

TOOELE CITY CORPORATION

ORDINANCE 2022-37

**AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE MODERATE INCOME HOUSING ELEMENT OF THE TOOELE CITY GENERAL PLAN.**

**WHEREAS**, Utah Code § 10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

**WHEREAS**, the Tooele City General Plan includes various elements, including water, sewer, transportation, moderate income housing, and land use. The Tooele City Council adopted the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 1998-39 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial); and,

**WHEREAS**, Utah Code Sections 10-9a-401(3) and 10-9a-403(2) require the General Plan of each Utah municipality to include a plan element that provides a realistic opportunity to meet the need for additional moderate income housing; and,

**WHEREAS**, in preparing the Moderate Income Housing element of the General Plan, Utah Code Section 10-9a-403(2)(b) requires the City to do the following:

- consider the Legislature’s determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing, to meet the needs of people desiring to live in the community, and to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and,
- include an analysis of why the means and techniques recommended in the Moderate Income Housing element provide that realistic opportunity within the next five years; and,
- consider means and techniques, such as:
  - rezoning for densities necessary to assure the production of moderate income housing;
  - facilitate and encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;
  - consider general fund subsidies to waive constructed related fees;
  - consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing;
  - consider programs offered by the Utah Housing Corporation;
  - consider Department of Workforce Services affordable housing programs; and,
- identify agriculture protection areas.

**WHEREAS**, Tooele City has actively considered and enacted means and techniques to allow a variety of housing opportunities for Tooele City residents, including moderate income housing, including by doing the following:

- enacting incentives for in-fill development, including less restrictive land use regulations (Ordinance 2015-25);
- creating several areas of HDR zoning that allow residential densities of between 8 and 20 units per acre;
- approving several new apartment and attached single-family developments;

- enacting multi-family design standards to ensure that high-density housing developments include good site and building design for the benefit of residents, which standards recognize the fact that high density requires good design to be successful (Ordinance 2005-05);
- amending the MU-B (Mixed Use-Broadway) zoning district regulations to allow higher density residential developments with less restrictive land use regulations (Ordinance 2018-13);
- enacting a point-based for single-family design standards intended to improve building and site design without significantly increasing costs (Ordinance 2006-22);
- allowing for residential facilities for persons with a disability (Ordinance 2012-17);
- allowing for residential facilities for elderly persons (Ordinance 2012-17); and,
- allowing for housing in the MU-G (Mixed Use-General) zoning district; and,
- allowing for higher density residential uses beyond that previously allowable within Tooele City (Ordinance 2019-08); and,
- allowing for the ability to construct and utilize accessory dwelling units (Ordinance 2019-13);
- reducing minimum lot frontage requirements in In-Fill Geographic Areas A and B (Ordinance 2019-24).

**WHEREAS**, the Utah State Legislature adopted Utah State House Bill 462 during the 2022 General Legislative Session which, among other things, requires a higher level of accountability for communities regarding moderate income housing plans including plans for implementation of the moderate income housing strategies established by the State Legislature and selected by the City; and,

**WHEREAS**, the Moderate Income Housing Element prepared and adopted by Tooele City identifies at least nine strategies already in place for encouraging and maintaining moderate income housing units within the community, fully complying with and exceeding the requirements of House Bill 462; and,

**WHEREAS**, the Moderate Income Housing Element prepared and adopted by Tooele City includes the implementation plan for each of the 9 strategies Tooele City is currently executing and complies with the implementation requirements of House Bill 462; and,

**WHEREAS**, Utah State House Bill 462 requires the adoption of and reporting from its regulations into the Moderate Income Housing plans for communities by October 1, 2022; and,

**WHEREAS**, the Tooele City Council unanimously adopted a comprehensive review and amendment of the Moderate Income Housing Element to the General Plan on December 5, 2018 as Ordinance 2018-25; and,

**WHEREAS**, the City has proposed amendments to the Moderate Income Housing Element, as shown in the attached **Exhibit A**, to reflect compliance with the tenets and requirements of Utah State House Bill 642 (2022); and,

**WHEREAS**, the Moderate Income Housing Element reflects the findings of Tooele City's elected officials regarding the appropriate range, placement, and configuration of housing within the City, which findings are based in part upon the recommendations of City staff, public comments, and other relevant considerations; and,

**WHEREAS**, the Moderate Income Housing Element and the policies contained therein may be amended from time to time by the Tooele City legislative body to reflect the changing policies and values of the elected officials and the public; and,

**WHEREAS**, Utah Code § 10-9a-403 and § 10-9a-404 provide for the municipal legislature to consider General Plan amendment recommendations given by the Planning Commission, and to approve, revise, or reject proposed General Plan amendments; and,

**WHEREAS**, the City has proposed amendments to the Moderate Income Housing Element, as shown in the attached **Exhibit A**; and,

**WHEREAS**, on September 14, 2022, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit B**); and,

**WHEREAS**, on September 21, 2022, the City Council convened a duly-advertised public hearing:

**NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL** that:

1. this Ordinance and the Moderate Income Housing element amendments proposed therein are in the best interest of the City in that they will facilitate a reasonable opportunity for a variety of housing to meet the needs of people desiring to live in the community and allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life in Tooele City and are consistent with the General Plan; and,
2. this Ordinance and the Moderate Income Housing element amendments proposed therein are in the best interest of the City in that they fully comply with and exceed the requirements and objectives of Utah State House Bill 462 (2022) for identifying and implementing strategies and methods through which moderate income housing is encouraged and maintained within the community; and,
3. the Moderate Income Housing element of the General Plan is hereby amended as illustrated in **Exhibit A**, attached.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

**IN WITNESS WHEREOF**, this Ordinance is passed by the Tooele City Council this 21 day of SEPTEMBER, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

Maury

\_\_\_\_\_

Justin Brady

\_\_\_\_\_

Ann E. Lane

\_\_\_\_\_

K. McCall

\_\_\_\_\_

TONY GRAFF VIA PHONE

\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

Debra E. Walker

\_\_\_\_\_

ATTEST:

Michelle Pitt

Michelle Pitt, City Recorder

Holly Potter

SEAL



Approved as to Form:

Roger Baker

Roger Baker, City Attorney

**EXHIBIT A**

**MODERATE INCOME HOUSING PLAN**



**MODERATE INCOME HOUSING PLAN  
TOOELE CITY - 2022**

**PERPARED BY  
TOOELE CITY COMMUNITY DEVELOPMENT DEPARTMENT**

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| In many older areas of Tooele City there are some legally non-conforming duplexes, apartment buildings and other housing units that were constructed prior to existing zoning codes. These non-conforming units are protected by Tooele City Code Chapter 7-3; Non-Conforming Uses. This ordinance permits non-conforming buildings and land uses to persist in perpetuity as long as there is not a cessation of use greater                                     |    |

than one year and also permits the re-construction of non-conforming buildings if destroyed by fire or other calamity. There are no plans to change or otherwise amend this ordinance and these non-conforming, potentially moderate income housing units will continue without challenge by Tooele City. ... 30

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## INTRODUCTION

### House Bill 295

Utah's affordable housing legislation (HB295) aspires toward a community's housing market meeting the homeownership desires of all moderate, low and extremely low income households. The legislation encourages a community to provide a "reasonable opportunity for a variety of affordable housing for moderate income households." The results of this housing needs analysis demonstrates that the Tooele City housing market satisfies the requirements of HB295. The City housing market has a substantial number of *homeownership* opportunities for moderate income households while affordable housing opportunities for low and extremely low income households, as shown by household data, tend to be limited.

### City General Plan

Tooele City adopted a General Plan with a Land Use Element on December 16, 1998, which Land Use Element has been amended many times for individual areas or projects. A new General Plan was adopted in December 2020, with updated plan elements, including and updated Land Use Plan. The moderate housing plan fits into the City General Plan as one on the guiding elements of the total plan. Each department coordinates with the Community Development Director, Public Works Director and the City Engineer, to maintain, replace, and expand City services and utilities as needed. The Community Development Department uses the General Plan Elements to regulate and guide new developments to provide a balanced and diversified housing inventory.

### Regional Planning

The three main population centers in Tooele Valley are separated by large tracts of land predominately rural in nature with single-family homes on large parcels. Grantsville City has expanded its corporate boundary eastward to Tooele City and Erda City incorporated in 2021 to occupy portions of those unincorporated tracts. No coordination has occurred with the other entities in the development of a moderate-income housing plan. Tooele County Housing Authority and Utah Housing Corporation have constructed 11 of their 16 low income or tax credit housing communities in Tooele City. Tooele City is the only urban area in the Tooele Valley with a sizable and diverse housing inventory that provides for all income levels, though Grantsville City is also experiencing rapid growth.

### City Growth Pattern

Despite the housing construction recession of 2007, residential construction and home sales in Tooele City are strong and have grown significantly since 2018. Similar to the statewide trend, sales of existing homes are at record levels and the median sales price of a single family home has increase by 75% in 2017 to \$210,000, and since then to over \$350,000.

Tooele City has experienced rapid population growth over the last 3 decades (Chart 2). From 1980 to 1990, the City experienced a negative growth rate of -3.13% a possible result of local mine closures. From 1990 to 2010, the housing boom of the Wasatch Front Counties spilled over into the Tooele Valley with 62% and 40% growth rates respectively, in spite of a building recession from 2007 to 2011. From 2010 to the 2016 ACS Census shows a low 3.7% growth rate for Tooele City and market indicators predict a growth rate increase in the near future as new subdivisions and apartment projects are completed.

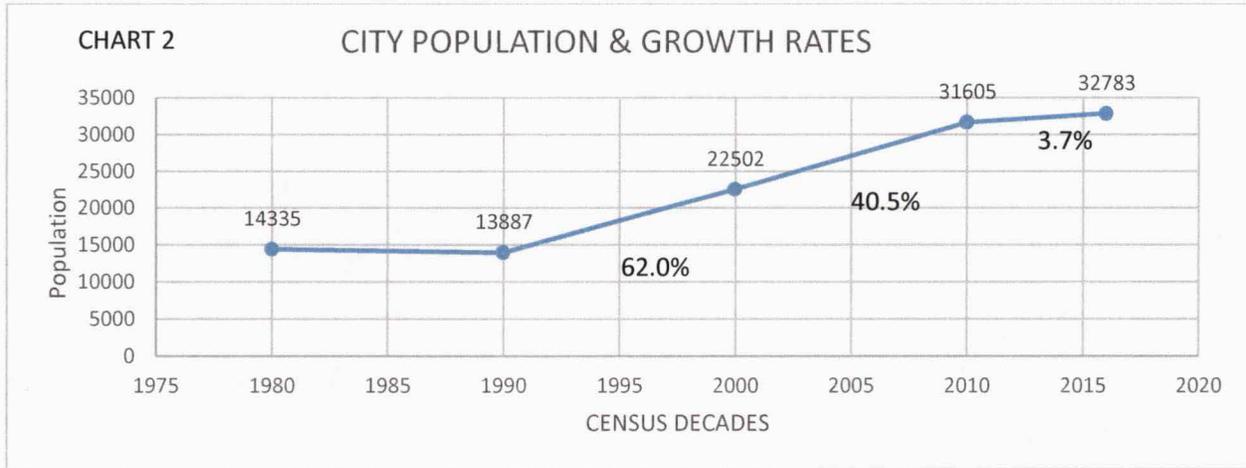
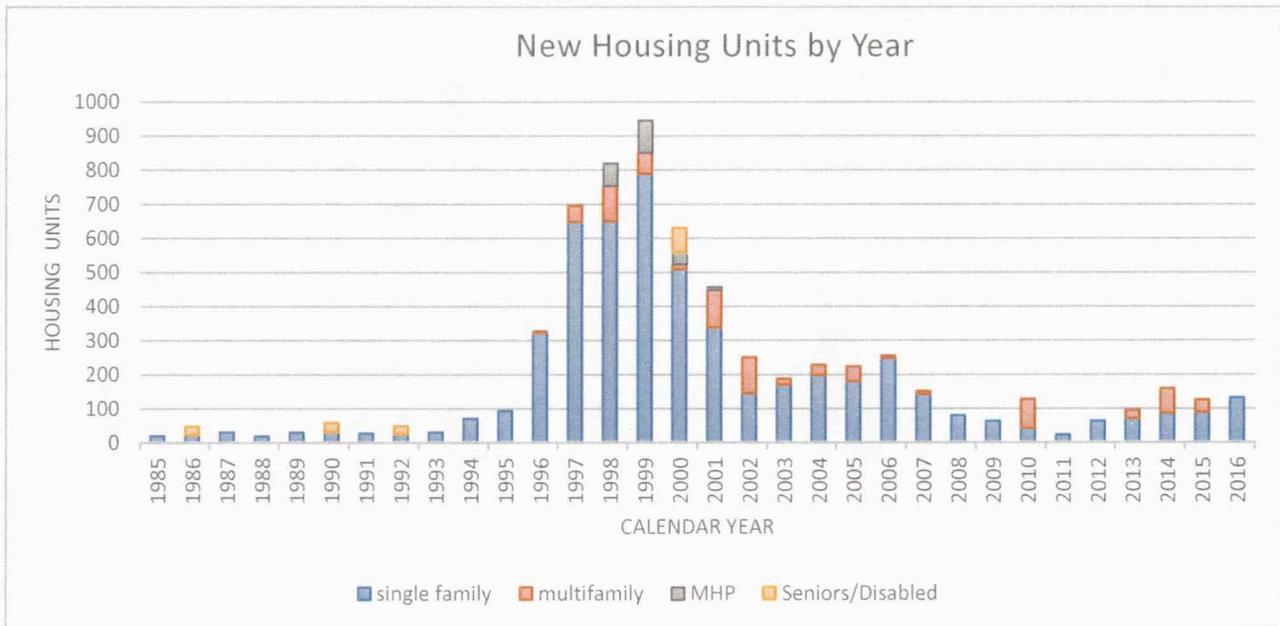


