

**TOOELE COUNTY  
ORDINANCE 2023-08**

**AN ORDINANCE AMENDING THE TOOELE COUNTY GENERAL  
PLAN UPDATE (2022) BY UPDATING THE MODERATE-INCOME  
HOUSING IMPLEMENTATION PLAN**

**WHEREAS**, the Utah State Legislature passed House Bill 462, Utah Housing Affordability Amendments, during the 2022 General Session; and

**WHEREAS**, changes were made to the requirements in the Moderate-Income Housing Implementation Plan; and

**WHEREAS**, the Tooele County Council passed and approved Ordinance 2022-13 on May 3, 2022 which adopted the Tooele County General Plan Update (2022); and

**WHEREAS**, following the adoption of the Tooele County General Plan Update (2022) additional requirements were made by the State that are not reflected in the 2022 plan; and

**WHEREAS**, Tooele County desires to comply with State law and therefore must amend the General Plan; and

**WHEREAS**, funding may be lost if required updates are not made and adopted before February 16, 2023; and

**WHEREAS**, the Planning Commission conducted a public hearing and discussed the General Plan update; and

**WHEREAS**, the Planning Commission voted to recommend amendments to the General Plan;

**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE  
COUNTY ORDAINS AS FOLLOWS:**

**SECTION I – GENERAL PLAN AMENDED.** The Tooele County General Plan Update (2022) is hereby amended by adopting the amended “Strategies for Encouraging the

Construction of Moderate-Income Housing” to read as attached hereto, which attachment is, by this reference, made a part hereof.

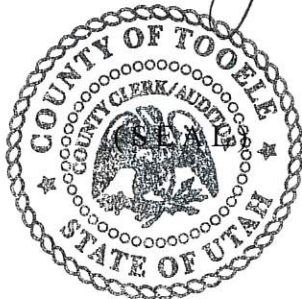
**SECTION II – REPEALER.** Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

**IN WITNESS WHEREOF** the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 8<sup>th</sup> day of February, 2023.

**ATTEST:**

  
TRACY D. SHAW, County Clerk



**TOOELE COUNTY COUNCIL:**

  
JARED S. HAMNER, Chair

Council Member Hamner voted	<u>aye</u>
Council Member Hoffmann voted	<u>aye</u>
Council Member Stromberg voted	<u>absent</u>
Council Member Thomas voted	<u>aye</u>
Council Member Wardle voted	<u>aye</u>

**APPROVED AS TO FORM:**

 02/13/2023  
COLIN R. WINCHESTER  
Deputy Tooele County Attorney

## STRATEGIES FOR ENCOURAGING THE CONSTRUCTION OF MODERATE-INCOME HOUSING

As required by HB 462 in the 2022 Legislative Session, Tooele County encourages the implementation of the following implementation strategies, to encourage the construction of moderate-income housing within the unincorporated areas of Tooele County:

1. **Rezone for densities necessary to facilitate the production of moderate-income housing –**  
Tooele County has recently adopted the Planned Community Zone (PC), which encourages master planned communities with a variety of housing types, some of which would be suitable for moderate-income housing.

With the Tooele County General Plan 2022 update additional areas within the county can be identified, as suitable locations for rezones necessary to ensure the production of moderate-income housing.

**Implementation Timeline:** Ongoing (Identify properties as described in the General Plan that may be rezoned to facilitate higher densities within the next 2 years)

**Benchmark:** Rezone at least 1 acre for higher-density residential than is currently zoned.

**Measures:** Staff creates a tracking report in software and rezones are recorded as ordinances.

2. **Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing –**  
Tooele County has actively worked with the Utah Department of Transportation (UDOT) to be awarded funding for the Midvalley Highway project at the north end of the Tooele Valley. Phase 1 is completed and the remainder is being studied. Tooele County is continually looking for grants and other options to fund infrastructure.

**Implementation Timeline:** Ongoing

**Benchmark:** Apply for at least one grant per year to improve infrastructure to encourage moderate income housing growth.

**Measures:** Monitor number of Moderate Income housing permits and their locations.

3. **Create or allow for and reduce regulations related to internal or detached accessory dwelling units in residential zones –** Tooele County currently allows for accessory dwelling units (both attached and detached) in various zoning districts. Additional updates can be made to our zoning districts and county ordinances in order to allow for and reduce regulations related to accessory dwelling units.

**Implementation Timeline:** Ongoing

**Benchmark:** Approve at least 1 ADU a year in the County, whether internal or detached.

**Measures:** Staff creates a tracking report in software for CUPs or building permits.

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 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 –**  
Tooele County can work in tandem with the Tooele County Housing Authority to identify State or Federal funds or tax incentives that would promote the construction of moderate-income housing.

