

ORDINANCE 2012-23

**AN ORDINANCE AMENDING CHAPTER 17 OF THE TOOELE COUNTY
GENERAL PLAN REGARDING THE MODERATE INCOME HOUSING
CONDITIONS PLAN**

WHEREAS, pursuant to Utah Code Section 17-27a-404, the Tooele County Planning Commission held a public hearing on an application to amend Chapter 17 of the Tooele County General Plan which deals with the Moderate Income Housing Conditions Plan; and

WHEREAS, the planning commission provided notice as required by Utah Code Section 17-27a-204 and heard arguments both for and against the amendment at the public hearing; and

WHEREAS, having heard public comment in the public hearing, the planning commission recommended approval of the general plan amendment and forwarded the matter to the county commission; and

WHEREAS, the Tooele County Commission finds good cause for amending the general plan as requested.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF
TOOELE COUNTY, UTAH AS FOLLOWS:**

SECTION I - GENERAL PLAN AMENDED. Chapter 17, Moderate Income Housing Conditions Plan, of the Tooele County General Plan is hereby amended by repealing and replacing the chapter in its entirety to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION II - REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Ord. 2012-23

SECTION III - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date, if more than 15 days after passage.

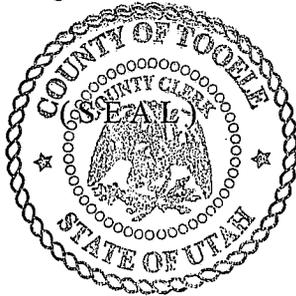
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 20th day of December 2012.

ATTEST:

TOOELE COUNTY COMMISSION:

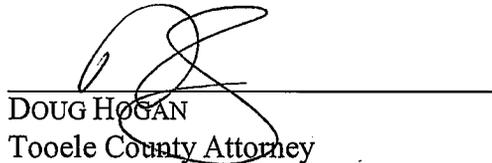

Marilyn K. Gillette, Clerk


Colleen S. Johnson, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

Chapter Seventeen:

Moderate Income Housing Conditions Plan

Overview

Tooele County desires reasonable housing for all incomes. The County has contracted with Mr. James A. Wood in assessing the County's housing needs. Mr. Wood is the Director of the Bureau of Economic and Business Research in the David Eccles School of Business at the University of Utah. Mr. Wood's latest housing needs assessment for the County is titled "2011 Housing Needs Assessment: Tooele County." This assessment represents the County's latest moderate income housing condition.

Mr. Wood's report concludes:

1. Tooele County, Tooele City and Grantsville City have ample ownership opportunities for median, moderate and low income households. These housing opportunities extend to both existing homes and new homes.
2. Rental housing is also affordable to moderate and low income households due to the 733 units in Tooele County that are subsidized or assisted through tax credits, vouchers or project based units.
3. The housing inventory of Tooele County, Tooele City and Grantsville satisfies HB295, Utah's affordable housing statute. The statute reads "municipalities should afford a reasonable opportunity for a variety of housing, including moderate income housing to meet the needs of the people desiring to live ... and to fully participate in all aspects of neighborhood and community life." Such housing opportunities are available in Tooele County.

Tooele County has reviewed the "2011 Housing Needs Assessment: Tooele County" with Tooele County Relief Services, Local Homeless Committee, Tooele County Planning Commission, Pine Canyon Township Planning Commission, and Erda Township Planning Commission.

While Mr. Wood believes Tooele County reasonably satisfies State Law/Code 17-27a-403 and 17-27a-408, Tooele County desires to continually improve meeting the housing needs of all individuals.

According to Karen Kuipers, Tooele County Relief Services Coordinator, the waiting list for Section 8 housing vouchers has increased from 2.5 years to 4 years over a six to nine month period and the need is increasing.

The following is the Executive Summary of Mr. Wood's "2011 Housing Needs Assessment: Tooele County." (The full report is available upon request, and will be forwarded to the Utah Division of Housing & Community Development.) The Executive Summary and Mr. Wood's full report satisfactorily answers to the Utah Division of Housing & Community Development and the County the following questions:

1. What is affordable/moderate housing in Tooele County based on income and special needs?
2. What and where is our inventory of affordable/moderate income housing?
3. What is the projected need for affordable/moderate income housing in the next five years?