Chart 1 shows housing units constructed each year including new Mobile Home units in Mobile Home Parks, Elderly and Disabled housing units constructed in each year. Single-family detached homes are the preferred housing unit constructed in Tooele City over the last 30 years.

Tooele City, at 32,763 is the largest City in Tooele County comprising half of the County's 2016 population of 65,285. The high growth rate of Tooele City and Tooele County in the past 25 years has been the result of the Wasatch Front's soaring housing costs and diminished land availability. Tooele City's rapid growth started in 1994, peaked in 1999 with over 900 new housing units and then declined to a low of 186 housing units in 2003. The market attempted to recover until 2006 but declined again until 2011 with just 21 housing units. Since 2011, housing construction has increased to just over 130 housing units per year in 2016.

Chart 1



Source: Tooele City Building Department

### Commuting Patterns

The majority of Tooele County's working age population commute for employment. Each workday more than 18,000 County residents leave the county for work in Salt Lake, Utah, Davis, Weber Counties. Tooele County has an out-commuting ratio of 3.11 which means a little over 3 residents leave Tooele County for employment each day, while one resident lives and works in Tooele County. The mean travel time of residents of Tooele City is 28.4 minutes which does not deter new home buyers from selecting Tooele City. (Source: U.S. Census ACS 2016)

### New Housing Construction

Apartment communities (rent assisted and market rate) show a very low vacancy rate at or below four percent. Rent assisted communities are full with waiting lists and the four large market rate projects in the City have very low vacancy rates. Rents in Tooele have also increased. Two of the newest apartment communities report rents for 3 bedroom units at \$950 to \$1300 per month and the communities are 99% occupied. (Source: Tooele County affordable housing needs assessment - 2018)

Housing market indicators point to a housing shortage in Tooele City with increasing prices for both homeownership and renters and very low vacancy rates. Currently, most major housing market in Utah face similar conditions. Housing demand is outpacing the supply of new homes and apartments.

Tooele City residential construction for the last 5 years has been relatively slow compared to the housing market in the Wasatch Front counties that have recovered from the 2007 construction recession. Few new single-family housing subdivisions were completed in Tooele City between 2006 and 2016 and, as a result of this lack of new building lot inventory, Tooele City may experience a slowdown in single-family home construction in 2018.

### Community Sentiment

Community sentiment towards growth was noted during public hearings for the adoption of the City General Plan with the Land Use element in December 16, 1998. The public was not in favor of large high density housing projects and expressed concerns about traffic, noise and higher taxes. The consensus of the hearings was for a balanced mix of housing styles which would permit residents to select from single family homes, condominiums, townhomes, apartments, mobile homes, and senior housing. The lot sizes would range from 1 and 5 acre lots for larger homes, 10,000 to 14,000 square foot lots for large to moderate sized homes and 7,000 to 8,000 square foot lots for moderate to small homes. The mix would be predominately single family homes.

### Procedures and Definitions

City Staff utilized the Utah Affordable Housing Forecast Tool (UAHFT) to analyze housing needs in the community, based upon the affordability of the existing housing stock. The UAHFT is a housing needs model that projects housing demand based upon current trends of housing affordability and projected population increases. Data for the model was obtained through the US Census, the US Department of Housing and Urban Development, the Utah State Governor's Office of Planning and Budget (GOPB) and other sources. Findings for the models are summarized throughout this study.

The following terms are commonly used throughout this document:

- **Affordable Housing:** Housing for which the occupant is paying no more than 30 percent of his or her income for gross housing cost, including utilities.
- **Area Median Income (AMI):** the Area Median Income is a statistic generated by the U.S. Department of Housing and Urban Development (HUD) for the purposes of determining the eligibility of applicants for certain federal housing programs.
- **American Community Survey (ACS):** the American Community Survey is an ongoing survey by the U.S. Census Bureau. It regularly gathers information previously contained only in the long form of the decennial census, such as ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. Sent to approximately 295,000 addresses monthly, it is the largest household survey that the Census Bureau administers.
- **Utah Affordable Housing Forecast Tool (UAHFT)** is a housing needs model that projects housing needs based upon current trends of housing affordability and projected population increases.
- **Low to Moderate Income Households (LMI):** Low to Moderate Income Households refer to Households whose income does not exceed 115 percent of the median income for the area when adjusted for family size.
- **U.S. Department of Housing and Urban Development (HUD):** HUD is a cabinet department in the Executive branch of the United States federal government. HUD's Comprehensive Housing Affordability Strategy (CHAS) also makes available, projections of needs for affordable housing for the three moderate income target groups.
- **Cost burdened households:** Households spending more than 30 percent of their income for housing cost are considered to be cost burdened.

## Population

### Current Demographics

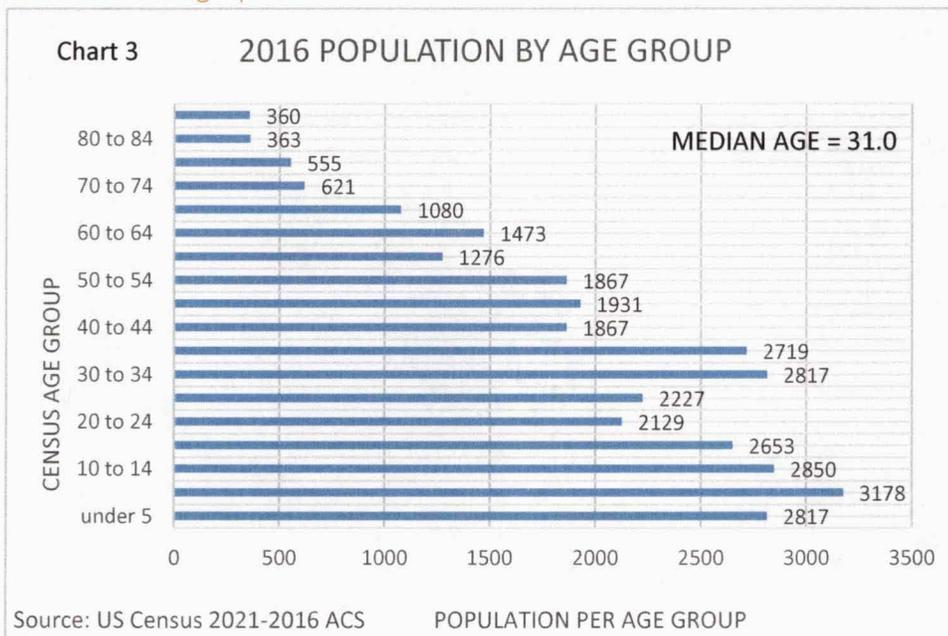


Chart 3 shows Tooele City as having a median age of 31 years. The chart also shows that the young adult age group (20 to 29 years) drops which is probably a result of young adults leaving home for college and additional job opportunities in adjacent counties. The adult age group of 30 years and older reflects a significant number of families returning to or

migrating to Tooele City from the Wasatch Front counties. A survey of new residents signing up for City utilities, shows most new families have moved to Tooele City because of Tooele City’s more affordable housing .

The US Census numbers show Tooele City Population increasing from the 2010 Census population of 31,605 to 32,783 in 2016 with a growth rate of 3.6%. In the same period, Tooele City issued building permits for 380 single family homes and 132 apartment units. The demographics of the 2016 Census estimates demonstrates that family migration (30 to 40 years old) to Tooele City is still occurring (Chart 3).

### Households within Targeted Income Groups

An effective indicator of the need for affordable housing is the number of households experiencing housing cost burdens. This data is provided by HUD’s Comprehensive Housing Affordability Strategy (CHAS). If a household is paying more than 30 percent of their income for housing and utilities, that household has a “housing cost burden.” If a household is paying more than 50 percent of their income for housing, that household has a “severe housing cost burden.”

Table 1

| HUD CHAS 2015 HOME OWNER - RENTERS COST BURDEN 30% AND 50% TOOELE CITY |                   |                   |             |
|--|-------------------|-------------------|-------------|
| Income by Cost Burden (Renters only)                                   | Cost burden > 30% | Cost burden > 50% | Total       |
| Household Income <= 30% HAMFI  | 505               | 460               | 640         |
| Household Income >30% to <=50% HAMFI                                   | 305               | 55                | 475         |
| Household Income >50% to <=80% HAMFI                                   | 240               | 0                 | 550         |
| Household Income >80% to <=100% HAMFI                                  | 0                 | 0                 | 240         |
| Household Income >100% HAMFI   | 0                 | 0                 | 680         |
| <b>Total</b>   | <b>1050</b>       | <b>515</b>        | <b>2585</b> |
| Income by Cost Burden (Owners only)                                    | Cost burden > 30% | Cost burden > 50% | Total       |
| Household Income <= 30% HAMFI  | 195               | 130               | 245         |
| Household Income >30% to <=50% HAMFI                                   | 325               | 155               | 620         |
| Household Income >50% to <=80% HAMFI                                   | 690               | 95                | 1670        |
| Household Income >80% to <=100% HAMFI                                  | 190               | 0                 | 1145        |
| Household Income >100% HAMFI   | 130               | 0                 | 4030        |
| <b>Total</b>   | <b>1530</b>       | <b>380</b>        | <b>7705</b> |
| HUD CHAS 2015  |                   |                   |             |

Table 2 shows the HUD CHAS Owners & Renter Data for Tooele City. CHAS estimates there are 2585 renters and 7705 owners. About 20 percent of homeowners have a housing cost burden of at least 30 Percent. The share of homeowners facing severe housing cost burdens drops to about 5 percent for 50% of income.

