

City of
WASHINGTON TERRACE
Utah

Planning Commission Meeting
Thursday, June 27, 2024
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

4.2 MOTION: APPROVAL OF MINUTES FOR MARCH 28, 2024

5. NEW BUSINESS

**5.1 DISCUSSION: DISCUSSION ON THE SELECTED STRATEGIES FOR
IMPLEMENTATION OF THE MODERATE INCOME HOUSING ELEMENT
OF THE GENERAL PLAN**

**5.2 DISCUSSION: DISCUSSION ON PROPOSED ORDINANCE CONCERNING
THE ALLOWANCE OF BACKYARD CHICKENS WITHIN CITY LIMITS**

Discussion only. A public hearing will be held once a completed ordinance has been composed and ready for Planning Commission recommendations to Council.

6. UPCOMING BUSINESS

7. MOTION: ADJOURN THE MEETING

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, March 28, 2024
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Vice- Chair Dwight Henderson
Commissioner Jethro Dee Watson
Commissioner Amy Morgan - excused
Commissioner Dan Johnson
Commissioner Morgan Wilkins
Commissioner Matthew Roper
City Recorder Amy Rodriguez
General Planner Tyler Seaman

Others Present

Val Claussen, Mike Lawrence, Fred Turnier (Planning Outpost)

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

4.2 MOTION: APPROVAL OF MINUTES FOR FEBRUARY 29, 2024

Items 4.1 and 4.2 were approved by general consent.

5. SPECIAL ORDER

5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO PROPOSED ORDINANCE AMENDING THE TITLE 16 "SUBDIVISIONS" FOR COMPLIANCE WITH UTAH SBI74 "LOCAL LAND USE AND DEVELOPMENT REVISIONS"

Claussen and Turnier, consultants from Planning Outpost, addressed the Commission. Claussen stated that the legislature came up with new changes the night of the last Planning Commission, defining and clarifying some of the ordinance language. The proposed ordinance combines changes from the legislature, as well as the city attorney.

Claussen stated that the Development Review Team would not be codified, leaving the city engineer with the final decision on the final plat. The review cycles were more clearly defined. She stated that the municipal code was refreshed and streamlined. Seaman stated that the city engineer is the most qualified to determine if the plat is complete and legal. He stated that the Review Development Team will still meet and discuss, however, the engineer has the final approval of the plats. Seaman stated that the ordinance follows state law.

**Motion by Commissioner Roper
Seconded by Commissioner Wilkins
To open the public hearing.
Approved unanimously (6-0)**

Chairman Jacobson opened the public hearing at 6:07 p.m.

There were no citizen comments.

Chairman Jacobson closed the public hearing at 6:08 p.m.

6. NEW BUSINESS

6.1 MOTION/ORDINANCE 24-03: RECOMMENDATION TO APPROVE ORDINANCE REPEALING AND RE-ENACTING TITLE 16 “SUBDIVISIONS REGULATIONS” OF THE MUNICIPAL CODE

Chairman Jacobson stated that this version is written much more clearly than the previous version.

**Motion by Commissioner Henderson
Seconded by Commissioner Roper
To approve to recommend Ordinance 24-03
Repealing and reenacting title 16 “Subdivision Regulations”
Approved unanimously (6-0)**

7. UPCOMING BUSINESS

Seaman stated that there is a parking ratio issue with the library project and is currently on hold.

The Pickleball Complex will have its grand opening on April 25, 2024.

Seaman stated that the old Deneane Dance Studio is for sale. He stated that it is not in the general plan to be residential.

8 MOTION: ADJOURN THE MEETING

**Motion by Commissioner Henderson
Seconded by Commissioner Johnson
To adjourn the meeting
Approved unanimously (6-0)
Time: 6:15 p.m.**

Date Approved

City Recorder

The City of Washington Terrace Moderate Income Housing Plan



REVISED DECEMBER 2022

HOUSING

Introduction

Under state law, the Housing Element is a required element of the General Plan under state law. This element of the General Plan identifies the City's housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City intends to implement to create sustainable, mixed-income neighborhoods across the City.

The private sector largely drives the housing market and shapes how and where people live. Traditionally, planning for housing largely focused on the needs of households, in relation to the housing market, and financing options available to the public. As the population ages in communities, demographics change. As household size shrinks, needs for housing shift to meet modern demands. The City can shape housing by transportation, taxes, land use regulations, and supporting various housing programs. The City can also aid in housing rehabilitation as necessary to preserve a viable housing stock in the City.