**Implementation Timeline:** 1-5 years

**Benchmark:** Work cooperatively with the Tooele Housing Authority on financing for the construction of moderate income housing by applying for grants such as CDBG that may be used for the construction or preservation of housing projects.

**Measures:** Receipt of funding for moderate income housing.



## STRATEGIES FOR ENCOURAGING THE CONSTRUCTION OF MODERATE-INCOME HOUSING

As required by HB 462 in the 2022 Legislative Session, Tooele County encourages the implementation of the following implementation strategies, to encourage the construction of moderate-income housing within the unincorporated areas of Tooele County:

1. **Rezone for densities necessary to ~~ensure~~ facilitate the production of moderate-income housing** – Tooele County has recently adopted the Planned Community Zone (PC), which encourages master planned communities with a variety of housing types, some of which would be suitable for moderate-income housing.

~~Tooele County recently rezoned a large area of parcels to the PC zone. It is anticipated that additional properties in appropriate locations will be proposed to be rezoned to the PC zone in the future. When~~ With the Tooele County General Plan 2022 update ~~is updated (anticipated in 2020)~~, additional areas within the county can be identified, as suitable locations for rezones necessary to ensure the production of moderate-income housing. ~~(Implementation Timeline 1–2 Years)~~

**Implementation Timeline:** Ongoing (Identify properties as described in the General Plan that may be rezoned to facilitate higher densities within the next 2 years)

**Benchmark:** Rezone at least 1 acre for higher-density residential than is currently zoned.

**Measures:** Staff creates a tracking report in software and rezones are recorded as ordinances.

2. **Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing** – Tooele County has actively worked with the Utah Department of Transportation (UDOT) to be awarded funding for the Midvalley Highway project at the north end of the Tooele Valley. Phase 1 is completed and the remainder is being studied. Tooele County is continually looking for grants and other options to fund infrastructure. ~~Additionally, funding has recently been set aside by the County to go towards infrastructure~~

~~improvements for construction of a wastewater-trunk line. (Implementation Timeline 3–5 Years)~~

**Implementation Timeline:** Ongoing

**Benchmark:** Apply for at least one grant per year to improve infrastructure to encourage moderate income housing growth.

**Measures:** Monitor number of Moderate Income housing permits and their locations.

3. **Create or allow for and reduce regulations related to internal or detached accessory dwelling units in residential zones** – Tooele County currently allows for accessory dwelling units (both attached and detached) in various zoning districts. Additional updates can be made to our zoning districts and county ordinances in order to allow for and reduce regulations related to accessory dwelling units. ~~(Implementation Timeline 1 Year)~~

**Implementation Timeline:** Ongoing

**Benchmark:** Approve at least 1 ADU a year in the County, whether internal or detached.

**Measures:** Staff creates a tracking report in software for CUPs or building permits.

- ~~4. **Zone or rezone for higher density or moderate-income residential development in commercial and mixed-use zones, near major transit investment corridors, commercial centers, or employment centers** – The Tooele County General Plan Update 2022 promotes the creation of “development nodes” along SR-36, SR-138, and in other appropriate areas throughout the Tooele Valley. These “development nodes” would be appropriate locations for moderate-income housing. Tooele County should establish a mixed-use zone that would further promote a mixture of commercial and residential uses with the potential for moderate-income housing. (Implementation Timeline 1–2 Years)~~

- ~~5. **Amend land use regulations to allow for higher density or new moderate-income residential development near in commercial or mixed-use zones near major transit investment corridors** – Tooele County has a number of major transit corridors within the Tooele Valley (Interstate 80, Midvalley Highway, SR-36 & SR-138). Moderate-income residential development could be supported near these major corridors in~~

~~appropriate locations. It is anticipated that significant financial investments will be made to these corridors as residential growth increases within the county. (Implementation Timeline 1-2 Years)~~

6. ~~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~~ 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 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 – Tooele County can work in tandem with the Tooele County Housing Authority to identify State or Federal funds or tax incentives that would promote the construction of moderate-income housing. ~~(Implementation Timeline 1-5 Years)~~

**Implementation Timeline:** 1-5 years

**Benchmark:** Work cooperatively with the Tooele Housing Authority on financing for the construction of moderate income housing by applying for grants such as CDBG that may be used for the construction or preservation of housing projects.

**Measures:** Receipt of funding for moderate income housing.

7. ~~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~~ – Tooele County can work in tandem with the Tooele County Housing Authority to identify State or Federal funds or tax incentives that would promote the construction of moderate income housing. ~~(Implementation Timeline 1-5 Years)~~