Table 2

| Homeowners with Cost Burdens in Tooele City, 2015 |                   |                    |                   |                    |
|---|-------------------|--------------------|-------------------|--------------------|
|   | Owners with Cost  | Percent of Owners  | Owners with Cost  | Percent of Owners  |
| Total   | burden >=30%      | burden >=30%       | burden >=50%      | burden >=50%       |
| Owners  | of Income         | of Income          | of Income         | of Income          |
| 7,705   | 1530              | 19.9%              | 380               | 4.9%               |
| Source: HUD CHAS                                  |                   |                    |                   |                    |
| Renters with Cost Burdens in Tooele City, 2015    |                   |                    |                   |                    |
|   | Renters with Cost | Percent of Renters | Renters with Cost | Percent of Renters |
| Total   | Burden >=30%      | Burden >=30%       | Burden >=50%      | Burden >=50%       |
| Renters   | of Income         | of Income          | of Income         | of Income          |
| 2,585   | 1,050             | 40.6%              | 515               | 19.9%              |
| Source: HUD CHAS                                  |                   |                    |                   |                    |

In Tooele City, 40.6 percent of all renters have a cost burden of at least 30%. The share of renters with a severe housing cost burden (50% AMI or less) drops to 19.9 percent. Households that have a cost burden are not receiving any housing subsidy, (tax credit, voucher, etc.).

Table 3

Tooele City has an Area Median Income of \$56,602 in 2016 which is up from \$48,133 in 2000. Stansbury Park has an AMI of \$85,297 and Grantsville has an AMI of \$64,652. Table 3 shows the income available for median income households in Tooele City, households at 50% to 80% AMI, households at 30% to 50% AMI, and households below 30% AMI. Also shown is

| Tooele City 2016  |                      |                          |
|---|----------------------|--------------------------|
| Affordable Housing Costs by Income, Tenure, Race, and Age         |                      |                          |
| Category - \$56,602/yr  | Gross Monthly Income | Affordable Housing Costs |
| Area Median Household Income                                      | \$4,747              | \$1,424                  |
| >50%-80% AMI  | \$2,667 to \$4,266   | \$800 to \$1,280         |
| >30-50% AMI   | \$1,653 to \$2,666   | \$496 to \$799           |
| 0-30% AMI   | \$0 To \$1,652       | \$0 to \$495             |
| Median Homeowner Household Income                                 | \$5,352              | \$1,606                  |
| Median Renter Household Income                                    | \$2,899              | \$870                    |
| White Household Median Income                                     | \$4,904              | \$1,471                  |
| Hispanic Household Median Income                                  | \$4,561              | \$1,368                  |
| Elderly Household Median Income (65+)                             | \$3,245              | \$974                    |
| Source: U.S. Census Bureau, American Community Survey. 2012-2016. |                      |                          |

what a household in each income group can afford to spend on housing. For example, a household in Tooele City with income at 50% AMI to 80% AMI could afford to spend, without incurring a cost burden, \$800 to \$1,280 each month. The estimated Gross Monthly Income and Affordable Housing Costs for several race and age groups are also listed. The elderly (65+) are a special needs population with the lowest median income and having many disabilities and medical needs which makes finding affordable housing difficult. The elderly are a priority concern for Tooele City.

## CURRENT HOUSING STOCK

### Total Housing Units

The US Census ACS 2016, shows Tooele City as having 11,040 housing units. Of the 11,040 housing units, 8,009 are owner occupied, and 2,497 housing units are renter occupied. The remaining housing units of 534 were vacant at the time of the survey.

Table 4

| Tooele City Housing Units by Tenure, 2016 |                       |                    |                      |                        |                         |
|---|-----------------------|--------------------|----------------------|------------------------|-------------------------|
| Owner Occupied Units                      | Renter Occupied Units | Total Vacant Units | Total Occupied Units | Percent Owner Occupied | Percent Renter Occupied |
| 8,009                                     | 2,497                 | 534                | 10,506               | 76.20%                 | 23.80%                  |

Source: U.S. Census, ACS 2012-2016

### Breakdown of Housing Units demographics

Table 5

Tooele City's housing inventory is predominantly detached single-family at 8,618 units (78%). A count of attached single-family units shows only 461 units (4.2%) while 2, 3 and 4 unit housing structures account for 479 housing units (4.3%). The remaining housing units in structures of 5 units or more equal 724 units for 6.5%. Mobile homes in Mobile Home Parks account for 6.9% of the housing units.

| Housing Units by Units in Structure |               |                  |
|-------------------------------------|---------------|------------------|
|                                     | Housing Units | Percent of Total |
| Total Housing Units                 | 11,040        |                  |
| 1, Detached                         | 8,618         | 78.1%            |
| 1, Attached                         | 461           | 4.2%             |
| 2                                   | 179           | 1.6%             |
| 3 to 4                              | 300           | 2.7%             |
| 5 to 9                              | 276           | 2.5%             |
| 10 to 19                            | 169           | 1.5%             |
| 20 or more units                    | 279           | 2.5%             |
| mobile homes                        | 758           | 6.9%             |

Source: U.S. Census, ACS 2012-2016

Tooele City has a relatively young housing unit inventory (Table 6). Over half or 52.5% (5801) of all housing units in the City were built in or after 1990 and are no older than 30 years old. The housing units built before 1990 but after 1950 (36%) accounting for 3971 units, are of an age where upgrades or remodeling may be necessary. The housing units built before 1950 account for 11.5% (1268) of Tooele's housing inventory and are primarily located in the older homes within the central core of the City. These homes may be more affordable than newer homes but, due to advanced age may require some investment in remodeling and renovation.

Table 6

| Year Structure was Built - Tooele City |              |                  |
|--|--------------|------------------|
| Year Built                             | Housing Unit | Percent of Total |
| 2010 or after                          | 239          | 2.2%             |
| 2000 to 2009                           | 2774         | 25.1%            |
| 1990 ti 1999                           | 2788         | 25.2%            |
| 1980 to 1989                           | 671          | 6.1%             |
| 1970 to 1979                           | 1320         | 12.0%            |
| 1960 to 1969                           | 1366         | 12.3%            |
| 1950 to 1959                           | 614          | 5.6%             |
| 1940 to 1949                           | 581          | 5.3%             |
| 1939 to earlier                        | 687          | 6.2%             |
| Total Units                            | 11,040       | 100.0%           |

Source: U.S. Census, ACS 2012-2016

Table 7

The vast majority of housing units in Tooele City have 3, 4, 5 or more bedrooms (77.6%). Two bedrooms or less housing units make up only 22.5% of Tooele City housing units. This large percentage of 3, 4 and 5 bedrooms in housing units indicates that Tooele City's housing market is dominated by large families. The 2016 US Census ACS lists the average family as 3.63 people and the average household as 3.09 people and both exceed the national average.

| Number of Bedrooms in Housing Unit |               |                  |
|------------------------------------|---------------|------------------|
| Housing Units with                 | Housing Units | Percent of Total |
| No Bedrooms                        | 61            | 0.6%             |
| 1 bedroom                          | 418           | 3.8%             |
| 2 Bedrooms                         | 2,000         | 18.1%            |
| 3 Bedrooms                         | 3,827         | 34.7%            |
| 4 Bedrooms                         | 2,987         | 27.1%            |
| 5 or more Bedrooms                 | 1,747         | 15.8%            |

Source: U.S. Census, ACS 2012-2016

| Housing Units with Housing Problems, 2016 |    |
|---|----|
| Housing Problems                          |    |
| Overcrowding                              | 11 |
| Lack kitchen, plumbing                    | 0  |

Source: U.S. Census, ACS 2012-2016

Table 8

Overcrowding was the only housing problem noted by the ACS 2016. HUD CHAS considers more than one person per room as overcrowding.

### Affordability of Existing Housing Stock

Home sales data indicates that Tooele city has a high level of affordable housing. Affordability is measured by comparing various income levels and the percentage of new units each income level can afford. In order to qualify as equally affordable, at least 50% of homes sold in a city should be affordable to the median income

level. If more than 50% of new housing units sold in the city are at or above the median income level the City has an affordable housing market. The greater the percentage, the greater the affordability. If 50% of housing units sold are below median income level the City no longer has an affordable housing market.

### Median Sales Price of Single Family Homes

Table 9

| Median Sales Price of Single-Family Homes in Tooele City |           |      |           |
|--|-----------|------|-----------|
| 2000   | \$119,900 | 2010 | \$150,000 |
| 2001   | \$117,460 | 2011 | \$125,000 |
| 2002   | \$115,000 | 2012 | \$131,000 |
| 2004   | \$117,900 | 2013 | \$143,000 |
| 2005   | \$129,900 | 2014 | \$157,500 |
| 2006   | \$152,500 | 2015 | \$172,500 |
| 2007   | \$180,000 | 2016 | \$189,500 |
| 2008   | \$175,000 | 2017 | \$210,000 |
| 2009   | \$159,900 | AAGR | 2.90%     |

AAGR = average annual growth rate.  
Source: UtahRealtor.Com

Housing prices in Tooele City are very affordable compared to prices in neighboring Wasatch Front counties. The City median sales price in 2017 was \$210,000. In Salt Lake County the median sales price of a single family home in 2017 was \$325,000, 55 percent higher.

### Median Sales Price of a Condominium and Townhomes

Table 10

In the previous 6 years Tooele City has experienced sales price increases for single-family Homes from \$125,000 to \$210,000 in 2017. Condominiums sales price increases have also jumped from \$81,750 to \$152,000 in 2017. A 68 percent price increase in single-family homes and 86 percent price increase for Condominiums and Townhomes.

| Tooele City                                      |           |      |           |
|--|-----------|------|-----------|
| Median Sales Price of Condominiums and Townhomes |           |      |           |
| 2000   | \$115,463 | 2010 | \$112,200 |
| 2001   | \$91,900  | 2011 | \$81,750  |
| 2002   | \$91,995  | 2012 | \$90,950  |
| 2004   | \$84,850  | 2013 | \$109,900 |
| 2005   | \$85,950  | 2014 | \$109,000 |
| 2006   | \$101,000 | 2015 | \$120,000 |
| 2007   | \$119,900 | 2016 | \$132,000 |
| 2008   | \$136,400 | 2017 | \$152,000 |
| 2009   | \$125,000 | AAGR | 1.60%     |

AAGR = average annual growth rate.  
Source: UtahRealtor.Com

## CURRENT AFFORDABLE HOUSING AVAILABLE AND NEED

Table 3 lists the Gross Monthly Income and Affordable Housing Costs for the three targeted income groups. For a household earning \$28,301 (50% AMI), may afford housing costs of \$799 per month but housing costs greater than the \$799 per month would become a cost burden. Table 3 also shows the Gross Monthly Income and Affordable Housing Costs for Median Homeowners Household Income, median renter Household Income, white households Median Income, Hispanic Household Median Income, Elderly Household Median Income (65+). This table follows the recommended template for needs assessment from the Utah State Division of Community Housing.

Table 3

| Tooele City 2016  |                      |                          |
|---|----------------------|--------------------------|
| Affordable Housing Costs by Income, Tenure, Race, and Age |                      |                          |
| Category - \$56,602/yr                                    | Gross Monthly Income | Affordable Housing Costs |
| Area Median Household Income                              | \$4,747              | \$1,424                  |
| >50%-80% AMI  | \$2,667 to \$4,266   | \$800 to \$1,280         |
| >30-50% AMI   | \$1,653 to \$2,666   | \$496 to \$799           |
| 0-30% AMI   | \$0 To \$1,652       | \$0 to \$495             |
| Median Homeowner Household Income                         | \$5,352              | \$1,606                  |
| Median Renter Household Income                            | \$2,899              | \$870                    |
| White Household Median Income                             | \$4,904              | \$1,471                  |
| Hispanic Household Median Income                          | \$4,561              | \$1,368                  |
| Elderly Household Median Income (65+)                     | \$3,245              | \$974                    |

Source: U.S. Census Bureau, American Community Survey. 2012-2016.