This Plan seeks to integrate planning concepts that will allow for a mix of housing opportunities at various income levels to foster growth, community development, and successful neighborhoods. This Plan specifically focuses on moderate income housing as required under state law. This Plan also provides that the City desires to promote the provisions of the Federal Fair Housing Act and the Americans with Disabilities Act in order to foster a diverse and dynamic community. Unlawful housing discrimination that would violate these federal laws is not tolerated.

General Housing Policy

The City consists of primarily single-family housing units, and the policies of the City will continue to support this demographic for housing in the future. It is the policy of the City to adopt a sensitive lands map to manage development in sensitive areas that include poor soils, high water table, flood plain, storm water, and related hazards. Further, it is the policy of the City to customarily require a comprehensive geotechnical report for all development to address these challenges. The City should adopt ordinances that address geotechnical requirements and sensitive lands.

The residential areas in the City are general not impacted by the FEMA flood plain. Flood prone areas are typically the result of high water table or other geological sensitive lands. The City policy favors development in areas where there are not geological hazards, negative environmental impacts, or sensitive lands. The City should continue to update and develop its land use regulations consistent with these policies.

Housing and land use discrimination is an ongoing concern in the United States. Land use regulations have been cited as a discriminatory tool by critics, who argue that ordinances are used to deter the entry of certain minority or moderate income residents into some neighborhoods through density restrictions (exclusionary zoning), or locate such populations in areas with environmental hazards, sensitive lands, areas prone to flooding, or near manufacturing or hazardous activities (environmental discrimination). However, identifying discrimination in regulations is complicated by the fact that land use and zoning have been co-evolving for nearly a century in most American cities, rendering residential sorting and inequitable treatment observationally equivalent. It is acknowledged that the best approach in the City to eliminate

such discrimination is to adopt land use policies that preclude the placement of populations within hazard areas such as the FEMA flood plain, within manufacturing zones, and detrimental sensitive lands.

The City can play a vital role in neighborhood revitalization by maintaining public infrastructure, adequate transportation, and creating walkable communities. The City has been very diligent, and should be commended for efforts that have kept older neighborhoods vibrant and well maintained. Future efforts by the City should continue this trend to identify projects and maintain and upkeep neighborhood infrastructure. Housing rehabilitation is a more difficult challenge as such is primarily in the hands of the home-owner. The City can provide support and should consider policies that prevent slum and blight from entering a neighborhood by using nuisance and code enforcement protocols in addition to supporting housing rehabilitation programs of other agencies and organizations.

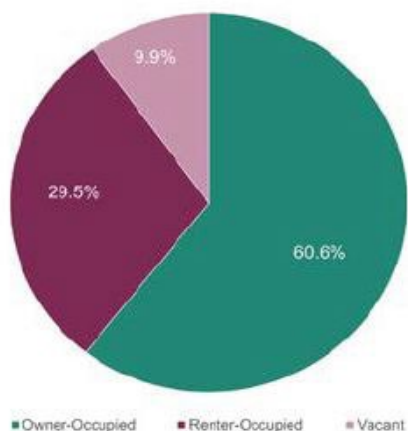
Moderate Income Housing Plan Components (See Insert)

Housing Characteristics

Tenure

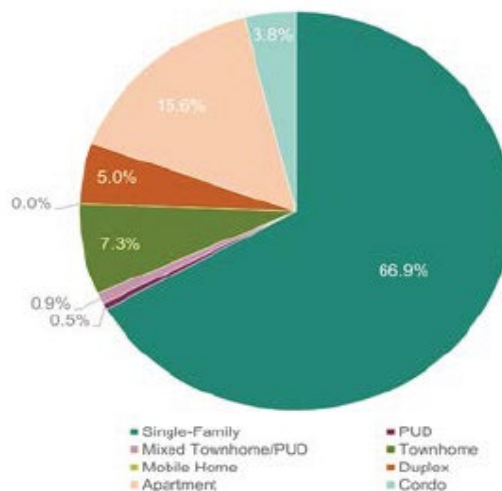
As illustrated in Figure 3.57, in 2019, 60.6 percent of housing units were owner-occupied, 29.5 percent were renter-occupied, and 9.9 percent were vacant. Washington Terraces has the second highest share of renter occupied housing following Ogden. Washington Terrace's homeownership rate fell by 0.6 percent between 2010 and 2019

Figure 3.57 - Washington Terrace Housing Unit Tenure (2019)



Source: U.S. Census Bureau: 2019 ACS 5-Year Estimates, Table S2502

Figure 3.58 - Washington Terrace Housing by Type (2019)



Source: Wasatch Front Regional Council

despite the county's rising by 0.8 percent, meaning that slightly more residents are renting instead of owning their housing in 2019 than in 2010.

