measure: Identify and interview potential partners.
 - i. Benchmark: Complete Measure a, b and c by December 31, 2023.
 - d. Measure: Determine development partners.
 - e. Measure: Determine city involvement in MIH project.
 - f. Measure Determine funding sources.
 - i. Benchmark: Complete Measure d through f by July 31, 2024.
 - g. Measure: Analysis of proposed land uses and utility constraints with each MIH project.
 - h. Measure: Analysis of proposed connectivity improvements.
 - i. Measure: Analysis of proposed MIH residential density of each MIH project.
 - j. Apply for or partner with the identified entity that applies for funding, programs or incentives.
 - i. Benchmark: Complete measures g through j by December 31, 2024.
 - k. Measure: Concept plan and revisions.
 - l. Measure: Entitlement.
 - i. Benchmark: Complete k and l by July 31, 2025.

- m. Measure: Preliminary plan completion and review.
 - i. Benchmark: Complete by December 31, 2025
- n. Measure: Final plan and revisions.
 - i. Benchmark approval by May 31, 2026.
- n. Measure: Construction phase.
 - i. Benchmark: Construction complete by December 31, 2028.

(T) Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;

1. Strategy. Strategy Type one time. Partner with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing.
2. Timeline: Ratify partnership and acquisition agreement by December 31, 2025.
 - a. Measure: Identify potential MIH potential locations.
 - b. Measure: Identify potential funding sources.
 - c. Measure: Identify and interview potential partners.
 - i. Benchmark: Complete Measure a, b and c by October 31, 2023.
 - d. Measure: Determine partners.
 - e. Measure: Determine city involvement in MIH project.
 - f. Measure: Determine funding sources.
 - i. Benchmark: Complete Measure d through f by July 31, 2024.
 - g. Measure: Analysis of proposed land uses and utility constraints with each MIH project.
 - h. Measure: Analysis of proposed connectivity improvements.
 - i. Measure: Analysis of proposed MIH residential density of each MIH project.
 - j. Measure: Work with appropriate city departments and complete a comprehensive legal analysis of all required contracts, purchase agreements and other documents.
 - k. Measure: Determine all relevant 2009 City Code sections that require amendment.
 - i. Benchmark: Complete measures g through k by May 31, 2025.
 - l. Measure: Complete all required code amendments and all required legal documents.
 - m. Present to City Council and hold required public hearings.
 - i. Benchmark: Ratify partnership with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing by December 31, 2025.

(See the next page.)

(V) Develop and adopt a station area plan in accordance with Section 10-9a-403.1.

1. Strategy. Strategy type ongoing. Develop and adopt station area plan(s) in accordance with Section 10-9a-403.1.
2. Timeline: Adopt four station area plans by December 31, 2025.
 - a. Measure: Identify the four station areas to be planned.
 1. Task: Apply for Technical Assistance by July 15, 2022
 - b. Measure: Complete existing conditions analysis of the four station areas.
 - i. Benchmark: Complete Measure a and b by August 31, 2022.
 - c. Measure: Identify stakeholders.
 1. Task: Identify stakeholders by July 1, 2022
 - d. Interview Stakeholders.
 1. Task: Interview stakeholders by December 31, 2022
 - e. Meet with adjacent jurisdictions.
 1. Task: Meet with adjacent jurisdictions by August 1, 2022
 - f. Hold public meetings.
 - i. Benchmark: Complete measures c through f by December 31, 2023.
 - g. Measure: Analysis of proposed land uses in each station area.
 - h. Measure: Analysis of proposed connectivity improvements.
 - i. Measure: Analysis of proposed residential density in each station area, including moderate income housing.
 - i. Benchmark: Complete measures g through i by July 31, 2024.
 - j. Measure: Concept plan and revisions.
 - i. Benchmark: Complete measure j by December 31, 2024.
 - k. Measure: Preliminary plan completion and review.
 - i. Benchmark: Complete by July 31, 2025
 - l. Measure: Final plan and revisions.
 - i. Benchmark adopt by December 31, 2025.







Ordinance No. 22-43 Moderate Income Strategies Element to General Plan

Final Audit Report

2022-08-29

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 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton


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