



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

**PERPARED BY  
TOOELE CITY COMMUNITY DEVELOPMENT DEPARTMENT**

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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.....	30
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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. ... 40

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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.

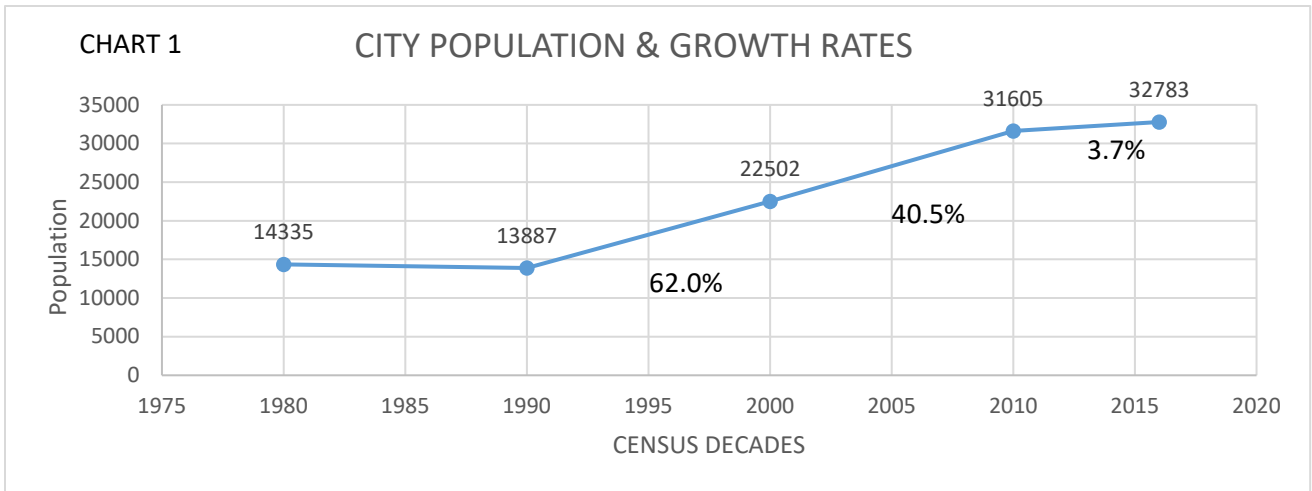
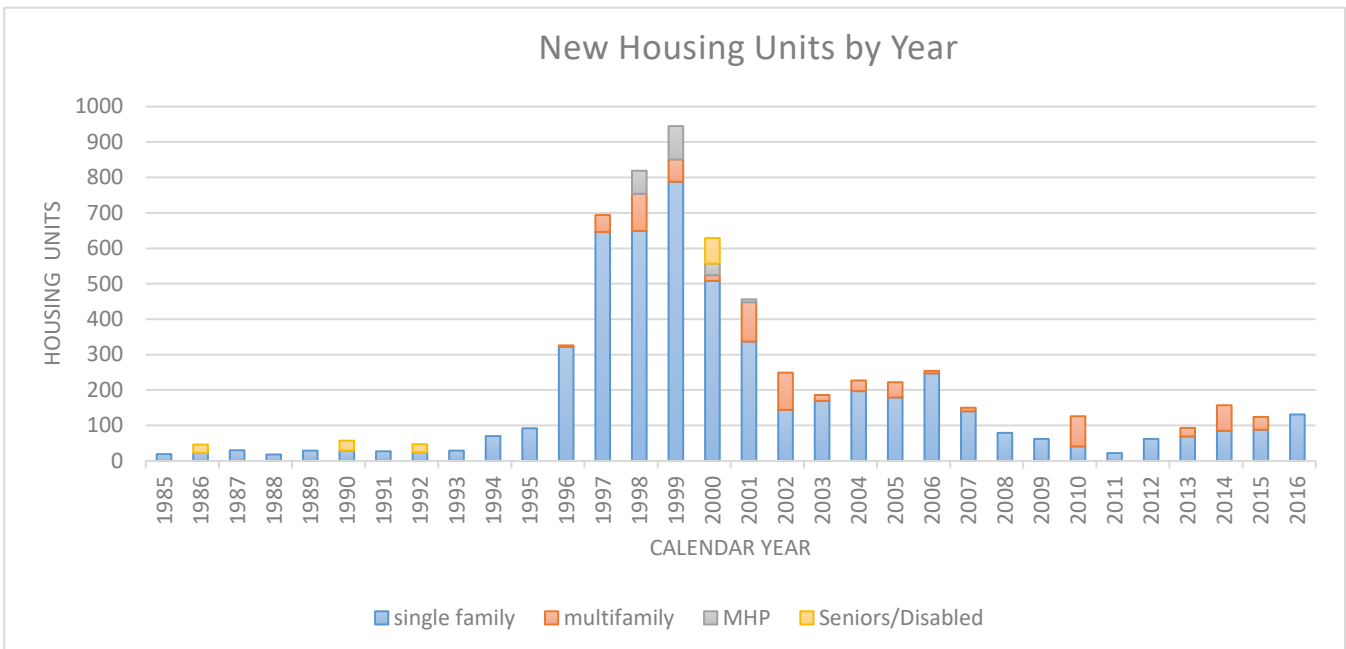


Chart 1 shows housing units constructed each year including new Mobile Home units in Mobile Home Parks, Elderly and Disabled housing units constructed in each year. Single-family detached homes are the preferred housing unit constructed in Tooele City over the last 30 years.

