

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 11 August 2022    **TIME COMMENCED:** 6:00 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT:**

**COMMISSIONERS:**                      **Gary Boatright**  
   **Jeremy Davis**  
   **Julie Losee**  
   **Marty McFadden (excused)**  
   **Taylor Walton**

**COMMUNITY SERVICE DIRECTOR:** **Trevor Cahoon**

**DEVELOPMENT COORDINATOR:**    **Kimberli Guill**

**Minutes:** **Michelle Clark**

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**ATTENDEES:** Paul Sturm, Michael Grant, Kajoel Gasaway, Ed Stephens, and Sanford Thompson.

**Commissioner Davis called the meeting to order and welcomed those in attendance.**

**1. Pledge of Allegiance: Commissioner Davis**

**2. Public Comment:** Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name & address and direct comments to the entire Commission (Commission will not respond).

**ACTION ITEMS:**

**3. Consent Agenda**

- 14 July 2022 Minutes

**Commissioner Boatright moved to approve the consent agenda as amended to include discussion concerning the commission's selections for moderate income housing, what happens if they don't make any selections, and how that relates to the Transportation Tax Increment Financing TTIF. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and Walton voted aye. The motion carried.**

**Commissioner Walton moved to open the public hearing Resolution 22-44: Moderate Income Housing. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and Walton voted aye. The motion carried.**

\*\*\*\*\* PUBLIC HEARING \*\*\*\*\*

**RES 22-44: Moderate Income Housing**

House Bill 462 (HB 462) - Utah Housing Affordability Amendments became law on June 1st, 2022. HB 462 creates new and modifies existing requirements for certain municipalities. The moderate income housing plan provisions apply to the same list of cities as Senate Bill 34 applied to. Approved during the 2022 General Session, the “Utah Housing Affordability Amendments” modified many of the provisions related to affordable housing that were in the 2010 SB 34 legislation.

**Highlights of HB 462**

- Clarifies MIH requirement and timing to amend your General Plan
- Requires the inclusion of an implementation plan to bring the MIH element to life
- Amends the list of strategies to use
- Outlines the annual reporting requirement
- Adds priority incentives/restrictions for compliance with the MIH requirement

The inclusion of the moderate-income housing element within a county or municipal General Plan is based on population. If the population of the municipality is at least 5,000 people, the General Plan must include this element. For counties, the total county population must be at least 40,000 people with at least 5,000 people in the unincorporated portion.

In order to ensure that jurisdictions are not only envisioning the increase of moderate income housing but establishing concrete steps to make it happen, HB 462 amends the code to require the inclusion of an implementation plan within the General Plan.

HB 462 has amended the list of strategies that municipalities and counties can consider and use within the moderate income housing elements. Many of the previous strategies have been revised and/or combined to provide better clarity while a number of new strategies have been added for consideration. Strategies need actionable implementation steps.

Community Services Director Trevor Cahoon reported the Planning Commission needs to review the Moderate Income Housing (MIH) Plan and make a recommendation to the City Council on any amendments that need to be made due to new State legislation. He acknowledged the agenda packet included Option (E) and Option (X). These two options were not identified by the Planning Commission at their last meeting. He explained the Planning Commission is required to select a minimum of three options; however, as he was reviewing the state provision, if options are substantially similar, they can only be counted as one option. For example, if the Planning Commission selected three rezone options, it counts as one option. As Trevor listened to the audio from last month’s meeting, he wanted to provide other options that were discussed.

**South Weber’s Current Selections:**

- Option (A) Rezone for densities necessary to facilitate the production of moderate income housing.
- Option (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing.
- Option (E) Create or allow for, and reduce regulations to, internal or detached accessory dwelling units in residential areas.
- Option (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.
- Option (X) Demonstration implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.
- Option (W) Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones.

**STRATEGY**

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

**IMPLEMENTATION**

**Complete July 2023** - Identify areas within South Weber that would best accommodate moderate income housing through a land use study.

**Complete November 2023** - Select various nodes within the community that can facilitate moderate income housing growth with minimal impacts to existing development.

**Complete December 2024** - Update the General plan utilizing the information gathered in the land use study.

**Begin January 2025** - Begin the process of rezoning the land within the nodes to uses that will facilitate the creation of moderate income housing.

**STRATEGY**

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

**IMPLEMENTATION**

**Ongoing** – Continuously update each Capital Facilities Plan, Impact Fee Facilities Plan and General Plan to account for new growth and potential growth.

**STRATEGY**

(E) Create or allow for, and reduce regulations to, internal or detached accessory dwelling units in residential zones.

**IMPLEMENTATION**

**Fall 2022** - Study options for allowing detached accessory dwelling units.

**Winter 2023** - Discuss with City Council and Planning Commission the options that are available to allow detached accessory dwelling units.

**Spring 2023** - Begin crafting a draft ordinance for detached accessory dwelling units.

**Spring 2023** - Take the draft ordinance through the process.

**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.

**IMPLEMENTATION**

**Complete July 2023** – Study and Identify commercial parcels that would be eligible for rezone to create a new moderate income residential development around the 475 E interchange and the South Weber Drive interchange.

**Complete November 2023** - Select various nodes within the community that can facilitate moderate income housing growth with minimal impacts to existing development.

**Complete December 2024** - Update the General plan utilizing the information gathered in the land use study.

**Begin January 2025** - Begin the process of rezoning the land within the nodes to uses that will facilitate the creation of moderate income housing.

**STRATEGY**

(X) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

**IMPLEMENTATION**

**Complete Winter 2022** – Study options to require moderate income housing and the methods to employ them within each residential development.

**Complete Spring 2023** – Draft potential zoning text changes for residential Zones and implementation of new housing type requirements for residential development.