Housing Types

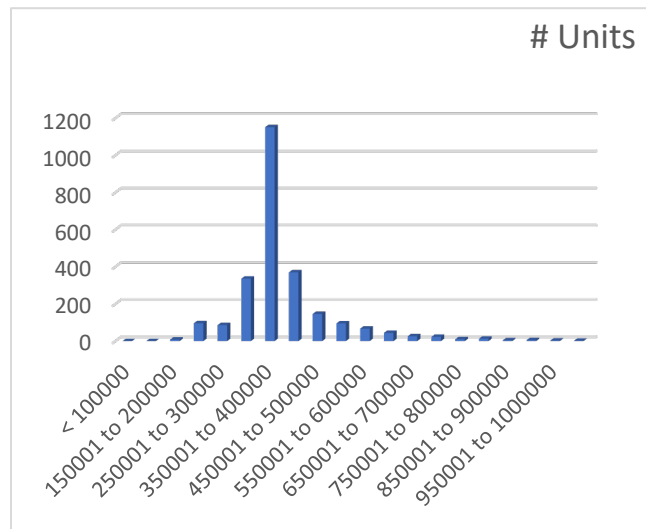
Figure 3.58 shows the distribution of housing types in Washington Terrace. Nearly 67 percent of the community's units are single-family, 15.6 percent apartments, 7.3 percent townhomes, five percent duplexes, 3.8 percent condos, and less than one percent PUDs and mixed townhome/PUDs. Of new units permitted from 2010 to 2021, 61 percent were detached single family homes, 19 percent were townhomes, and ten percent were multi family. The housing stock is shifting towards more townhomes. This shift is due in part to the allowance for an increase in allowable density for specific “in-fill” projects.

Housing Costs

The median owner housing cost was \$1,215 in 2019, the fourth-lowest in Weber County. Owner costs are approximately \$160 cheaper in Washington Terrace than the Weber County median. Median rent was \$820, which is slightly lower than the county median at \$891. When accounting for inflation, rent has increased by two percent in the past decade.

# Units		# Units	
< 100000	0	550001 to 600000	67
100001 to 150000	0	600001 to 650000	44
150001 to 200000	8	650001 to 700000	26
200001 to 250000	96	700001 to 750000	23
250001 to 300000	86	750001 to 800000	10
300001 to 350000	336	800001 to 850000	13
350001 to 400000	1,151	850001 to 900000	4
400001 to 450000	370	900001 to 950000	5
450001 to 500000	146	950001 to 1000000	3
500001 to 550000	95	> 1000000	2

Average Value	Median Value
402,000	382,000



Affordable Housing

A rental housing affordability gap analysis for Washington Terrace is shown in Table 3.30. Income ranges are based on Weber County's median household income

(AMHI). Maximum affordable rents are assumed at 30 percent of AMHI. The third column indicates the number of households in each income bracket, followed by the number of rental units available within the income bracket. Column five is the difference between the number of households and the number of units available, indicating the surpluses or deficits of housing units for each income range.

The lowest income brackets, 30 to SO and less than 30 percent AMHI, have large deficits of 82 and 47 units, respectively; Washington Terrace is short 129 units below SO percent AMHI. Households in this bracket lack housing opportunities within their affordability range and are forced to pay more than they can afford. There is also a deficit of 176 (119+57) units in the highest income brackets (greater than 100 percent AMHI), meaning that 176 households must rent at a lower price despite being able to afford more.

This results in the higher income brackets consuming most of the surplus units in the SO to 100 percent AMHI income brackets, potentially making less affordable units available to less affluent households.

Washington Terrace provides 5.2 percent of the county's affordable units despite comprising 3.5 percent of the county's population. Washington Terrace provides a disproportionately high share of affordable units relative to its population. However, Washington Terrace still lacks affordable units for low and very low-income households.