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 2



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

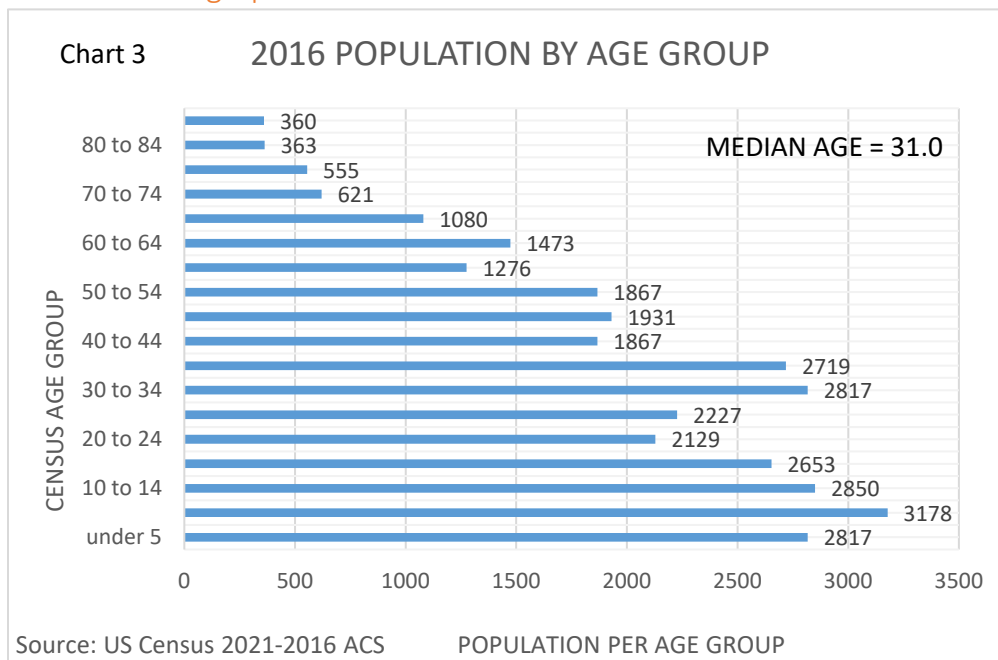


Chart 3 shows Tooele City as having a median age of 31 years. The chart also shows that the young adult age group (20 to 29 years) drops which is probably a result of young adults leaving home for college and additional job opportunities in adjacent counties. The adult age group of 30 years and older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

<b>HUD CHAS 2015 HOME OWNER - RENTERS COST BURDEN 30% AND 50% TOOELE CITY</b>			
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 to 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 11

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 12

	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

<b>Tooele City</b>		
<b>Percent Share of City Population by Race</b>		
	Number	Percent
<b>Total</b>	<b>32,783</b>	<b>100%</b>
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

<b>Tooele City</b>			
<b>Poverty by Race in Tooele City</b>			
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%

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				

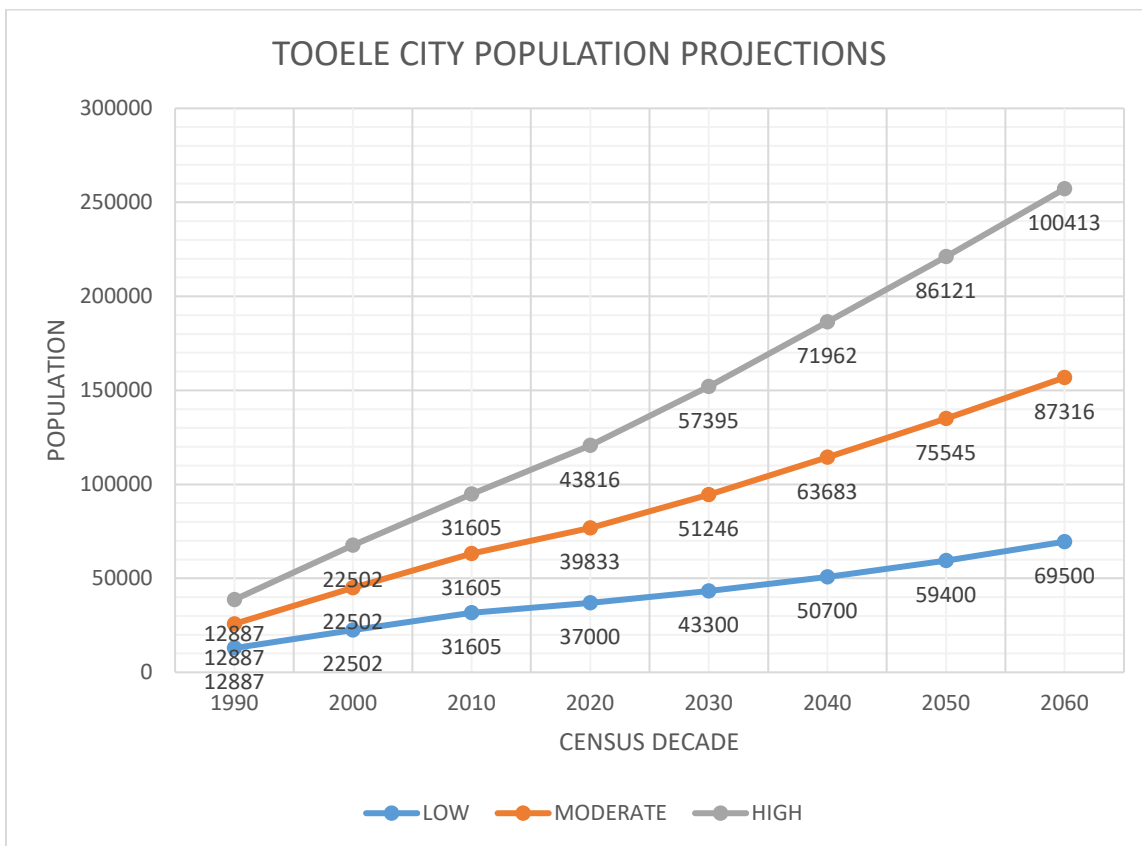
TCHA and Utah Housing Corp administer many affordable housing assistance programs as well as the many Tax Credit and subsidized rental communities. There is a home repair program, weatherization program, down payment assistance program, Security deposit assistance program, rent to own program and Section 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.