After the Executive Summary the Moderate Income Housing Condition Plan will address the County's plan on meeting the projected need for affordable/moderate income housing in the next five years.

Executive Summary

EXECUTIVE SUMMARY

Utah's affordable housing legislation (HB295) does not mandate that a community's housing market meet the homeownership desires of all moderate, low and extremely low income households. Rather 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 show that the Tooele County housing market satisfies the language of HB295. The county's housing market has a substantial number of *homeownership* opportunities for moderate income households while affordable housing opportunities for low and extremely low income households are primarily met by the county's affordable *rental* housing.

Housing Affordability in 2010

Housing affordability in Tooele County is derived from home sales and new construction data (see below). For example, over the past five years 59.6 percent of all *existing* homes and condominiums sold in the county were affordable to moderate income households. Over the same period 13.6 percent of all *existing* homes and condominiums sold were affordable to low income households.

Percent of Existing Homes and Condominiums Sold That Were Affordable to Moderate and Low Income Households 2006-2010

	Total Existing Units Sold	Number Affordable To Moderate Income	% Affordable	Number Affordable to Low Income	% Affordable
Tooele Co.	4,337	2,584	59.6%	589	13.6%
Tooele City	2,788	1,878	67.3%	449	16.1%
Grantsville	639	279	43.7%	57	8.9%

New homes and condominiums were also affordable to moderate income households. Forty-nine percent of all new homes and condominiums built in Tooele County since 2006 were affordable to moderate income households. In Grantsville City nearly 66 percent of new homes and condominiums were affordable to moderate income households.

Percent of New Homes and Condominiums Sold That Were Affordable to Moderate Income Households 2006-2010

	Total New Homes Sold	Number Affordable To Moderate Income	% Affordable
Tooele Co.	1,342	662	49.3%
Tooele City	414	187	45.3%
Grantsville	375	247	65.8%

Affordable Housing Needs Assessment

Compared to most counties, especially urban counties, Tooele has a very affordable housing inventory. The local housing market is performing well in providing affordable housing to those households in Tooele County with incomes above 50 percent AMI.

Only six percent of all homeowners in Tooele County have severe housing cost burdens (paying more than 50 percent of income for housing). Tooele County has the lowest percentage share of severely cost burdened homeowners among seven major counties in Utah; this low percentage of cost burdened owners indicates a relatively affordable housing market.

Percent of Home Owners and Renters with Severe Housing Cost Burden

	Owner	Renter
Box Elder	6.3%	11.4%
Davis	6.3%	14.8%
Salt Lake	9.6%	19.5%
Tooele	6.0%	20.0%
Utah	8.6%	21.1%
Washington	10.7%	16.8%
Weber	7.0%	17.9%

Source: HUD CHAS 2009.

Moderate Income Households (= <80% AMI) - In 2010 the number of housing units (owner and rental) affordable to moderate income households totaled 9,600. In the same year there were 7,600 homeowners and renters with incomes at 80% or less

AMI. Hence, for moderate income households the supply exceeds the demand by some 2,000 units, indicating a very affordable housing market.

For those households with incomes below 50 percent AMI (\$32,800 for family of four) there is a deficit of affordable housing.

Low Income Households (= < 50% AMI) – In 2010 the number of housing units (owner and rental) affordable to low income households totaled 3,550. The number of households with income less than 50 percent AMI in 2010 was 4,750. Consequently the demand for low income housing exceeds supply by 1,200 units, i.e. a deficit of 1,200 units.

Extremely Low Income Households (= < 30% AMI) – In 2010 the number of housing units (owner and rental) affordable to extremely low income households was less than 1,000 units. The number of extremely low income households was 2,850. There is a deficit of at least 1,500 units for extremely low income households.

The housing deficit or shortage of affordable housing for those households at 50 percent or less AMI forces these households to take on higher housing costs. These households end-up in higher cost housing which results in higher cost burdens.

Nearly two-thirds of all low and extremely low income households are renters. The rental inventory provides most of the affordable housing for those households under 50 percent AMI. Tooele County currently has 16 affordable housing projects with a total of 760 units; these units account for 21.1 percent of the rental inventory.

