

A Model Resolution for Amending the Moderate-Income Housing Element Of A General Plan

DISCLAIMER:

This model resolution for amending a general plan and adopting a revised or new Moderate Income Housing Element was prepared by a non-attorney state employee in performance of the duties and responsibilities of the Utah Housing and Community Development Division. The State of Utah makes no representations or warranties regarding the model resolution and disclaims all responsibility or liability for its use. Governmental entities should seek legal advice before using the model resolution and should have their attorney review all proposed ordinances and resolutions.

A RESOLUTION AMENDING HOUSING ELEMENT OF THE _____ CITY GENERAL PLAN, BY ADOPTING MODERATE-INCOME HOUSING AS PART OF THE GENERAL PLAN.

WHEREAS: The Municipal Land Use, Development, and Management Act (Utah Code 10-9a-101 et seq.) (the "Act") requires each specified municipality in the State of Utah to include a Moderate Income Housing Element in its General Plan; and,

WHEREAS: The City on (DATE) adopted the most recent version of its General Plan; and,

WHEREAS: The City initiated a review of the Moderate Income Housing Element of its General Plan as part of an amendment to the General Plan; and,

WHEREAS: The _____ Planning Commission addressed the proposed comprehensive amendment to the General Plan during its regularly scheduled meeting held (DATE); and,

WHEREAS: The _____ Planning Commission posted notice of a public hearing regarding the proposed amendment to be held on (DATE), and held that public hearing regarding the proposed amendment on (DATE); and,

WHEREAS: The _____ Planning Commission upon receiving and carefully reviewing the input, documents, and testimony from the public did prepare its final recommendation regarding the proposed amendment to the _____ City General Plan; and,

WHEREAS: The _____ City Council has received and carefully reviewed the final recommendation from the Planning Commission regarding the proposed amendment, the minutes from the Planning Commission meetings and public hearing regarding the proposed amendment to the _____ City General Plan; and,

WHEREAS: The _____ City Council finds the proposed amendment to the _____ City General Plan contains all elements mandated by the Utah Code and has been updated to meet current and future moderate income housing needs of the City; and

WHEREAS: The _____ City Council finds the proposed amendment to the General Plan is in the best interest of the health, safety, and welfare of the residents of the City, considering all factors;

NOW, THEREFORE: THE _____ CITY COUNCIL RESOLVES AS FOLLOWS:

PART I:

The City Council of _____, _____ County, State of Utah adopts hereby Resolution No. _____, approving Amendment "Moderate Income Housing Element, (YYYY)" as part of the City's General Plan in compliance with the Act.

PART II:

The _____ City General Plan, (YYYY) is hereby amended to read as follows:

See attached Amendment "Moderate Income Housing Element, (YYYY)"

PART III:

A copy of the _____ City General Plan, as amended herein, is hereby ordered to be filed with, and retained by, the City (Recorder/Clerk/Auditor).

PART IV:An electronic copy of the Amendment “Moderate Income Housing Element, **YYYY**” is hereby ordered to be filed with both the _____ Association of Governments and the Housing and Community Development Division of the Utah Department of Workforce Services.

PART V:

If any of the sections, sentences, clauses or provisions of this General Plan shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

PART VI:

This resolution shall become effective fifteen (15) days after it is passed and upon promulgation through the website of _____ City or publication in a newspaper having general circulation in _____ City.

THE CITY COUNCIL OF THE CITY OF _____

, Mayor

, City Councilor

, City Councilor

, City Councilor

, City Councilor

, City Councilor

, City Councilor

, City Councilor

ATTEST:

, City Recorder

APPROVED AS TO FORM:

, Legal Counsel