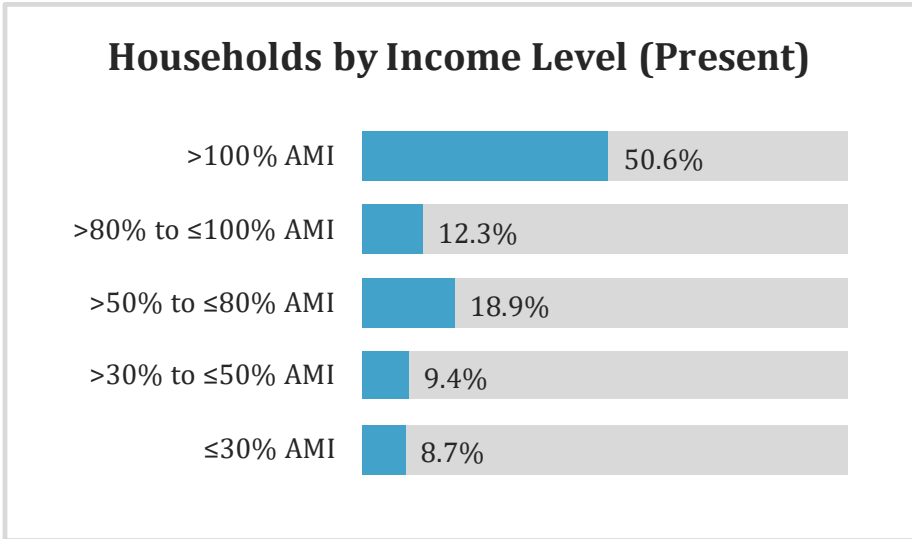
**Chart 4**



### 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.

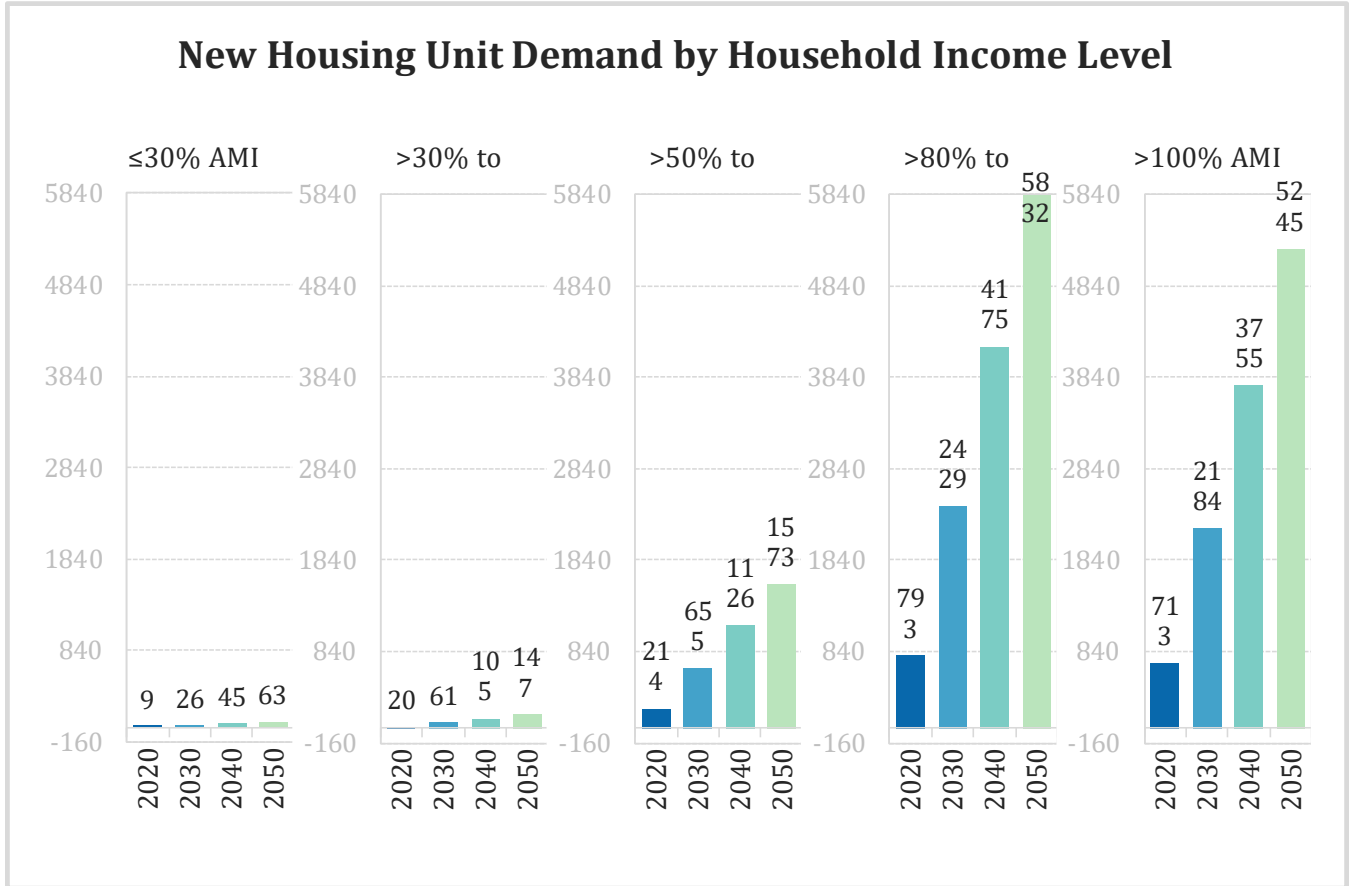
*= actual	2010	2016	2020	2025
Population for	*31,605	32,783	39,833	45,539
Projected number new housing units		*512	2,350	1,902
Projected ramp up of residential construction			600	1,250

### 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
Total			405	221	

Source: Tooele City Planning Dept.

### Existing Zoning that Typically allows Affordable Housing

Table 23

Current Zoning which Facilitates Affordable Housing				
Zoning	Density Per Acre	Vacant Acres	Projected lots/units	Projected 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.

This strategy is complete. Tooele City has recently rezoned various properties from non-residential and lower-density zones to higher-density zones, including the MR-16 Multi-Family Residential zone permitting up to up to 16 units per acre, as follows:

- Ordinance 2022-13, approved April 6, 2022, rezoning 38 acres from Rural Residential to R1-7 higher density single-family.
- Ordinance 2022-18, approved May 4, 2022, approving a high-density planned unit development allowing 449 multi-family dwelling units.
- Ordinance 2022-30, approved August 17, 2022, rezoning 8 acres from R1-7 single-family zoning to the MR-12 and MR-16 multi-family zones.
- Ordinance 2022-36, approved September 21, 2022, rezoning 7 acres from neighborhood commercial to MR-12 multi-family.
- Ordinance 2021-16, approved March 2, 2022, amending the land use plan for 7 acres from medium-density zones to high-density zones.
- Ordinance 2021-19, approved March 2, 2022, rezoning 14 acres from general commercial to MR-16 multi-family.
- Ordinance 2021-21, approved March 2, 2022, rezoning 4 acres from MR-8 to MR-16 multi-family.
- Ordinance 2021-25, approved July 21, 2021, amending the land use plan for 24 acres from medium-density zones to high-density zones.
- Ordinance 2020-50, approved December 16, 2020, rezoning 87 acres from rural residential and industrial zones to the MR-16 zone, allowing for 800 townhomes.