Low Income Tax Credit Communities in Tooele County

Apartment Community	Address	City	Subsidy	Units
Willow Creek (Senior)	236 W. Plum St.	Grantsville	RD Senior	83
Grantsville Apartment	278 W. Main	Grantsville	RD 515	20
Orchard Park (Approved Credits)	Country Haven Ln.	Grantsville	Tax Credit	63
Clark Street Apartments	334 East Clark St.	Grantsville	Tax Credit	24
Old Mill Stansbury	160 E. Hilary Ln.	Unincorporated	Tax Credit	128
Somerset Gardens (Senior)	143 N. 400 W.	Tooele	RD Senior	28
Oquirrh View Apartment (Senior)	552 N. 270 E.	Tooele	RD Senior	16
Canyon Cove Senior Housing (Senior)	178 E. Vine St.	Tooele	HUD Senior	21
Remington Park Retirement (Senior)	495 Utah Ave.	Tooele	RD Senior	72
Lake View Apartments	742 N. 100 E.	Tooele	Tax Credit	76
Valley Meadows	582 N. Shay Ln.	Tooele	Tax Credit	40
Tooele CROWN	Scattered Sites	Tooele	Tax Credit	11
Tooele Gateway Apartments	232 W. Fenwick Ln.	Tooele	Tax Credit	130
Westwood Mesa	780 W. 770 S.	Tooele	Tax Credit	22
Landmark Apartments	350 W. 400 N.	Tooele	HUD	52
Briarwood Apartments	145 Gardenia Way	Wendover	RD Family	32
Five-Plex		Tooele	Public Housing	5
Total				760*

*Does not include the proposed Orchard Park.

Source: Utah Housing Corporation and the Tooele County Housing Authority.

Forty-three percent of all renters in Tooele County have moderate housing cost burdens and twenty percent have severe housing cost burdens. At least 50 percent of those with severe cost burdens are households at less than 30 percent AMI. A disproportionate share of those with severe housing cost burdens are single-parents with children.

The greatest need is for family rental units at less than 50 percent AMI. The number of renters with household income below 50 percent AMI and experiencing a severe housing cost burden is estimated at 700 renters.

Tooele County Housing Authority administers 215 Section 8 vouchers. The waiting list is now at 2.5 years and increasing due to the recession. The need for affordable low income rental units is also confirmed by the 100 percent occupancy of the 98 subsidized units owned by the Tooele County Housing Authority.

Over the next five years the number of households in Tooele County will increase by at least 2,500. *In order to meet the needs of these new households and improve affordability for existing low and extremely low income households an additional 350-450 affordable (<50% AMI) rental housing units will be needed over the five-year period.* The additional rental units will be located, depending on demand and land prices, between Tooele City, unincorporated county and Grantsville City.

While Wendover has an ample supply of affordable owner and rental housing the critical housing need for the city is an improvement in the quality of housing. The city's housing inventory is near substandard and has significant levels of overcrowding. A small tax credit apartment project (less than 20 units) and some Crown homes on scattered sites would help improve housing quality and choice.

Special Needs Populations

Five of subsidized apartment projects in Tooele County are Senior housing apartments with a total of 220 units. The Senior rental market has sufficient affordable units to meet current demand. Senior projects are not recommended.

Low Income Senior Rental Projects in Tooele County

	Units	Type
Willow Creek	83	RD Senior
Somerset Gardens	28	RD Senior
Oquirrh View Apartments	16	RD Senior
Canyon Cove	21	HUD Senior
Remington Park	72	Tax Credit
Total	220	

Source: HUD, Tooele County HA and Utah Housing Corporation.

There are, at most, 900 households in Tooele County that have a disabled person and have

incomes below 80 percent AMI and pay more the 30 percent of their income for housing. Owner households account for 460 of these households with disabled persons and renter households account for 440 households. Thirteen percent of all renters have some type of disability. Therefore, any new apartment projects should provide or set aside 5 percent of project units as accessible units. Housing advocates and policymakers should be sensitive to the need and availability of accessible, affordable rental units.