Table 11

|                            | Owners and Renters by number w/Cost Burdens |                       |                       |                        |           | Total |
|----------------------------|---|-----------------------|-----------------------|------------------------|-----------|-------|
|                            | <=30% AMI                                   | <30% AMI to <=50% AMI | <50% AMI to <=80% AMI | <80% AMI to <=100% AMI | >100% AMI |       |
| Owners by Income           | 245   | 620                   | 1,670                 | 1,145                  | 4,030     | 7,705 |
| 30% Cost Burden of Owners  | 195   | 325                   | 690                   | 190                    | 130       | 1,530 |
| 50% Cost Burden of Owners  | 130   | 155                   | 95                    | 0                      | 0         | 380   |
| Renters by Income          | 640   | 475                   | 550                   | 240                    | 680       | 2,585 |
| 30% Cost Burden of Renters | 505   | 305                   | 240                   | 0                      | 0         | 1,050 |
| 50% Cost Burden of Renters | 460   | 55                    | 0                     | 0                      | 0         | 515   |

Source: HUD CHAS

Table 11 shows the number of households in the five target groups. HUD CHAS indicates there are 7,705 owners and 2,585 renters in Tooele City. Renter households face cost burdens also. Tables 3 and 11 lists the income levels and number of renters in the five income target groups. By HUD CHAS numbers (Table 12), Tooele City needs an additional 325 affordable owner housing units.

Tooele City has 445 subsidized rental units (see table 11) but by HUD CHAS number, Tooele City needs 965 affordable rental units which leads to a need of 520 additional affordable rental units.

Table 13

| Percent of Homes Sold in Tooele City Affordable to Households at Area Median Income |                  |                  |                                     |
|---|------------------|------------------|-------------------------------------|
|   | Total Homes Sold | Affordable Homes | Percentage of Homes Sold Affordable |
| 2012  | 424              | 414              | 97.6%                               |
| 2013  | 501              | 491              | 98.0%                               |
| 2014  | 549              | 519              | 94.0%                               |
| 2015  | 660              | 632              | 95.8%                               |
| 2016  | 771              | 740              | 96.2%                               |

Source: Utah RealEstate.com

| Percent of Condos Sold in Tooele City Affordable to Households at Area Median Income |                   |                   |                                      |
|--|-------------------|-------------------|--------------------------------------|
|  | Total Condos Sold | Affordable Condos | Percentage of Condos Sold Affordable |
| 2012   | 24                | 24                | 100.0%                               |
| 2013   | 29                | 29                | 100.0%                               |
| 2014   | 38                | 38                | 100.0%                               |
| 2015   | 41                | 41                | 100.0%                               |
| 2016   | 54                | 54                | 100.0%                               |

Source: Utah RealEstate.com

The following tables 13-16 show the availability of existing housing stock for targeted income groups for single family and condominiums or townhomes for the years 2012 to 2016.

At the Area Median Income group level, \$56,602, affordable home sales dropped from 97% in 2012 to 96.2% in 2016. Condominiums and townhomes sales at the Area Median Income level were at 100% for all 5 years.

Over 740 single family homes were affordable out of 771 sales (96.2%). This makes Tooele City very affordable at this AMI group level in 2016.

No additional housing units are required for this income level.

Table 14

At the 80% Area Median Income group level, \$45,282 (Table 14), affordable home sales dropped from 97% in 2012 to 96.2% in 2016. Condominiums and townhomes sales at the 80% Area Median Income level were at 100% or near 100% for all 5 years. This makes Tooele City very affordable at the 80% AMI. This target income group still has many choices in the purchase of a home, condominium or townhome.

At the 80 percent AMI (\$45282), Single-family home sales and Condominium or Townhome sales were well over the affordable 50% sales level hurdle. No additional housing units are needed for this income level.

| Percent of Homes Sold in Tooele City Affordable to Households at 80% AMI |                  |                  |                                     |
|--|------------------|------------------|-------------------------------------|
|  | Total Homes Sold | Affordable Homes | Percentage of Homes Sold Affordable |
| 2012   | 424              | 397              | 93.6%                               |
| 2013   | 501              | 450              | 89.8%                               |
| 2014   | 549              | 444              | 80.9%                               |
| 2015   | 660              | 518              | 78.5%                               |
| 2016   | 771              | 546              | 70.8%                               |

Source: Utah RealEstate.com

| Percent of Condos Sold in Tooele City Affordable to Households at 80% AMI |                   |                   |                                      |
|---|-------------------|-------------------|--------------------------------------|
|   | Total Condos Sold | Affordable Condos | Percentage of Condos Sold Affordable |
| 2012  | 24                | 24                | 100.0%                               |
| 2013  | 29                | 29                | 100.0%                               |
| 2014  | 38                | 35                | 92.1%                                |
| 2015  | 41                | 40                | 97.6%                                |
| 2016  | 54                | 54                | 100.0%                               |

Source: Utah RealEstate.com

| Percent of Homes Sold in Tooele City Affordable to Households at 50% AMI |                  |                  |                                     |
|--|------------------|------------------|-------------------------------------|
|  | Total Homes Sold | Affordable Homes | Percentage of Homes Sold Affordable |
| 2012   | 424              | 134              | 31.6%                               |
| 2013   | 501              | 96               | 19.2%                               |
| 2014   | 549              | 79               | 14.4%                               |
| 2015   | 660              | 52               | 7.9%                                |
| 2016   | 771              | 37               | 4.8%                                |

Source: Utah RealEstate.com

| Percent of Condos Sold in Tooele City Affordable to Households at 50% AMI |                   |                  |                                     |
|---|-------------------|------------------|-------------------------------------|
|   | Total Condos Sold | Affordable Homes | Percentage of Homes Sold Affordable |
| 2012  | 24                | 17               | 70.8%                               |
| 2013  | 29                | 14               | 48.3%                               |
| 2014  | 38                | 5                | 13.2%                               |
| 2015  | 41                | 16               | 39.0%                               |
| 2016  | 54                | 10               | 18.5%                               |

Source: Utah RealEstate.com

Table 15

At the 50% Area Median Income group level, \$28,301 (Table 15), homes sales that were affordable dropped from 31.6% in 2012 to 4.8% in 2016.

Condominiums and townhomes sales at the 50% Area Median Income level dropped from 70.8% to 18.5% in 2016. This makes Tooele City less affordable and this target group has limited choices in home or condominium purchases. Per HUD CHAS, Tooele City, with only 37 affordable homes and 10 affordable condos, needs 48 additional affordable homes or condos at the 50% AMI level.

| Percent of Homes Sold in Tooele City Affordable to Households at 30% AMI |                  |                  |                                     |
|--|------------------|------------------|-------------------------------------|
|  | Total Homes Sold | Affordable Homes | Percentage of Homes Sold Affordable |
| 2012   | 424              | 17               | 4.0%                                |
| 2013   | 501              | 5                | 1.0%                                |
| 2014   | 549              | 3                | 0.5%                                |
| 2015   | 660              | 6                | 0.9%                                |
| 2016   | 771              | 1                | 0.1%                                |

Source: Utah RealEstate.com

| Percent of Condos Sold in Tooele City Affordable to Households at 30% AMI |                   |                   |                                     |
|---|-------------------|-------------------|-------------------------------------|
|   | Total Condos Sold | Affordable Condos | Percentage of Homes Sold Affordable |
| 2012  | 24                | 2                 | 8.3%                                |
| 2013  | 29                | 0                 | 0.0%                                |
| 2014  | 38                | 0                 | 0.0%                                |
| 2015  | 41                | 0                 | 0.0%                                |
| 2016  | 54                | 0                 | 0.0%                                |

Source: Utah RealEstate.com

Table 16

At the 30% Area Median Income group level, \$16,980 (Table 16), homes sales that were affordable dropped from 4.0% in 2012 to 0.1% in 2016. Condominiums and townhomes sales at the 30% Area Median Income level dropped from 8.3% to 0% in the same 5 year period. At the 30% AMI level, home purchase options are extremely limited and condominium or townhome purchases may be unavailable. Tooele City is not affordable at the 30% Area Median Income level.

Per HUD CHAS, Tooele City needs an additional 324 affordable housing units at the 30% AMI level.

Rental rates have increased as the median sales prices have gone up. The US Census ACS 2016 shows a median rent of \$759. From a recent survey of rental rates on Zillow.com for rentals, there were only 12 homes or apartments available for rent at rates of \$700 to \$1500 per month. The newer apartments and homes are renting well above the median rate. In the 2016 rental housing market, affordable rental units are limited or not available in the newer apartment communities.

### Ethnic and Racial Minority Populations

Tooele City's population is 82% white (not Hispanic). Minorities, which includes Hispanics, comprise 18% of the total City Population. The Hispanic population is 12.9% of the City's population and American Indian being reported for 1.4% of the City population.

Table 17

| Tooele City                              |        |         |
|--|--------|---------|
| Percent Share of City Population by Race |        |         |
|  | Number | Percent |
| Total                                    | 32,783 | 100%    |
| White                                    | 26,919 | 82.10%  |
| Hispanic                                 | 4235   | 12.90%  |
| American Indian                          | 462    | 1.40%   |
| Asian                                    | 160    | 0.49%   |
| Pacific Islands                          | 82     | 0.25%   |
| Black                                    | 278    | 0.85%   |
| Other Race                               | 72     | 0.22%   |
| 2 or more Races                          | 575    | 1.75%   |

Source: US Census ACS 2016

Racial and ethnic minority status is correlated with poverty level. In Tooele City, 8.1% of the entire population is reported to be below the poverty level which would indicate that approximately 2,656 residents are living at or below the poverty income level set by the U.S. Census. The poverty percentage for Tooele County is 7.2% and for the entire State is 11.7%.

Poverty rates by race are identified in table 16. Because of this correlation, any deficiencies in available low and moderate-income housing units, disproportionately impacts minority populations. Of the minority population, 15% are below the poverty level.

Table 18

| Tooele City                    |                   |                            |                 |
|--------------------------------|-------------------|----------------------------|-----------------|
| Poverty by Race in Tooele City |                   |                            |                 |
| Race                           | Number in Poverty | Percent of Race in Poverty | US Census Table |
| All Races = 8.1%               |                   |                            |                 |
| White only                     | 1,910             | 7.2%                       | B17001H         |
| Hispanic                       | 467               | 11.2%                      | B17001I         |
| American Indian                | 61                | 12.8%                      | B17001C         |
| Asian                          | 0                 | 0.0%                       | B17001D         |
| Pacific Islands                | 0                 | 0.0%                       | B17001E         |
| Black                          | 21                | 7.8%                       | B17001B         |
| Other Race                     | 241               | 15.2%                      | B17001F         |
| 2 or more Races                | 91                | 10.1%                      | B17001G         |

Source: US Census ACS 2016

## SPECIAL NEEDS POPULATION

Tooele City understands that it is important to address affordable housing for those with special needs. People with special needs may include vulnerable populations such as senior citizens, people with disabilities, the homeless or those otherwise in need of specialized or supportive housing.

## DISABILITY

Table 19

| Tooele City Residents with Disabilities |           |            |                   |            |
|---|-----------|------------|-------------------|------------|
| Disability                              | Age Group | Total Pop. | Pop. w/disability | % of Total |
| hearing disability                      | Under 5   | 2828       | 0                 | 0.00%      |
|   | 5 to 17   | 7753       | 11                | 0.10%      |
|   | 19 to 64  | 19008      | 468               | 2.50%      |
|   | 65 - plus | 2898       | 581               | 20.00%     |
| vision disability                       | Under 5   | 2828       | 0                 | 0.00%      |
|   | 5 to 17   | 7753       | 37                | 0.30%      |
|   | 19 to 64  | 19008      | 304               | 1.60%      |
|   | 65 - plus | 2898       | 1854              | 6.40%      |
| cognitive disability                    | under 18  | 10581      | 560               | 7.20%      |
|   | 19 to 64  | 19008      | 877               | 4.60%      |
|   | 65 - plus | 2898       | 143               | 4.90%      |
| ambulatory disability                   | under 18  | 10581      | 90                | 0.20%      |
|   | 19 to 64  | 19008      | 1257              | 6.60%      |
|   | 65 - plus | 2898       | 817               | 28.20%     |
| self-care disability                    | under 18  | 10581      | 142               | 1.80%      |
|   | 19 to 64  | 19008      | 367               | 1.90%      |
|   | 65 - plus | 2898       | 268               | 9.20%      |
| independent living                      | 19 to 64  | 19008      | 729               | 3.80%      |
|   | 65 - plus | 2898       | 525               | 18.1%      |

Source: US Census ACS 2016

People with disabilities under the age of 65 comprise approximately 9.0% of the City population or 2,930 people. It is estimated that 36.6% of all Americans 65 or older have some form of disability. According to the ACS approximately 1,178 individuals, or 40.6% of Tooele City residents over age 65 have a disability. People with disabilities often face financial and social difficulties that make it difficult to obtain housing. Programs that are geared toward helping people with disabilities obtain housing include: low rent and public housing voucher programs, assistance through centers of independence, employment and training resources.