Also, Tooele City has recently created new multi-family residential zones to allow a greater variety of MR densities and products (see Ordinance 2022-22, approved July 6, 2022). 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 flexible high-density arrangements and affordable housing (see Ordinance 2021-27, approved July 21, 2021).

### Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(A) which states:

**10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
  - (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
    - (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
    - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
    - (C) includes an implementation plan as provided in Subsection (2)(c);
  - (b) In drafting the moderate income housing element, the planning commission:
    - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
      - (A) rezone for densities necessary to facilitate the production of moderate income housing;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Implementation of this strategy is ongoing. 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. Over the past few years Tooele City has approved numerous Land Use Map and Zoning Map Amendment requests that resulted in changes to higher density single-family residential and multi-family residential assignments (see the ordinances cited above). A regular part of these approvals was discussion regarding the possibility or intentions of the applicants to seek or provide affordable, attainable, and moderate income housing. Some of those properties have in fact been developed and others remain awaiting development of housing.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

The Planning Commission will review annually typically in the first half of each calendar year, the Land Use Map and Zoning Map, in the context of the rezones and developments approved the previous year, to evaluate whether additional areas should be rezoned for higher densities, even though the development market has not yet requested such rezones, and make recommendations to be discussed and acted upon by the City Council through the preparations of ordinances, policies, plans, and map amendments. The results of each annual review will be included in State-required moderate income housing reports and updates.