The 2010 point-in-time headcount of homelessness in Tooele County shows that there were four homeless families with children. All of these families were sheltered. There were two families without children and one was unsheltered. The chronically homeless estimate was 8 individuals with 2 sheltered and 6 unsheltered. It is likely the homeless population has increased in 2011 with the severity of the recession. Tooele County's unemployment rate has risen from 3.7 percent in January 2008 to 8.7 percent in January 2011. Coordinated efforts between county officials, nonprofits and religious organization are recommended to address the housing needs of the homeless population.

– End of Executive Summary-

Meeting the Need

Together, the Tooele County Planning & Zoning Division, the three planning commissions – Tooele County, Erda Township, and Pine Canyon Township, Tooele County Relief Services, the Local Homeless Committee, and ultimately the Board of County Commissioners have taken into advisement Mr. Wood's assessment and followed Utah State law in adopting "a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing." The following is Tooele County's five-year plan to meet the estimated current and future need for affordable/moderate housing:

Five-Year Priorities for Affordable Housing: (The existing and expected need in the next five years is for an additional three hundred and fifty (350) to four hundred and fifty (450) rental housing units; Tooele County should be proactive in meeting the projected need and avoiding any additional affordable housing needs by doing the following:

1. Tooele City, Grantsville City

Work with Tooele City and Grantsville City to encourage and promote housing for the low [= < 50% Annual Median Income (AMI)] and extremely low (= < 30% AMI) income populations. Infrastructure of community water and sewer systems, access to public transportation, commerce, and housing density is needed for affordable housing. Affordable housing is most likely to be achieved within the incorporated cities of Tooele and Grantsville, and in the Parcel 9 area of Stansbury Park. Tooele County has approved a concept plan with the property owners of Parcel 9 to evenly disperse 185 multi-family units over 85.4 acres comprising the areas of 9H and 9I. Parcel 9 is the area on the north side of S.R. 138 by the Benson Crist Mill.

A. Achieved through high density apartment development (15 units +/- per acre)

- B. Achieved by encouraging the dispersing of all levels of housing – create neighborhoods with a mix of lot and house sizes
- C. Propose specific projects, find a developer, and assist the developer in applying for funding through the Olene Walker Housing Loan Fund
- D. Officials from Tooele City, Grantsville City, and Tooele County should meet together at least every six months and discuss, encourage, and coordinate affordable rental housing efforts.

2. Wendover, Stockton, Rush Valley

Work with officials in the incorporations of Wendover, Stockton, Vernon, and Rush Valley to rehabilitate and preserve existing housing stock, particularly rental units. Officials should meet at least once a year.

3. Inter-mix lot sizes and Mixed Uses

Encourage zoning ordinances and developers to provide an inter-mix of lot sizes and mixed use development.

- A. Work with housing organizations and efforts in addressing challenges such as finances, building codes, aesthetics and transportation
 - i. Wasatch Front Regional Council
 - ii. Wasatch 2040
 - iii. American Planning Association (particularly the Utah Chapter)
 - iv. University of Utah Department of City and Metropolitan Planning
 - v. International Code Council
 - vi. Utah Transit Authority
 - vii. Zions Bank Public Finance
 - viii. Utah Division of Housing and Community Development
- B. Stansbury Park (particularly “Parcel 9”) and the Stansbury Crossing Shopping Center are good examples of providing a variety of housing, employment and shopping opportunities, and especially access to the Utah Transit Authority for work transportation. (Tooele County has had the largest percentage of workforce commuters.)
- C. Within two years create new zone between home based business and neighborhood commercial to further assist business development.
- D. Research increasing maximum square footage and structures allowed for accessory dwelling units.

4. Education

Seek to educate and be educated by the public about affordable or moderate-income housing needs, housing options, being a good neighbor, and the benefits of providing diverse housing choices. Through:

- A. Planning Commissions and County Commission meetings
- B. Public and private schools
- C. Local Homeless Committee / Tooele County Relief Services
- D. Service organizations

E. The media, especially the Tooele Transcript Bulletin

5. Designate additional high density areas on the long range land use map

Identify appropriate areas in close proximity to infrastructure and services that could be considered for development at a Multiple Residential density.