The median income of an individual with a disability is usually considerably less than persons without a disability. According to the ACS, median income for disabled residents over 16 years of age, is 32.5% less than City residents without a disability of the same age. This would translate to a disabled single householder having a median income of \$38,206 which would require using a larger share of their income for housing.

### Seniors-Elderly

About 9.0 percent of Tooele City population is 65 and older as of the 2016 ACS. The share of the city's population that is 65 or older is expected to remain approximately the same. As the City population ages, more families will elect to move their elderly family members to Tooele City to be near them. Some elderly residents may not be able to remain in their homes or may choose to relocate to a dwelling type that better suits their preferences and needs. The Tooele City Council recognizes the need to evaluate the housing options available to seniors wishing to remain in or move to the community.

### Homeless

According to the 2016 annualized Point in Time count, roughly 0.1% of Utah's population is homeless. Although regional differences may impact the rate of homelessness, this percentage can be used to estimate the number of homeless individuals in Tooele City, which is approximately 32. Tooele County Housing authority has programs in place as noted in the Tooele County Moderate Housing Study which address this need.

### Veterans

Based on the 2016 ACS, veterans account for approximately 7.6 percent of Tooele City's population, or 2,507 people. Men make up 92% of those veterans and women 8%. There are 811 veterans that are 65 years or older age, or 32.3 percent of the Tooele City veteran population. Also, 749 veterans in Tooele city were reported as having some form of disability, which amounts to 18.2 percent of the city's disabled population being veterans. Of the 1423 working age veterans (18 to 65 years old), 43% or 1084 were unemployed. There were 100 veterans reported to be living below the poverty level by the 2016 ACS. The median income of a veteran in Tooele City was reported to be \$50,533 which is 10.7 percent lower than the City as a whole. This suggests that a single income household with a veteran is less likely to afford the median housing unit in the city. Given these estimates, the City should work with the Utah Department of Workforces Services to consider strategies to lower the unemployment rate among working-aged veterans.

### Victims of Domestic Violence

Victims of domestic violence receive shelter at Pathways Domestic Violence Shelter operated by Valley Behavioral Health. The facility has 16 beds and operates at high levels of occupancy. The program provides shelter for victims of domestic violence for 30 days before the individual(s) is released. In 2017 the facility served 536 individuals, 342 were residents of Tooele County. A high need, as expressed by director Elizabeth Albertson, is for transitional housing. Many of their clients do not have housing and are left to choose between homelessness or doubling up with friends/family. Pathways Domestic Violence Shelter has applied for a U.S. Department of Justice grant that would help fund and develop a 5-unit transitional housing facility. Under the terms of the grant the transitional housing would be for 6 months to 24 months. Transitional housing for this population is a high priority.

### Fair Housing Status

HUD measures Fair Housing Status by the number of housing discrimination complaints in a jurisdiction. Fair Housing complaints are very low for Tooele County. Since 1994, 24 complaints have been filed. Five complaints were filed in 2012 which was the highest year. Only 3 complaints were filed in 2017. Considering the county has about 4,300 rental units, filed complaints are an extremely low percentage of the renter population. (Source: Tooele County Affordable Needs Assessment)

### Availability of a Variety of Housing Sizes

Tooele City’s housing inventory is predominately single family with 3 and 4 bedrooms (61.8%). There are only 2,479 housing units (22.5%) with 2 bedroom or less within Tooele City. New homes are required by zoning to be at least 1,100 square feet which again leads to a 3 bedroom home. A majority of the homes in Tooele City have basements which have been or can be finished for additional bedrooms as the need arises.

### Analysis of Special Needs Housing

There is a significant population of seniors and people with disabilities in Tooele City, currently there is a deficiency of housing specifically designed for this segment of the population in Tooele City. There are 16 low income tax credit and subsidized rental communities in Tooele County. Of the 16, 11 are located in Tooele City (Table 18) and contain 445 housing units (60.7%). The other rental communities consist of 287 units (39.3%) and are located in Grantsville, Stansbury Park and Wendover. Tooele City needs more special needs housing since all available housing units are occupied and there is a waiting list for available rental units. As the city grows, the need for specialized housing will likely continue to increase and the city should evaluate and monitor current zoning regulations to assure that there are minimal regulatory barriers to constructing this type of housing. Subsidized housing and special needs rental housing is managed by Utah Housing Corp and Tooele County Housing Authority.

Table 20

| Low Income Tax Credit and Subsidized Rental Communities In Tooele City |                    |                |       |  |
|--|--------------------|----------------|-------|--|
| Apartment Community  | Address            | subsidy        | Units |  |
| Somerset Gardens (Senior)  | 143 North 400 West | RD Senior      | 28    |  |
| Oquirrh View Apartments (Senior)                                       | 552 North 270 East | RD Senior      | 16    |  |
| Canyon Cove Senior Housing (Senior)                                    | 178 East Vine St   | HUD Senior     | 21    |  |
| Remington Park Retirement (Senior)                                     | 495 W Utah Avenue  | RD Senior      | 72    |  |
| Lake View Apartments   | 742 N 100 East     | Tax Credit     | 76    |  |
| Valley Meadows   | 582 N Shay Lane    | Tax Credit     | 40    |  |
| Tooele Crown   | Scattered Sites    | Tax Credit     | 11    |  |
| Tooele Gateway Apartments  | 232 W Fenwick Lane | Tax Credit     | 130   |  |
| Westwood Mesa  | 780 West 770 South | Tax Credit     | 22    |  |
| Landmark Apartments  | 350 West 400 North | HUD Senior     | 24    |  |
| Five-Plex  |                    | Public Housing | 5     |  |
|  |                    | Total          | 445   |  |
| Source: Utah Housing Corp & Tooele County Housing Authority            |                    |                |       |  |

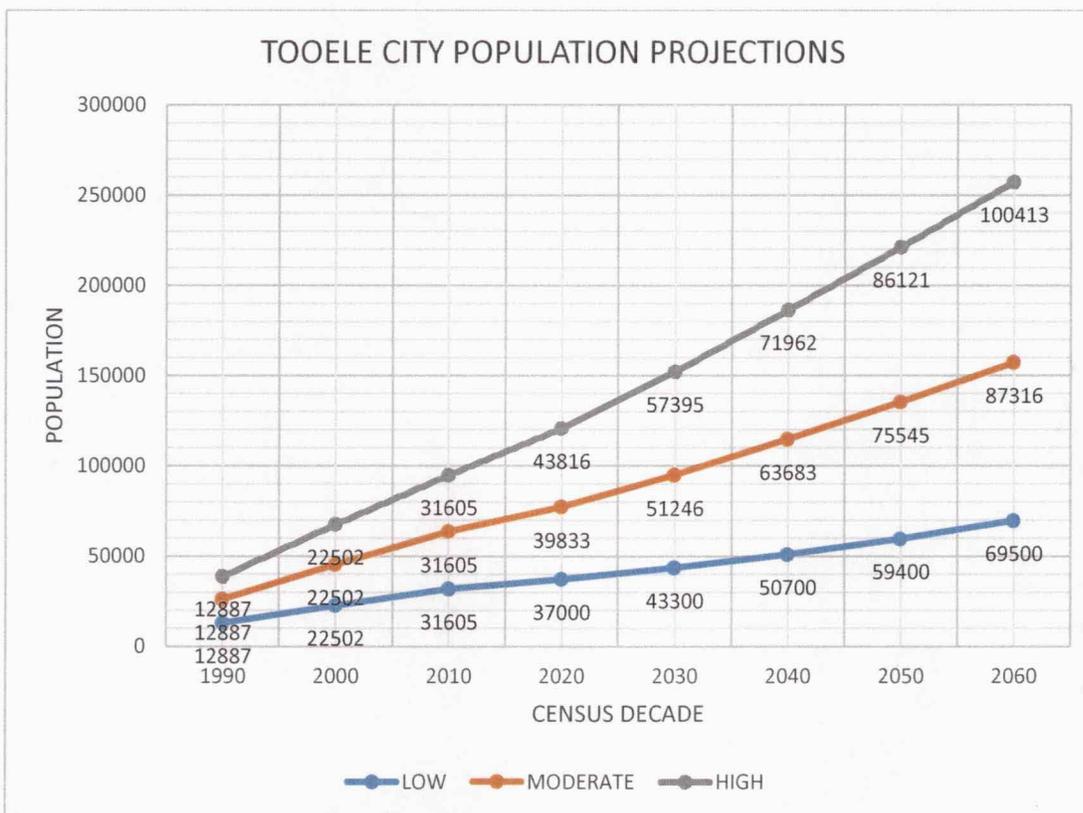
TCHA and Utah Housing Corp administer many affordable housing assistance programs as well as the many Tax Credit and subsidized rental communities. There is a home repair program, weatherization program, down payment assistance program, Security deposit assistance program, rent to own program and Section 8 rental assistance program. Not all programs are funded at any one time but the Housing Authority is constantly seeking grants and additional funding to continue the programs. TCHA is also seeking funding to construct a new housing community for low income households which it will manage because many private landlords have stop participating in the assisted rental program.

## Population Projections

### High, Medium and Low Population Projections

The population projection used for this study (Moderate Projection) is from the Governor’s Office of Budget and Planning with growth rates of between 16% and 29% each decade. A high and low population projection was also calculated based upon the GOBP projection. The GOBP projection is used because it tends to follow the recent growth rates. Chart 4 shows the three population projections. The high projection predicts Tooele City population to reach about 100,000 people by 2060. Assuming all growth factors such as expanded sanitary sewer facilities, expanded culinary water facilities, expanded transportation system to Salt Lake County, expanded city services and continued good economic growth continue, the moderate population projection is obtainable.

Chart 4



### Estimated percentages of Targeted Income groups and Special Needs Groups

The UAHFT tool, using the moderate growth projection, shows the percent share of the City 2016 population in relationship to the AMI (\$56,605). 50.6% of the City’s population has an income at or above the Area Median Income in 2016 (Chart 5). Using the same percentage of the City population in the targeted income groups for the 5 and 10 year projections as is currently estimated by the ACS, see Chart 5. From the US Census ACS, shows 9% of Tooele’s Population is disabled, 9% are seniors, .01% are homeless (2016 annualized Point in Time), 7.6% are veteran, and approximately .005% are victims of domestic violence (342 county residents served in 2017).