We recognize, however, that municipalities cannot compel property owners or applicants to request amendments to land use or zoning assignments, or to construct affordable housing once the rezones are approved. The City also recognizes that for housing to be considered affordable, under the model implemented by the State of Utah, it does not need to be multi-family and single-family housing can qualify as affordable. Further, the City recognizes that, despite rezones and zoning assignments, the City has little to no role in the establishment and construction of affordable housing. For housing to be affordable, it's a calculation based on the rents or mortgages charged which places the development and construction community in a significantly advantaged position, if not the sole determining factor, over cities to determine whether or not housing constructed will be affordable to the eventual residents. Still, the City expresses an *ongoing* commitment that over the course of the next five years as Land Use Map and Zoning Map Amendment applications come forward an analysis will be performed on each application as to the impact or potential moderate income housing to result from the request.

*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.*

This strategy is complete. 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.

*Utah State Code Reference*

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(F) which states:

**10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
  - (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
    - (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;

- (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
- (C) includes an implementation plan as provided in Subsection (2)(c);
- (b) In drafting the moderate income housing element, the planning commission:
  - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
    - (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community’s Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Implementation of this strategy is ongoing. 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.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

The Planning Commission will review annually, typically in the first half of the calendar year, the Land Use Map and Zoning Map, in the context of existing and proposed transportation upgrades, in addition to the rezones and developments approved the previous year, to evaluate whether additional areas should be rezoned for higher densities near transportation corridors, even though the development market has not yet requested such rezones, and make recommendations to be discussed and acted upon by the City Council through the preparations of ordinances, policies, plans, agreements, and map amendments. The results of each annual review will be included in State-required moderate income housing reports and updates.

We recognize however, that municipalities cannot compel property owners or applicants to request amendments to land use or zoning assignments for development in specific areas of the community, such as along transportation corridors. The City also recognizes that for housing to be considered affordable, under the model implemented by the State of Utah, it does not need to be multi-family and single-family housing can qualify as affordable. Further, the City recognizes that, despite rezones and zoning assignments, the City has little to no role in the establishment and construction of affordable housing. For housing to be affordable, it's a calculation based on the rents or mortgages charged which places the development and construction community in a significantly advantaged position, if not the sole determining factor, over cities to determine whether or not housing constructed will be affordable to the eventual residents. Still, the City expresses an *ongoing* commitment that over the course of the next five years as Land Use Map and Zoning Map Amendment applications come forward along transportation corridors an analysis will be performed on each application as to the impact or potential moderate income housing to result from the request.

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

This strategy is complete. 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 (see Ordinance 2021-08, approved May 5, 2021). 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.

#### Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(E) which states:

#### **10-9a-403. General plan preparation.**

(2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:

(iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:

(A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;

(B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and

- (C) includes an implementation plan as provided in Subsection (2)(c);
- (b) In drafting the moderate income housing element, the planning commission:
  - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
    - (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community’s Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Implementation of this strategy is ongoing. 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.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

Tooele City will stay attuned to changes in state law regarding Accessory Dwelling Units, by annually conducting a review, typically in the second quarter of each calendar year, of all enacted legislation from the Utah State Legislature regarding Accessory Dwelling Unit regulations and requirements. The Planning Commission will offer recommendation, based on this review, to the City Council to update the Tooele City Code to conform Tooele City’s Accessory Dwelling Unit regulation to newly enacted state legislation. Also, typically in the first quarter of each year, the Community Development Department will catalog all Accessory Dwelling Units approved by building permit, and report this data to the Planning Commission and City Council, in addition to discussing strategies for making Accessory Dwelling Unit use more common.

The City maintains an *ongoing* commitment that over the course of the next five years to implement the allowances for and approval of internal and external accessory dwelling units throughout the community.

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 or preservation of moderate income housing.

This strategy is partially complete and implementation is ongoing. Tooele City will 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 2019-2022, 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 (see Ordinance 2019-30, approved November 20, 2019). 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 mechanisms and eligibility requirements include AMI determinations and the recordation of restrictive covenants developed in cooperation with the Utah Housing Corporation (see Tooele City Code 4-15-5). The City has approved impact fee waivers for these Housing Authority projects. These projects include the following:

- Buffalo Pass Subdivision - June 3, 2020, waiving \$7,000 per dwelling unit
- Bison Ridge Subdivision - June 3, 2020, waiving \$7,000 per dwelling unit
- Murdock Subdivision - Resolution 2022-60, approved July 6, 2022, waiving \$13,761.80 per dwelling unit
- Harris Community Village project - Resolution 2022-61, approved July 6, 2022, waiving \$12,756.80 per dwelling unit

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.

#### Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(O) which states:

#### **10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
  - (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
    - (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
    - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
    - (C) includes an implementation plan as provided in Subsection (2)(c);
  - (b) In drafting the moderate income housing element, the planning commission:
    - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
      - (O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

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 dedicated to providing moderate income housing priority access to a limited supply of water rights in order to further their affordable housing projects.

