

**CITY OF SANTA CLARA
ORDINANCE 2019-15**

**AN ORDINANCE UPDATING THE SANTA CLARA CITY GENERAL
PLAN**

WHEREAS, the City Council of the City of Santa Clara met in regular session on December 11, 2019 to consider updating the Santa Clara City General Plan to include certain strategies to facilitate the development of moderate-income housing, and

WHEREAS, the 2019 State Legislature adopted a new state requirement for cities to update the Moderate-Income Housing element of their General Plan by selecting at least three strategies to further promote or facilitate the development of moderate-income housing, and

WHEREAS, the 2019 State Legislative Act includes a list of 23 possible strategies from which cities can choose which of the possible strategies best fits their community, and

WHEREAS, beginning in 2020, cities are required to provide an annual report to the state describing progress towards implementing strategies to facilitate the development of additional moderate-income housing, and

WHEREAS, the Planning Commission held a Public Hearing on November 14, 2019 on the proposed four strategies to be included in the City’s Moderate-Income Housing element of the General Plan, and recommends that those four strategies be adopted as part of the City’s General Plan, and

WHEREAS, after careful consideration and review the City Council has determined that it is in the best interest of the health, safety and welfare of the inhabitants of the City of Santa Clara to adopt the recommendation to update the Santa Clara City General Plan as proposed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara as follows:

Section 1. Findings. The City Council finds and determines the four strategies as follows:

1. Rezone for densities necessary to assure production of MIH.
2. Allow for reduce regulations for Accessory Dwelling Units in residential zones.
3. Allow for higher densities in mixed-use zones, commercial centers, or employment centers.
4. Implement zoning incentives for low to moderate income units in new developments.

See Exhibit “A” for details

Section 2. Adoption.

The City Council hereby approves and adopts the update to the Santa Clara City General Plan, and reflected therein, this Ordinance shall become effective on December 11, 2019.

PASSED, ADOPTED AND APPROVED this 11th day of December 2019.

CITY OF SANTA CLARA

ATTEST:

Rick Rosenberg, Mayor

Chris Shelley, City Recorder

Exhibit “A”

1. (A) Rezone for densities necessary to assure production of MIH. In Santa Clara City a single detached home on an individual lot will normally not be an affordable housing unit due to the high cost of building lots. Rather attached housing units such as townhomes, apartments, and condominiums are the best option for affordable housing units. Townhome units which sell in the range of \$250,000 is the most affordable housing option at present. In 2018 and 2019 the city has continued to rezone areas for medium density housing with densities up to 12 units per acre. In 2018 and 2019 Santa Clara city took actions to promote the development of moderate income housing by approving revisions to the City General Plan to allocate more land area to medium density housing, and also rezoned property from the R-1-10 single family residential zone to PD -Residential, which allows for smaller lots and also for attached housing such as townhomes and condominiums. The significant General Plan amendments and zone changes in 2018 and 2019 are as follows;

- a. South Hills General Plan amendment for 1,680 acres of public and private land, which included 270 acres in twelve development pods for medium density residential housing, which could result in approximately 1,500 new dwelling units, if developed at an average density of 5.5 dwelling units per acre.
- b. Black Desert General Plan amendment to designate 298 acres for a large planned development project with golf course, natural open space, medium density and mixed-use residential housing.
- c. Approved an amended Planned Development Residential zones for the DR Horton project with 185 proposed townhome units, and the Solace project with both detached and attached housing with a total of 250 housing units on 52.5 acres.

The above projects will not likely create much new affordable housing, but the amendments to both the General Plan and Zoning map provide evidence of the city’s efforts to increase density in the city which will be an important factor in reducing housing costs in Santa Clara.

2. (E) Allow for and reduce regulations for Accessory Dwelling Units in residential zones. Santa Clara City has allowed a second dwelling unit, (an accessory dwelling unit or ADU) in R-1 zones for a number of years, however the present regulations do not allow for a detached single level accessory dwelling unit. The city has reviewed the ADU code provisions and has determined that allowing more options or flexibility in the location of an ADU will likely encourage more construction of ADU’s in the city’s R-1 zones. The present regulation proposed to be modified is as follows;
Sections 17.60.060: G. 1-3, and 17.64.060.H.2.a-c both allow a second dwelling unit on a single-family lot (RA and R-1-10 zones) but only under one of three conditions;

1. Over a garage
2. Inside the home through an internal conversion of the home
3. By an addition to the house, with an internal connection between dwelling units....

A detached ADU at ground level (i.e., not over the garage) is presently not permitted, but as a **means to promoting more affordable housing the City proposes to add a fourth option, and that is to allow a detached ADU at ground level subject to meeting the minimum rear and side residential setbacks mandated in the International Residential Code which governs residential construction in the state of Utah. This new option is expected to promote the construction of more ADUs in the R-1 zones within Santa Clara City.**

3. (F) Allow for higher densities in mixed-use zones, commercial centers, or employment centers.

The city's present zoning regulation allows mixed-use projects in both the Planned Development Residential and Planned Development Commercial zones. The maximum residential density in mixed-use projects is presently 12 dwelling units per acre under the city's Density Bonus Program. **In order to encourage more affordable housing options in mixed-use projects in a Planned Development Commercial zone the city proposes to provide for more flexibility in project density by allowing the Planning Commission and City Council to determine the dwelling unit density rather than have a prescribed "hard" limit.** The mixed-use project would be required to comply with the parking, landscaping, and other requirements for a residential project but the maximum project density would be flexible and determined as part of the site plan approval process. This additional flexibility is expected to generate additional affordable housing units in the coming years.

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

The City will explore zoning incentives such as a density bonus provision whereby additional project density can be granted where some units are designated as "affordable housing units" to increase the supply of moderate-income housing units. In 2020 the city will research what level of incentives are needed to adequately entice developers to increase the project density and include "affordable units" in the new development.

The City intends to implement the above four strategies in 2020 and will provide a progress report on these efforts as part of the annual report required under the State's Moderate- Income Housing Plan requirements (see UCA 10-9a-408).