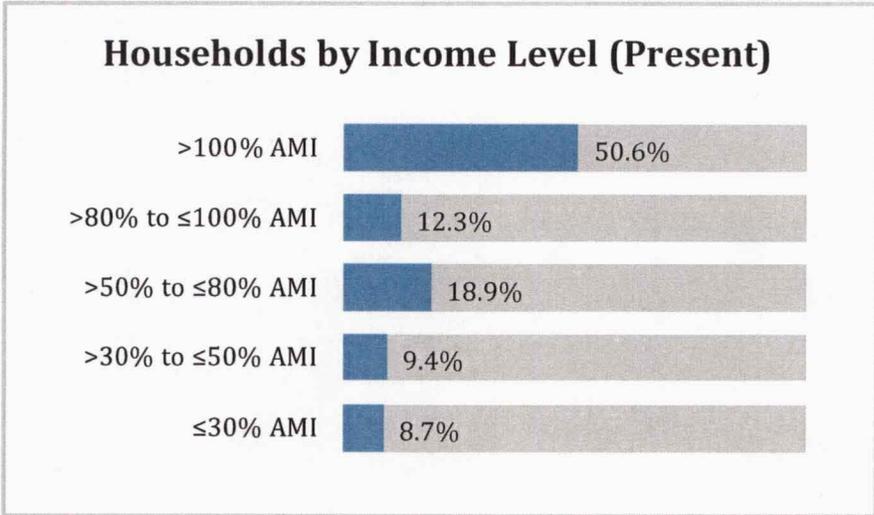


Chart 5

## Forecast of Affordable Housing Need

### Comparing Population Projections with Expected Housing Construction

The housing construction industry in Tooele City in 2016 is still recovering from the economic recession of 2007-2011. New subdivisions are in the planning stages and builders have reported having problems finding building lots and scheduling subcontractors. In 2016, residential contractors are still trying to keep up with the expanding demand in the Tooele City market and have had to delay construction projects because of the above mentioned problems.

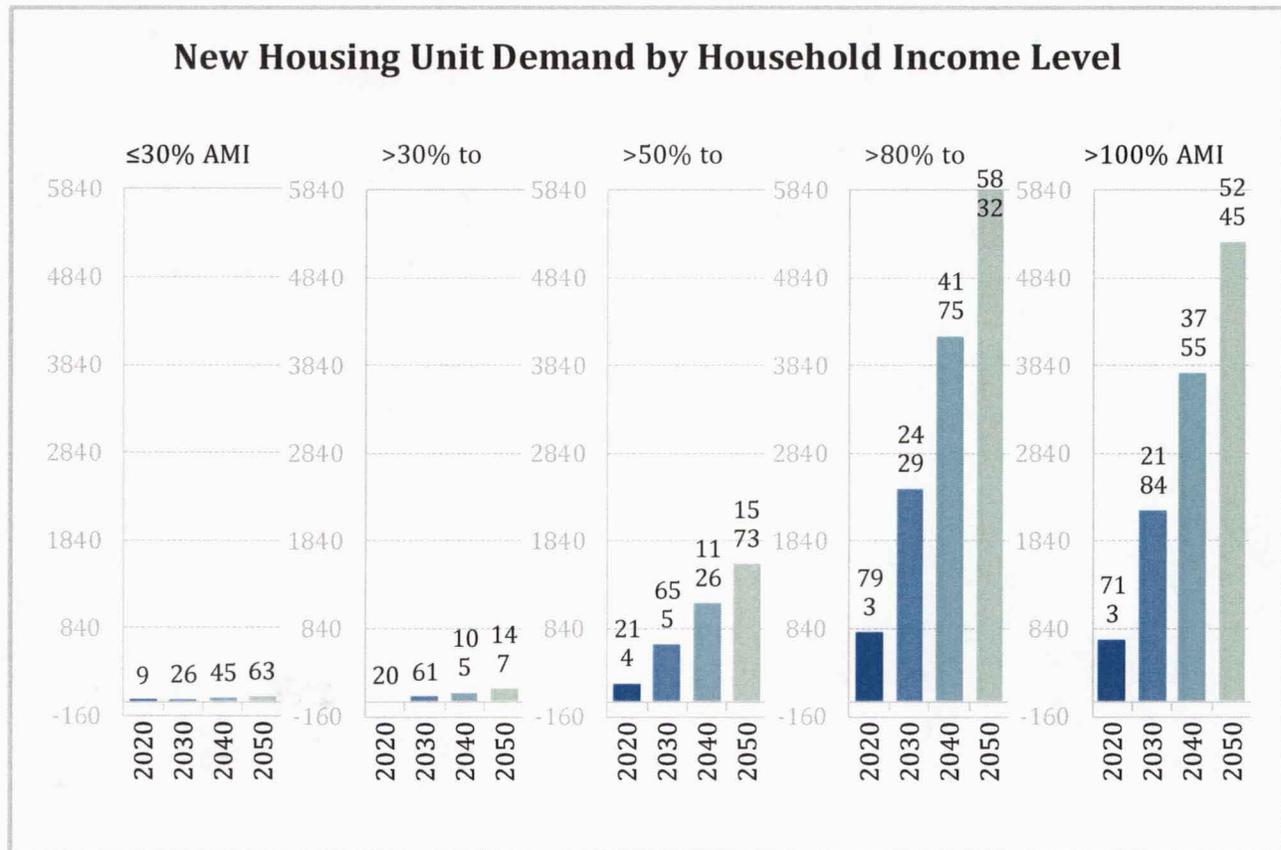
| *= actual                                     | 2010    | 2016   | 2020   | 2025   |
|---|---------|--------|--------|--------|
| Population for                                | *31,605 | 32,783 | 39,833 | 45,539 |
| Projected number new housing units            |         | *512   | 2,350  | 1,902  |
| Projected ramp up of residential construction |         |        | 600    | 1,250  |

### Estimated Number of New Housing Units Needed

| Income group      | 2020 New Housing Unit Demand | 2025 New Housing Unit Demand |
|-------------------|------------------------------|------------------------------|
| ≤30% AMI          | 9                            | 10                           |
| >30% to >50% AMI  | 26                           | 31                           |
| >50% to >80% AMI  | 45                           | 53                           |
| >80% to >100% AMI | 63                           | 74                           |
| Seniors           | 193                          | 171                          |
| Disabled          | 193                          | 171                          |
| Homeless          | 23                           | 19                           |
| Veterans          | 178                          | 144                          |
| Domestic Violence | 12                           | 10                           |

Chart 6 is generated by the UAHFT tool for the 2020 through 2050 population projections for each of the 5 targeted income groups. The 2025 projections would be calculated as half of the 2030 number. The numbers are put into a simple table above. Again the special needs groups may overlap.

Chart 6



## Regulatory Environment

### Current Zoning and Affordable Housing

Current Tooele City does not have an ordinance specific to affordable housing. There are no fee or permit waivers or density bonuses for affordable housing. Although there are no proactive policies promoting affordable housing, ordinances or policies that prohibit affordable housing do not exist in the City's code. Manufactured housing is permitted, high density multi-family housing is permitted, and minimum lot sizes for single-family homes are between 7,000 and 8,000 square feet, which helps with affordable housing.

The only City ordinance that may be a barrier to affordable housing or Fair Housing, is the single-family, multi-family residential standards. (Title 7, Chapters 11a & 11b) These ordinances establish minimum standards for covered parking, square footage, minimum masonry percentage and minimum architectural features such as front porches, decorative windows, articulated roof lines and articulated building elevations and others which can increase the cost of a housing unit.

Table 21

| ZONING DISTRICT             | TOTAL ACREAGE | USED ACRES | PERCENT OF TOTAL | VACANT ACRES | PERCENT OF TOTAL |
|-----------------------------|---------------|------------|------------------|--------------|------------------|
| BISON RIDGE PUD             | 55.29         | 0          | 0.00%            | 55.29        | 100.00%          |
| COPPER CANYON PUD           | 128.74        | 57.1       | 44.40%           | 71.64        | 55.60%           |
| GLENEAGLES PUD              | 17.71         | 6.53       | 37.00%           | 11.18        | 63.10%           |
| General Commercial          | 988.87        | 171.71     | 17.40%           | 817.16       | 82.60%           |
| High Density Residential    | 170.12        | 82.2       | 48.30%           | 87.92        | 51.70%           |
| Industrial (heavy)          | 802.26        | 210.25     | 26.20%           | 592.009      | 73.80%           |
| Light Industrial            | 385.93        | 180.94     | 46.90%           | 204.99       | 53.10%           |
| Medium Density Residential  | 94.74         | 90.49      | 95.50%           | 4.25         | 4.50%            |
| Mixed Use-160 acres         | 320.11        | 34.23      | 10.70%           | 285.88       | 89.30%           |
| Mix Use-Broadway            | 22.16         | 18.75      | 84.60%           | 3.413        | 15.40%           |
| Mixed Use-General           | 101.73        | 88.169     | 86.70%           | 13.563       | 13.30%           |
| Neighbor Commercial         | 254.6         | 2.388      | 0.90%            | 252.216      | 99.10%           |
| Open Space                  | 2,196.33      | 109.26     | 5.00%            | 2087.07      | 95.00%           |
| OVERLAKE HWY COM            | 16.45         | 14.4       | 87.50%           | 2.05         | 12.50%           |
| OVERLAKE MULTI-FAMILY       | 15            | 15         | 100.00%          | 0            | 0.00%            |
| OVERLAKE SINGLE FAMILY      | 149.39        | 149.39     | 100.00%          | 0            | 0.00%            |
| Peterson Industrial Depo PL | 273.63        | 267.56     | 97.80%           | 6.073        | 2.20%            |
| R1-10                       | 160.06        | 149.84     | 93.60%           | 10.22        | 6.40%            |
| R1-12                       | 160.58        | 113.231    | 70.50%           | 47.35        | 29.50%           |
| R1-14                       | 80.37         | 44.2       | 55.00%           | 36.17        | 45.00%           |
| R1-7                        | 3,726.67      | 1499       | 40.20%           | 2227.665     | 59.80%           |
| R1-8                        | 306.64        | 267.119    | 87.10%           | 39.52        | 12.90%           |
| Research and Development    | 842.1         | 0          | 0.00%            | 842.102      | 100.00%          |
| Rural Residential – 1 acre  | 685.81        | 288.363    | 42.00%           | 397.442      | 58.00%           |
| Rural Residential – 5 acres | 827.39        | 24.38      | 2.90%            | 803.01       | 97.10%           |
| UNKNOWN                     | 54.28         | 0          | 0.00%            | 54.28        | 100.00%          |
|                             | 12,836.97     | 3,884.49   | 30.50%           | 8,920.69     | 69.50%           |

Source: Tooele City Planning and Zoning

Tooele City has annexed vast areas of vacant property in the last 30 years. A total of 20 square miles (Table 19) is zoned for development (not counting roads). Only 6.1 square miles (30.5%) is developed. The potential for future growth is high. The zone most suitable to affordable housing is the HDR High Density Residential zone (16 units per acre) with 89.92 available acres. Also the MDR zone, 4.25 available acres (8 units per acre) is suitable for affordable housing. The R1-7 zone, 2227.66 available acres (5 units per acre) and the R1-8 zone, 39.52 available acres (4.5 units per acre) are the most suitable zones for affordable single-family homes.

## Plans to Meet the Affordable Housing Need

### Existing Development for Affordable Housing

With housing values declining after the 1999 peak, several approved Tooele City condominium and townhome projects completed their infrastructure but ceased constructing housing units. Builders claimed they could not construct Townhomes or Condominiums that would be substantially more affordable than single-family homes and so sales ground to a halt. With today's median home sales price at over \$210,000, Townhomes and Condominiums should now fill the price range under single-family housing. There are 221 condominium or Townhome units platted with site work completed (Table 22) where the residential buildings were never completed in Tooele City. These types of housing units tend to be more affordable.

Table 22

| Tooele City unfinished Condominium and Townhome Projects |  |  |             |                 |                    |
|--|--|--|-------------|-----------------|--------------------|
| Project Name   |  |  | Total Units | Remaining Units | Project Start Year |
| West Point Meadows Condominium Amd                       |  |  | 64          | 43              | 1997               |
| Crescent Court Condominiums Amd                          |  |  | 199         | 133             | 2001               |
| Comiskey Park Garden Home Condos                         |  |  | 88          | 8               | 2000               |
| Gleneagles PUD   |  |  | 54          | 37              | 2001               |
| <b>Total</b>   |  |  | <b>405</b>  | <b>221</b>      |                    |

Source: Tooele City Planning Dept.