It is difficult to set benchmarks for impact fee waivers when they are dependent upon the submittal and approval of eligible affordable housing projects. However, whenever an eligible project has requested a waiver, the waiver has been granted (waivers are discretionary, not mandatory). However, in January of each year, the Community Development Department will catalog all impact fees waived during the preceding calendar year and report this data to the Planning Commission and City Council. The City maintains an *ongoing* commitment that over the course of the next five years to continue working with the Tooele County Housing Authority and other agencies dedicated to providing moderate income housing to establish and preserve moderate income housing opportunities within the community through utilization of the codified reductions and waivers of fees and priority access to scarce water rights.

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

This strategy is partially complete and implementation is ongoing. 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.

#### Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(B) which states:

#### **10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
- (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
- (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
  - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
  - (C) includes an implementation plan as provided in Subsection (2)(c);
- (b) In drafting the moderate income housing element, the planning commission:
- (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

Development that occurs within the In-Fill Overlay District will continue to reduce or eliminate requirements for transportation infrastructure improvements. Starting in 2015, Tooele City established a program for reduced regulation for infill development, and redevelopment, in the heart of the community and has continued adding more reductions into the program. The efforts to establish and expand this program include the following:

- Ordinance 2015-25, approved December 16, 2015, creating the In-Fill districts and enacting regulatory standards within those districts.
- Ordinance 2019-08, approved March 20, 2019, making technical improvements to the regulatory standards within the In-Fill districts.
- Ordinance 2019-24, approved October 2, 2019, creating additional reductions to the regulatory standards within the In-Fill districts.
- Ordinance 2020-38, approved October 7, 2020, creating additional reductions related to water rights conveyance requirements within the In-Fill districts.

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. On June 1, 2022, the Tooele City Council approved Resolution 2022-51, 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. This contract establishes a completion date for the Master Planning effort for June 30, 2023. During the second half of the 2023 calendar year, Tooele City will be establishing priorities, goals, and timelines resulting from that Master Planning effort for continued and further implementation.

It is difficult to set benchmarks for implementing reduced regulations when they are dependent upon the submittal and approval of eligible projects. However, whenever an eligible project has requested a reduction in regulation, the reduction has been automatically granted as allowed in the City Code. However, in January of each year, the Community Development Department will catalog all eligible projects utilizing the reduced regulation during the preceding calendar year and report this data to the Planning Commission and City Council. Regardless, the City maintains an *ongoing* commitment that over the course of the next five years to continue utilizing the reduced regulation for in-fill development to encourage moderate income housing opportunities within the community. Additionally, where the City has already begun the master planning of a specific area of the community that provides a high potential for additional moderate income housing, over the next five years the Tooele City will be completing that effort and using that master planning effort as basis for planning infrastructure needs determinations and investments that encourage moderate income housing. Where the outcome of that master planning effort remains unknown, the City maintains the flexibility to adjust infrastructure planning, investment, and construction timelines and benchmarks within the master plan area pending the outcome of that master planning effort.

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

This strategy is partially complete, and implementation is ongoing. 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.

#### *Utah State Code Reference*

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(L) which states:

**10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
- (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
- (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
  - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
  - (C) includes an implementation plan as provided in Subsection (2)(c);
- (b) In drafting the moderate income housing element, the planning commission:
- (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
- (L) reduce, waive, or eliminate impact fees related to moderate income housing;

*Implementation Plan*

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

*Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy*

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. Starting as early as 1996, the Tooele City Council approved ordinances establishing a program for reducing or waiving development related impact fees for eligible affordable housing units. The efforts to establish and expand this program include the following:

- Ordinance 96-15, approved June 5, 1996, enacted an impact fee structure for Tooele City for charging such fees as allowed by Senate Bill 4 (1995 Special Session of the Utah State Legislature) which also included a provision for waiving impact fees up to \$5,000 per unit for affordable housing.
- Ordinance 2001-35, approved January 23, 2001, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.

- Ordinance 2001-36, approved January 23, 2001, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.
- Ordinance 2010-04, approved February 17, 2010, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.
- Ordinance 2019-30, approved November 20, 2019, increasing the maximum allowable amount of impact fee waiver possible.

It is difficult to set benchmarks for implementing reduced regulations when they are dependent upon the submittal and approval of eligible projects. However, whenever an eligible project has requested a reduction or waiver of impact fees for affordable housing, the reduction or waiver has been granted. During the time from 2020 to 2022 alone, the following impact fee reductions and waivers have been approved:

- Buffalo Pass Subdivision, a 6-lot single-family residential subdivision approved on June 3, 2020 for impact fee waivers in the amount of \$7,000 per lot for affordable housing, totaling waivers of \$42,000 for the development.
- Buffalo Ridge Subdivision, a 6-lot single-family residential subdivision approved on June 3, 2020 for impact fee waivers in the amount of \$7,000 per lot for affordable housing, totaling waivers of \$42,000 for the development.
- Murdock Subdivision, Phases 1 and 2, a combined 23-lot single-family residential subdivision, specifically for affordable housing units, was approved on July 6, 2022, for a waiver of \$6,000 per dwelling unit outright, a waiver of an additional \$4,000 per dwelling unit with reimbursement to the City from other dedicated City funds, and the City would pay another \$3,761.80 per dwelling unit out of other dedicated City funds, totaling waivers of \$13,761.80 per lot and \$316,521.40 for the development.
- Harris Community Village, a 66-unit multi-family residential development, specifically for affordable housing units, was approved on July 6, 2022, for a waiver of \$6,000 per dwelling unit outright, a waiver of an additional \$4,000 per dwelling unit with reimbursement to the City from other dedicated City funds, and the City would pay another \$2,756.80 per dwelling unit out of other dedicated City funds, totaling waivers of \$12,756.80 per unit and \$841,948.80 for the development.

