Moderate Income Housing Element in the General Plan

While all jurisdictions are encouraged to plan for moderate income housing, certain jurisdictions are required to include a moderate income housing element within their general plan. The inclusion of this element demonstrates that the jurisdiction desires to create an opportunity for a variety of housing in order “to meet the needs of people of various income levels living, working, or desiring to live or work in the community” while also allowing “people of various incomes to benefit from and fully participate in all aspects of neighborhood and community life.”

This housing element should include two pieces: specific strategies which the jurisdiction intends to utilize and an implementation plan to see those strategies through over the next five years.

Strategies

Municipalities and counties must include at least three strategies - municipalities with a “ fixed guideway transit station” (train or BRT station) must have at least four strategies. The menu of strategies includes the following:

A. Rezone for densities necessary to facilitate the production of moderate income housing
B. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing
C. Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing
D. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/municipality for the construction or rehabilitation of moderate income housing
E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones
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
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
H. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities
I. Amend land use regulations to allow for single room occupancy developments
J. Implement zoning incentives for moderate income units in new developments
K. Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund
L. Reduce, waive, or eliminate impact fees related to moderate income housing
M. Demonstrate creation of, or participation in, a community land trust program for moderate income housing
N. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality
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

P. Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing
Q. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act
R. Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530
S. Create a program to transfer development rights for moderate income housing
T. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing
U. Develop a moderate income housing project for residents who are disabled or 55 years old or older
V. Develop and adopt a station area plan in accordance with Section 10-9a-403.1
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
X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the county/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

Notes:

1. Municipalities with a fixed guideway transit station must include strategy V in their moderate income housing element.
2. Strategy “O” above does not include the phrase “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 Cooperative Act,” for counties.
3. Strategy “V” above does not apply to counties.

Implementation

Identifying the key strategies that your jurisdiction is going to utilize is a first step to planning for moderate income housing. The next piece, and some might say the most important piece, is the implementation plan for these strategies.

The jurisdiction should determine an appropriate and realistic implementation plan to bring these strategies to life over the next five years. This implementation plan should be developed in a way that there’s flexibility so that the jurisdiction can make adjustments as needed over time. The implementation should also identify specific measures and benchmarks for the strategies. This allows the jurisdiction and general public to understand exactly what needs to happen and creates a method of verifying and determining if the moderate income housing plan is being met.