### Existing Zoning that Typically allows Affordable Housing

Table 23

| Current Zoning which Facilitates Affordable Housing |                     |                 |                         |                          |
|---|---------------------|-----------------|-------------------------|--------------------------|
| Zoning  | Density<br>Per Acre | Vacant<br>Acres | Projected<br>lots/units | Projected<br>Populations |
| R1-7  | 5                   | 2227.0          | 11,135                  | 33,405                   |
| R1-8  | 4.5                 | 39.5            | 177                     | 533                      |
| Copper Canyon PUD                                   | 5                   | 55.3            | 276                     | 829                      |
| Gleneagles PUD                                      | 16                  | 2.6             | 41                      | 123                      |
| Crescent Ct Condos                                  | 16                  | 7.9             | 133                     | 399                      |
| West Point Meadow Condos                            | 16                  | 2.4             | 37                      | 111                      |
| Medium Density Residential                          | 8                   | 4.3             | 19                      | 58                       |
| High Density Residential                            | 16                  | 87.9            | 1,400                   | 4,200                    |
| Source: Tooele City Planning Department             |                     | 2426.9          | 13,218                  | 39,658                   |

Without rezoning more acreage in the future, Tooele City could grow by 13,218 affordable housing units and reach a population of 72,441. Acres set aside for parks, schools, and roads would need to be deducted. Future annexations could offset the deducted acreages. With the thousands of acres of land

surrounding the City, Tooele will continue to annex and grow as City services are increasingly necessary for the expected population growth in Utah.

### Existing and Future Mobile Home Parks

Tooele City has 639 mobile home spaces in the existing eight mobile home parks. Mobile homes within a mobile home park can be an affordable housing option. Building pad rents and utilities must be calculated in order to determine the affordability of the housing unit. Tooele City does have an ordinance that would permit new mobile home parks if the need of such housing units was demonstrated to create a balance of housing units and the location satisfied proximity to major roads and commercial centers.

## Strategy to meet Current and Forecasted Affordable Housing Needs

### Zoning and Annexations

Tooele City does not regularly change zoning on its own, however, the General Plan Land Use Element recommends a balanced and diverse mix of residential housing units and lot sizes and each rezone request should comply with the requirements of the City's Land Use Element.

Tooele City has recently approved several rezones of undeveloped land to MR-8 and MR-16 and one rezone for high density residential uses that provides more options in lot size and residential housing unit styles such as apartments, condominiums and town houses.

- One of those developments is the Lexington Greens Multi-Family residential development. Tooele City amended the zoning map to MR-16 Multi-Family Residential zoning district. This large development includes 86.4 acres and includes 192 single-family residential lots, 276 rental apartments, and 177 multi-family residential town house style units.
- Another development approved by Tooele City that included a zoning map amendment the MR-16 zoning district, a higher density residential zone, is the Western Acres development. This development also includes a PUD overlay that permits reduced distances between buildings, reduced architectural standards for building exteriors and smaller lots sizes in the single-family residential sections. The development will yield at build out, 714 town house style units and 97 single-family residential units.

Tooele City will consider future annexation petitions and has approved one residential annexation as recently as 2015.

Tooele City's current Zoning Map provides sufficient zoning districts to meet the city's affordable housing needs through 2050. More than 2,400 acres of zoning that allows for affordable housing possibilities exists within City boundaries. All zoning change requests are reviewed individually, case by case, as they are submitted.

Tooele City has an in-fill overlay zoning district that provides incentives for residential construction in the older central City area. The incentives include smaller setbacks, reduction of water rights requirements, reduced lot frontage requirements, and increased total lot coverage.

Tooele City also has an effective PUD (Planned Unit Development) ordinance that can be applied to any residential zoning district. The PUD ordinance provides flexibility in development standards such as

setbacks, lot sizes, lot coverages and so forth. Flexibility in these standards can serve to reduce per-lot land costs and help to reduce the overall cost of housing within a development.

## Strategies for Implementing the Construction of Moderate Income Housing

The Goals and Strategies should be achievable by the time of the next Moderate Income Affordable Housing Plan update.

### Strategy 1 – Rezone for Densities Necessary to Facilitate the Production of Moderate Income Housing.

Tooele City has recently rezoned various properties to the MR-16 Multi-Family Residential zone permitting up to sixteen units per acre and the MR-16 Multi-Family Residential zone permitting up to 16 units per acre. Tooele City has recently created new multi-family residential zones to allow a greater variety of MR densities and products. These new zoning districts are the MR-12 and the MR-20 Multi-Family Residential zones in addition to the existing MR-8 and MR-16 Multi-Family Residential zoning districts.

Tooele City has enacted an ordinance allowing residential special districts (RSD), essentially zoning districts in which the terms are negotiated based on ordinance parameters, developer requests, and City requirements, which may include affordable housing.

#### Implementation Plan

Tooele City remains prepared and committed to the process of accepting and reviewing Zoning Map Amendment applications for higher density residential zones as they are submitted by property owners, developers, and others in a timely and efficient manner. Tooele City has routinely considered the potential for moderate income housing as a factor in making decisions regarding Zoning Map Amendment requests and anticipates continuing to do so.

### Strategy 2 – 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.

In December 2020, Tooele City adopted a revised General Plan. Included in this revision are the Land Use and Transportation Elements. These elements will be reviewed and locations within the City near major transportation corridors, mass transit stops, future mass transit corridors and so forth will be identified and considered for medium and higher density residential zoning districts where various housing types may be constructed.

#### Implementation Plan

As development occurs and the inevitable expansion and evolution of the transportation system that accompanies development within Tooele City, the City continues to evaluate the Land Use Element of the Tooele City General Plan and amend the Land Use Map accordingly. Additionally, when considering Zoning Map Amendment applications, particularly when those considerations include the possibility of Moderate Income Housing, access and proximity to the transportation facilities routinely plays an important role in those considerations. Conversely, when consideration of new or expanded

transportation facilities falls to the City exclusive of development, the land uses surrounding those facilities and the joint benefit each provides to the other also plays an important role. It is not anticipated that these roles will change as development and the expansion of transportation system continues to occur.

### Strategy 3 – Create or Allow for, and Reduce Regulations Related to, Internal or Detached Accessory Dwelling Units in Residential Zones.

On August 21, 2019, the Tooele City Council approved an ordinance enacting Chapter 7-14a addressing accessory dwelling units. This ordinance permits detached, attached and interior accessory dwelling units for properties that meet certain qualifications of lot size, setbacks, parking and so forth. Having the Accessory Dwelling Unit ordinance complete, Tooele City will now begin implementing this ordinance through the building permit process. In 2020, 2021 and 2022, the State Legislature mandated the removal of restrictions on ADU, and the Tooele City's ADU ordinance already complied with the mandates, except for reducing the minimum lot size for qualifying ADU lot to 6,000 square feet, which Tooele city did by ordinance amendment. The City's ADU ordinance aims to strike a public policy balance of allowing, even encouraging, ADUs without costly or overly burdensome regulations but also without unduly shifting economic burdens to the general populace.

#### Implementation Plan

Tooele City implemented a program and code allowance for accessory dwelling units even before the state legislature's recent actions or encouragement and mandate for cities. That program included, and continues to include, relaxed regulation to encourage the utilization of the allowance of accessory dwelling units in residential areas. Tooele City continues and will continue to support the permitting of Accessory Dwelling Units in residential areas.

Strategy 4 – 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 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 of preservation of moderate income housing.

Work with Tooele County Housing Authority and have a City representative attend the quarterly meetings. Tooele City has the largest population in Tooele County and has the most to gain from partnering with the Housing Authority to construct more moderate income housing.

Tooele City is also working with the Utah Housing Authority, directing them to new developments where lots can be purchased and developed as moderate income housing with the assistance of subsidies and City reduction of impact fees as permitted by Tooele City Code.

In 2019-20, Tooele City worked with the Housing Authority for the approval of three subdivisions for affordable single-family detached housing: Bison Ridge, Buffalo Ridge, and Murdock. At the same time, the

City worked with the Utah Housing Corporation to pass an ordinance to waive impact fees for affordable housing. The ordinance has mechanisms in place to assure that savings generated from decreased or eliminated impact fees do not fatten the developer bottom line but are passed along to the affordable housing purchasers. The ordinance contains carefully articulated eligibility requirements and deed restriction language to achieve this beneficial public policy result. The City has approved impact fee waivers for these Housing Authority projects.

Tooele City conveyed property to the Housing Authority for the development of its Whistle Stop affordable housing project, which has been built and is successful.

Tooele City has provided regulatory and process facilitation and encouragement for the Housing Authority's joint venture with Switch Point for a new transitional housing facility for homeless persons, together with on-site support services.

Tooele City has retained outside legal counsel to assist in the development of a new ordinance on housing for the disabled compliant with the changing nuances of the Fair Housing Act.

#### Implementation Plan

Tooele City has codified allowed reductions and waivers of impact fees for developments that utilize state or federal funds or tax incentives to promote the construction of moderate income housing, among other methods of providing moderate income housing. Tooele City recently expanded that provision to increase the amount of reduction or waiver possible for such projects as well to more greatly expand and support the possibilities of providing moderate income housing. Tooele City also continues working with agencies to explore ways to provide the Tooele County Housing Authority and other agencies dedicate to providing moderate income housing priority access to a limited supply of water rights in order to further their affordable housing projects.

#### Strategy 5 – Demonstrate Investment in the Rehabilitation or Expansion of Infrastructure that Facilitates the Construction of Moderate Income Housing.

Tooele City has created In-Fill Overlay Districts applicable to older portions of the City where existing housing stock is increasingly aging and in need of renovation. The In-Fill Overlay zoning district is formulated to appropriately encourage residential development and redevelopment on lots and parcels of record that may be nonconforming or surrounded by developed land in order to more efficiently utilize residential land, existing public infrastructure, and public services.

Tooele City is always seeking ways to improve the In-Fill Overlay districts to utilize or rehabilitate existing infrastructure and make development more feasible. The City is currently considering amendments to lot width and frontage requirements that would assist subdivision of existing narrow lots into lots able to be developed with smaller and more affordable homes.

Tooele City should also seek to revise the In-Fill Overlay district area's incentives to encourage replacing or remodeling a dilapidated housing unit that may become a more affordable housing unit than new construction.

In certain portions of the City's in-fill geographic areas, requirements for transportation infrastructure construction (e.g., sidewalk) have been reduced or eliminated.

Tooele City provided a regulatory facilitation role in obtaining EPA remediation of a burned out and demolished hotel, paving the way for a new affordable housing project on Broadway Street in the City's Newtown district.

#### Implementation Plan

Development that occurs within the In-Fill Overlay District will continue to reduce or eliminate requirements for transportation infrastructure improvements. Tooele City has established reduced regulations for infill development, and redevelopment, in the heart of the community. Tooele City has approved a contract in the amount of \$50,000 for the preparation of a Broadway Area Master Plan, in part, to explore affordable housing opportunities in this community reinvestment area. Investment in these areas, both planning and reduction of costs to the provision of housing opportunities, is ongoing and represents an ongoing commitment on the part of the City towards meeting moderate income housing needs.

#### Strategy 6 – Reduce, Waive, or Eliminate Impact Fees Related to Moderate Income Housing.

Tooele City's accessory dwelling unit ordinance provides 50% reductions in impact fees for all attached and detached units. Impact fee reductions include culinary water, sanitary sewer, public safety and parks and recreation fees. Interior accessory dwelling units are exempt from payment of any impact fees; thus, the City ordinance was already in compliance with state legislation to follow the ordinance enactment

Tooele City's In-Fill Overlay districts also reduce culinary water fees by 50% which serves to encourage development of smaller less expensive lots within the City. This serves to make lots more affordable in the In-Fill areas and facilitates more affordable housing.

Tooele City ordinances permit the City Council to reduce impact fees for affordable housing units and the City should plan to partner with State organizations such as the Utah Housing Authority to encourage the construction of moderate income housing.

#### Implementation Plan

Tooele City has codified and implemented a reduction and waiver program for impact fees as a part of constructing attached and detached accessory dwelling units. Tooele City maintains and continues to the encouragement of development and redevelopment for properties within the In-Fill Overlay Districts. The Tooele City Council continues to consider reductions in impact fees for affordable housing units when the City partners with State, County, and other appropriate housing organizations.