In January of each year, the Community Development Department will catalog all eligible projects utilizing the reduced regulation during the preceding calendar year and report this data to the Planning Commission and City Council. Regardless, the City maintains an *ongoing* commitment that over the course of the next five years to continue working with the Tooele County Housing Authority and other agencies dedicated to providing moderate income housing to utilize the codified reductions and waivers of impact fees related to moderate income housing.

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

This strategy is partially complete and implementation is ongoing. Tooele City Code already permits General Fund subsidies and the Tooele City Council has considered 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. The efforts to review the level of subsidies allowed and increase revise those levels include the following:

- Ordinance 96-15, approved June 5, 1996, enacted an impact fee structure for Tooele City for charging such fees as allowed by Senate Bill 4 (1995 Special Session of the Utah State Legislature) which also included a provision for waiving impact fees up to \$5,000 per unit for affordable housing.
- Ordinance 2001-35, approved January 23, 2001, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.
- Ordinance 2001-36, approved January 23, 2001, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.
- Ordinance 2010-04, approved February 17, 2010, revising the impact fees allowable for possible waiver with the adoption of new impact fee studies and fees.
- Ordinance 2019-30, approved November 20, 2019, increasing the maximum allowable amount of impact fee waiver possible.

#### Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(D) which states:

#### **10-9a-403. General plan preparation.**

(2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:

(iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:

(A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;

(B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and

(C) includes an implementation plan as provided in Subsection (2)(c);

(b) In drafting the moderate income housing element, the planning commission:

(iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:

(D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;



### Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

### Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

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.

It is difficult to set benchmarks for implementing subsidies for affordable housing projects related to construction fees when they are dependent upon the submittal and approval of eligible projects. During 2022, the following construction related fees were subsidized the City using General Fund money or other funding sources:

- Harris Community Village, a 66-unit multi-family residential development, specifically for affordable housing units, was approved on July 6, 2022, for a subsidy of construction related fees using dedicated City funds totaling \$292,250.00 for the development.

In January of each year, the Community Development Department will catalog all eligible projects utilizing the reduced regulation during the preceding calendar year and report this data to the Planning Commission and City Council. Regardless, the City maintains an *ongoing* commitment that over the course of the next five years to continue working with the applicants for moderate income housing projects to utilize the general fund and other sources of revenue to waive construction related fees for moderate income housing as permissible and appropriate.

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.

This strategy is partially complete and implementation is ongoing. 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.

Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(K) which states:

**10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
  - (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
    - (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
    - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
    - (C) includes an implementation plan as provided in Subsection (2)(c);
  - (b) In drafting the moderate income housing element, the planning commission:
    - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
      - (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy

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. Starting as early as 1995, the Tooele City Council approved ordinances establishing the right of continuation for legally non-conforming uses and noncomplying structures to be continued in their existing state. These allowances included legally non-conforming affordable housing units that existed at the time. The efforts to establish and expand this program include the following:

- Ordinance 95-16, approved August 19, 1995, enacted a program for legally non-conforming uses and noncomplying structures.
- Ordinance 2006-25, approved January 3, 2007, expanded and clarified the program for legally non-conforming uses and noncomplying structures to remain current and compliant with changes in state statute.

Over the course of the next year, the Community Development Department will work to catalog legally nonconforming duplexes, multi-family residential structures, and accessory dwelling units and report this data to the Planning Commission and City Council. As such, where the opportunity to preserve existing and new moderate income housing is already codified within the Tooele City Code. Regardless, the City maintains an *ongoing* commitment that over the course of the next five years to continue working with the owners of existing moderate income housing and property owners to preserve existing and new moderate income housing.

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.

This strategy is partially complete and implementation is ongoing. 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.

Utah State Code Reference

The basis for this strategy comes from Section 10-9a-403(2)(B)(iii)(R) which states:

**10-9a-403. General plan preparation.**

- (2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission's recommendations for the following plan elements:
  - (iii) for a specified municipality as defined in Section 10-9a-408, a moderate income housing element that:
    - (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
    - (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
    - (C) includes an implementation plan as provided in Subsection (2)(c);
  - (b) In drafting the moderate income housing element, the planning commission:
    - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
      - (R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;

Implementation Plan

Section 10-9a-403(2)(a)(iii)(A) specifies that a community's Moderate Income Housing Element to the General Plan is to provide a realistic opportunity to meet the need for additional moderate income housing within the next five years. Further, Section 10-9a-403(2)(c) of the Utah State Code notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, whether one-time or ongoing, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed.