**Complete Summer 2023** – Pass ordinance to require 10% of new residential development be dedicated to moderate income housing.

**STRATEGY**

(W) Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones.

**IMPLEMENTATION**

Complete Fall 2022 – Identify housing types that would be compatible in scale with single family housing.

Complete Winter 2022 – Identify zones in which we can incorporate these housing types.

Complete Spring 2023 – Draft ordinance language to allow alternative housing types in residential zones.

Complete Summer 2023 – Finalize ordinance to allow for alternative housing types.

Commissioner Davis asked if there was any public comment.

**Paul Sturm, of South Weber City**, relayed he is concerned there was no power point presentation in the packet. He queried as to who added Strategy options (E) and (X) as they were not selected by the Planning Commission during the 14 July 2022 meeting.

**Commissioner Boatright moved to close the public hearing for Resolution 22-44: Moderate Income Housing. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and Walton voted aye. The motion carried.**

\*\*\*\*\* **PUBLIC HEARING CLOSED** \*\*\*\*\*

Commissioner Boatright addressed Paul Sturm's public comments and explained he is not concerned about staff adding to the selections because at the last meeting it was a discussion item and not an action item that required approval.

Commissioner Walton expressed all of these options are similar because they have to do with code. He queried as to the threshold for deciding how close or similar options can be. Trevor replied as he was reviewing the code, he acknowledged the descriptions from the state are very vague. In his opinion, anything involving land for a rezone are similar in activity. He discussed there is not a lot of direction from the state. If it is dealing with code update to amend zoning regulation are similar as well.

Trevor discussed the implementation plan and explained every year the state will request each city report on what, when, and how they are doing on their plan.

Commissioner Losee queried if Option (D) is viable for South Weber. Trevor replied South Weber City is 110% of the county median income and does not qualify.

Commissioner Davis is not in favor of Option (X) but he is okay to leave it and see what the City Council recommends. He doesn't have any concerns with the other selections.

Commissioner Boatright is concerned about Option (F) and opined the state is strapping cities as they have not given many options; however, he does understand the city needs to make a good faith effort.

ADD CITIZEN INPUT

Commissioner Walton expressed any of these strategies aren't going to influence the economy enough to become moderate income housing. He feels it is a noble goal to implement these strategies, but realistically, he doesn't see it happening.

Trevor opined the intent is to provide a variety of housing types, but it does burden a city to accomplish this requirement.

Commissioner Walton suggested moving forward with all six selections.

Commissioner Walton moved to recommend the City Council approve Resolution 22-44: Moderate Income Housing with the (A), (B), (F), (E), (X), and (W). Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and Walton voted aye. The motion carried.

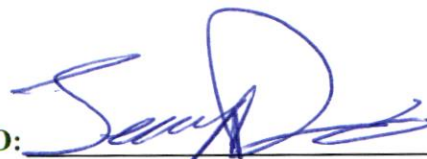
**PLANNING COMMISSION COMMENTS:**

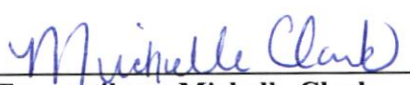
**Commissioner Losee:** announced the developer for the Poll property is still marketing on the MLS and what is being advertised is not what was approved by the city.

**Commissioner Davis:** reported the City Council will be reviewing an increase in the Planning Commission stipend at the next City Council meeting. He is in favor of the increase. Commissioner Boatright appreciates the increase but feels to go from \$69 to \$150 is too much.

**Community Service Director:** reported the Utah League of Cities and Towns Conference will be held the second week in September, which interferes with the currently scheduled Planning Commission meeting. It was decided the next Planning Commission meeting will be on September 15, 2022.

**ADJOURN:** Commissioner Losee moved to adjourn the Planning Commission meeting at 6:50 p.m. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Walton voted aye. The motion carried.

**APPROVED:**  **Date** 9/15/2022  
**Chairperson: Jeremy Davis**

  
**Transcriber: Michelle Clark**

**Attest:**   
**Development Coordinator: Kimberli Guill**

**Comments to South Weber City Planning Commission  
for 11Aug22 Meeting  
by Paul A. Sturm**

**Public Comments and Questions**

**Agenda Item #4 -Packet Pages 8 to 11 of 11**

**4. Public Hearing & Action on RES 22-44: Moderate Income Housing Update**

**A) Please See Packet Page 9 of 11, third paragraph**

**"The options that are available are found within the PowerPoint in this packet."**

**There is no PowerPoint slide presentation in this packet!!**

**B) Please See Packet Page 9 of 11, fourth paragraph**

**"After discussion with the Planning Commission the Commission wanted to consider the following items with the attached potential implementation plans for each item."**

The Planning Commission, during their meeting on 14Jul22, wanted to consider only four strategy options, not the six being presented in this Staff Report!! The Planning Commission already made their decision! Please see the following excerpt from **this** packet, Page 5 of 11, near the bottom of the page from the minutes of the 14Jul22 Planning Commission Meeting to show what they said:

**The Planning Commission came to the consensus on Strategy Options (A), (B), (F), and (W).**

**QUESTION:** Why does Staff in their Staff Report not respect the consensus / vote (?) by the Planning Commission regarding the Strategy Options selected?

**C) Please See Packet Pages 9 to 11 of 11**

**The Implementation Plans shown in this packet are well presented so as to provide SWC with a path forward.**

The concern that I still have is the inclusion of Strategy Options (E) and (X) in this presentation since Strategy Options (E) and (X) were not selected by the Planning Commission during the 14Jul22 meeting.

**QUESTION:** Who on Staff added Strategy Options (E) and (X) into this discussion after a clear consensus decision and vote (?) by the Planning Commission on their desired Strategy Options?