#### Strategy 7 – Consider and Utilize General Fund Subsidies or Other Sources of Revenue to Waive Construction Related Fees that are Otherwise General Imposed by the City for the Construction or Rehabilitation of Moderate Income Housing.

Tooele City Code already permits General Fund subsidies and the Tooele City Council is considering increasing these for moderate income housing. Any time impact fees are waived there is a requirement that the fee is made up for through General Fund subsidies.

Implementation Plan

The Tooele City Council continues to evaluate moderate income housing developments and General Fund subsidies as these developments occur. This includes the supplementation of waived fees and water rights requirements to meet the full need of developments dedicated to the provision of moderate income housing beyond that allowed for waiver under adopted City Code provisions.

Strategy 8 – 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.

In many older areas of Tooele City there are some legally non-conforming duplexes, apartment buildings and other housing units that were constructed prior to existing zoning codes. These non-conforming units are protected by Tooele City Code Chapter 7-3; Non-Conforming Uses. This ordinance permits non-conforming buildings and land uses to persist in perpetuity as long as there is not a cessation of use greater than one year and also permits the re-construction of non-conforming buildings if destroyed by fire or other calamity. There are no plans to change or otherwise amend this ordinance and these non-conforming, potentially moderate income housing units will continue without challenge by Tooele City.

Implementation Plan

Tooele City continues to permit legally non-conforming duplexes, multi-family residential structures, and accessory dwelling units to continue the use and maintain the opportunity for preservation of moderate income housing in perpetuity.

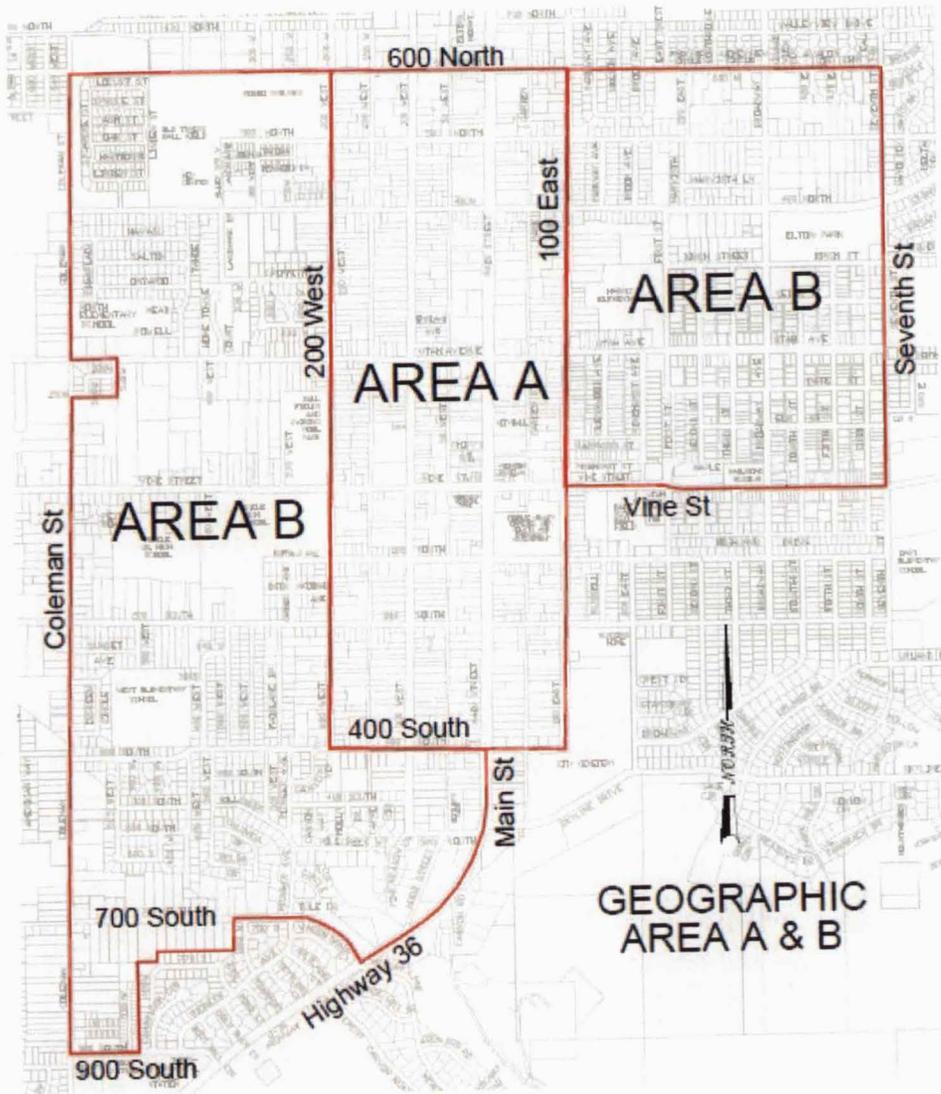
Strategy 9 – Eliminate Impact Fees for Any Accessory Dwelling Unit that is not an Internal Accessory Dwelling Unit as Defined in Section 10-9a-530.

Tooele City's Accessory Dwelling Unit ordinance currently eliminates an ADU from conveying water rights to the City and from paying street light utility fees and storm water utility fees.

Implementation Plan

Tooele City continues to maintain codified provisions for the waiver of impact fees as a part of the City's accessory dwelling unit ordinances regardless of the nature of the unit. This provides expanded opportunities for property owners to seek and be provided relief and encourage the construction of accessory dwelling units to support the provision of moderate income housing units.

Chart 7 – Tooele City Infill Areas A and B



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**EXHIBIT B**

**PLANNING COMMISSION MINUTES**

**STAFF REPORT**

September 6, 2022

**To:** Tooele City Planning Commission  
Business Date: September 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re:** Moderate Income Housing Plan – General Plan Amendment and Update

Applicant: Tooele City

Request: Request for approval of an update to the Moderate Income Housing Element of the Tooele City General Plan

**BACKGROUND**

Tooele City is proposing an update to the Moderate Income Housing Element of the General Plan. The plan is essentially remaining unchanged in regards to housing and income statistics. Staff looked at updating many of the graphs and charts but there was not sufficient time to update all of the information and still meet the submittal deadline required by the Utah State Legislature. Staff will engage in amending these numbers and statistics for the 2023 update. This update is a result of the Utah State Legislature's passage of HB 462 which modifies many of the provisions of the SB 34 legislation. Those modifications do have an impact on the Tooele City Moderate Income Housing Plan. This new bill requires cities to do the following:

1. Clarifies MIH requirement and timing to amend the General Plan (Moderate Income Housing element of the Tooele City General Plan).
2. Requires the inclusion of an implementation plan to bring the MIH element to life.
3. Amends the list of strategies Cities may use.
4. Outlines the annual reporting requirement.
5. Adds priority incentives / restrictions for compliance with the MIH requirement.

This 2022 plan update is to ensure compliance with the new mandates set forth by HB 462, approved in the last legislative session.

**ANALYSIS**

*General Plan.* Tooele City's General Plan contains a five year moderate income housing element. It is required by Utah State law that the moderate income housing plan is reviewed every two years to update the plan and assess the plan's implementation. New amendments passed in the previous legislative session require cities to now update and report their plans to the Utah Department of Workforce Services on an annual basis.

*Current Status of Tooele City's Moderate Income Housing Plan.* After analyzing the new requirements as set forth in HB 462 Tooele City's plan is in good shape, though, the housing statistics throughout the plan are in need of an update. Due to time restrictions related to the early submittal deadline imposed by the State of Utah City staff did not have sufficient time to complete all of the detailed information. City staff will begin working on an update to the housing statistics immediately and will be prepared for the

2023 report.

The largest and most notable change required by the legislature is the addition of an implementation plan which requires cities to start taking action on the planning strategies already selected by the cities as part of the 2021 update.

Cities were originally required to choose from a laundry list of 23 planning strategies set forth by the Legislature to help encourage the construction or maintenance of moderate income housing. The following seven items were the strategies that Tooele City was already implementing or was planning to implement when the 2021 update was reported.

1. Rezone for densities necessary to assure the production of moderate income housing.
2. Encourage higher density or moderate income residential development near major transit investment corridors.
3. Create or allow for, and reduce regulations related to, Accessory Dwelling Units in residential zones.
4. 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.
5. Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.
6. Consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the City.
7. Reduce impact fees related to low and moderate income housing.

The 2022 update now includes nine housing strategies from the list of revised strategies (now 24 instead of 23) provided by the Utah State Legislature as part of HB 462. Please note the differences in the strategies. Please keep in mind that the law requires Cities to only implement three of the strategies defined in the legislation. Tooele City is implementing nine of them. The differences in strategies are a result of the changes required by the State Legislature.

1. Rezone for Densities Necessary to Facilitate the Production of Moderate Income Housing.
2. 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.
3. Create or Allow for, and Reduce Regulations Related to, Internal or Detached Accessory Dwelling Units in Residential Zones.
4. 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 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.
5. Demonstrate Investment in the Rehabilitation or Expansion of Infrastructure that Facilitates the Construction of Moderate Income Housing.
6. Reduce, Waive, or Eliminate Impact Fees Related to Moderate Income Housing.
7. Consider and Utilize General Fund Subsidies or Other Sources of Revenue to Waive Construction Related Fees that are Otherwise General Imposed by the City for the Construction or Rehabilitation of Moderate Income Housing.

8. 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.
9. Eliminate Impact Fees for Any Accessory Dwelling Unit that is not an Internal Accessory Dwelling Unit as Defined in Section 10-9a-530.

The main changes to the City's Moderate Income Housing Plan begin on page 26 of the plan. As City Staff was reviewing the Plan to satisfy the State's requirement to begin implementing each of these strategies it was quickly learned that Tooele City is already fully implementing the 9 strategies listed above. Amendments to the plan include the required implementation plans but since the City is already effectively conducting these strategies the implementation plan is really nothing more than a description of what the City is doing and a pledge to continue doing so as the need or request is received from the development and housing community. It really is about as simple as that.

Tooele City Staff can state with confidence that the Tooele City Moderate Income Housing plan does meet and exceed the requirements of HB 462. Once approved by the City Council the amended plan will be posted on the Tooele City website for public viewing and Tooele City will have completed its State mandated obligations for 2022.

*Criteria For Approval.* In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:

- (a) The effect of the proposed amendment on the character of the surrounding area;
- (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
- (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
- (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
- (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
- (f) The overall community benefit of the proposed amendment.

## **REVIEWS**

*Planning Division Review.* The Tooele City Community Development Department has reviewed the requirements of HB 462, passed by the State Legislature in the previous session, and has updated the moderate income housing plan to meet the requirements of the Legislative update. Tooele city's Planning Staff recommends approval of the updated moderate income housing plan.

*Noticing.* The amendment to the Moderate Income Housing Element of the General Plan requires a public hearing and was noticed as required by City and State Codes.

## **STAFF RECOMMENDATION**

Staff recommends approval of the proposed amendment to the Moderate Income Housing Element of the General Plan.

This recommendation is based upon the following findings:

1. The current moderate income housing plan estimates the existing supply of moderate income housing in the City but is need of update for housing and income statistics as per the 2020 US Census. This update will be conducted in time for the 2023 reporting period.
2. That Tooele City currently implements nine of the twenty four planning strategies as outlined in the Utah State Code.
3. That Tooele City exceeds the minimum requirement of three of the twenty four planning strategies as outlined in the Utah State Code.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council to amend the Moderate Income Housing Element of the General Plan and adopt the draft Tooele City Moderate Income Housing Plan, 2022, based upon the findings listed in the staff report dated October 1, 2019.”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council to amend the Moderate Income Housing Element of the General Plan and adopt the draft Tooele City Moderate Income Housing Plan, 2022, based upon the following findings.”

1. List findings...

**EXHIBIT B**

**PROPOSED MODERATE INCOME HOUSING PLAN TEXT**