*Measures and Timeline for Monitoring, Reviewing, and Continuing to Implement This Strategy*

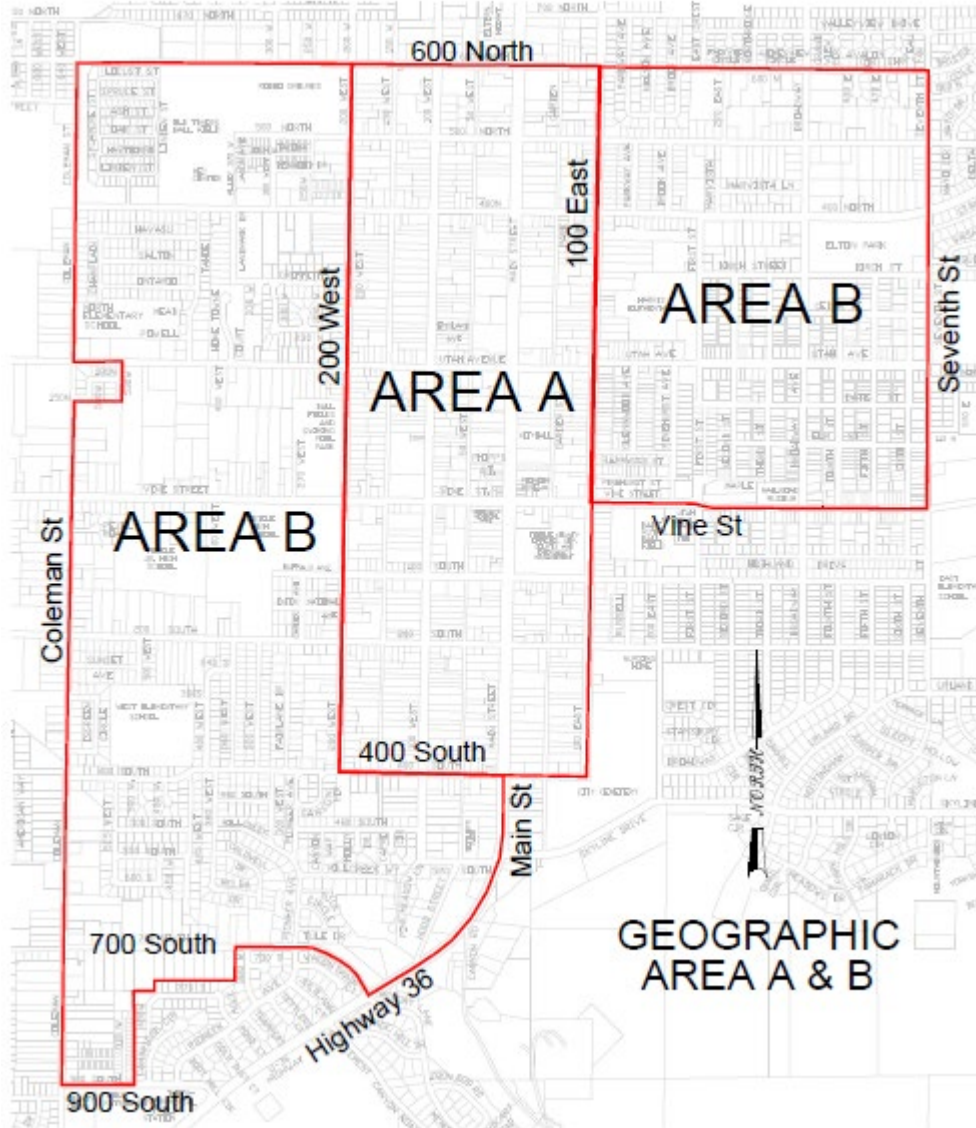
Tooele City continues to maintain codified provisions for the waiver of impact fees as a part of the City's accessory dwelling unit ordinances regardless of the nature of the unit. This provides expanded opportunities for property owners to seek and be provided relief and encourage the construction of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

Tooele City first adopted ordinances to allow accessory dwelling units in 2019, even before the Legislature for the State of Utah passed legislation compelling cities to establish regulations to allow accessory dwelling units. The effort to establish this program include the following:

- Ordinance 2019-13, approved August 21, 2019, creating and enacting the allowance for accessory dwelling units and the regulatory standards for locating and constructing accessory dwelling units, both internal and external, and the reduction or elimination of impact fees for those units.

It is difficult to set benchmarks for implementing reduced or eliminated impact fees when they are dependent upon the submittal and approval of eligible applications. However, whenever an eligible application has been submitted, the reduction or elimination has been automatically granted as allowed in the City Code. However, in January of each year, the Community Development Department will catalog all eligible applications utilizing the reduced or eliminated impact fees for accessory dwelling units during the preceding calendar year and report this data to the Planning Commission and City Council. Regardless, the City maintains an *ongoing* commitment that over the course of the next five years to implement the codified provisions of the City Code that eliminates impact fees for the approval of internal and external accessory dwelling units throughout the community.

Chart 7 – Tooele City Infill Areas A and B



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