Table 3.30 - Rental Affordable Housing Gap (2019)

Income Range	Maximum Affordable Monthly Rent	# Households	# Rental Units Available at that Price	Surplus/ Deficit of Units Available
Less than 30 percent AMHI (\$11,886)	\$297	231	184	-47
30 to 50 percent AMHI (\$11,886-\$19,810)	\$495	153	71	-82
50 to 80 percent AMHI (\$19,810-\$31,696)	\$792	151	386	236
80 to 100 percent AMHI (\$31,696-\$39,620)	\$991	129	199	70
100 to 125 percent AMHI (\$39,620-\$49,525)	\$1,238	185	65	-119
> 125 percent AMHI (> \$49,525)	> \$1,238	188	131	-57

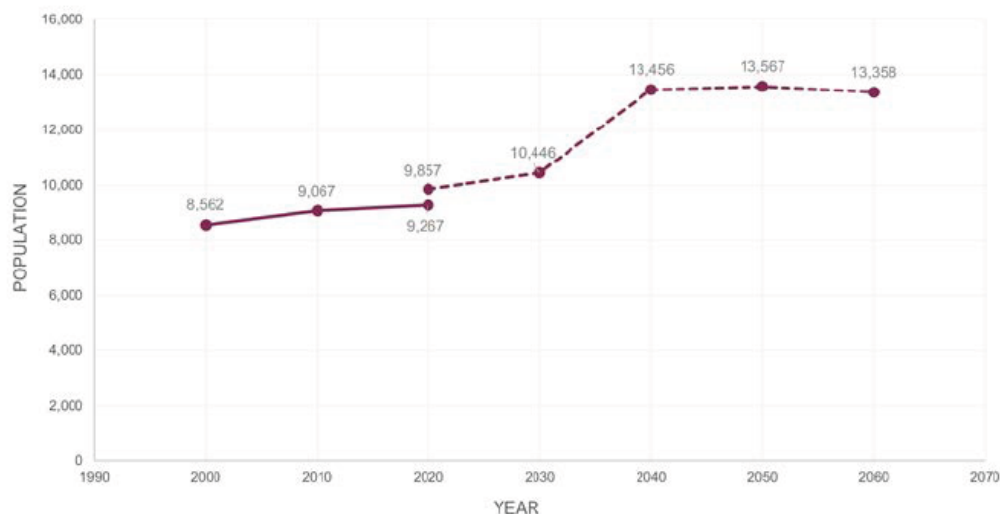
Source: U.S. Census Bureau (Tables: B25118, B25119, B25056) ACS 2019 5-year data

Population Characteristics

As shown in Figure 3.55, Washington Terrace's population has remained relatively stagnant over the past two decades, with an increase of only 200 people from 2010 to 2020. In fact, Washington Terrace was the second slowest growing community in Weber County (Huntsville being the slowest). Washington Terrace is projected to grow by 44 percent from 2020 to 2060, a substantially higher growth rate than in recent years. The community's population is expected to reach 13,358 in the year 2060.

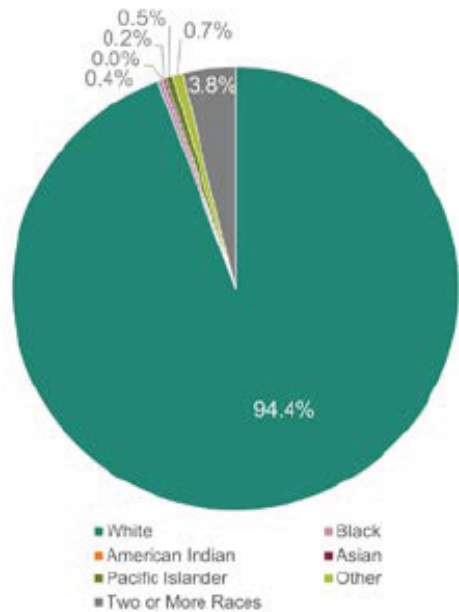
As illustrated in Figure 3.56, over 94 percent of Washington Terrace's residents were white with the next largest race being two or more races at 3.8 percent. Over ten percent of the population identified as Hispanic or Latino. Altogether, 14.8 percent of Washington Terrace households were headed by minorities in 2019.

Figure 3.55 - Washington Terrace Past and Projected Population



Source: U.S. Census Bureau: DEC 2010, 2020, Table P1; 2012 Baseline Projections - Utah Governor's Office of Planning & Budget

Figure 3.56 - Washington Terrace Race (2019)



*Source: U.S. Census Bureau: 2019 ACS
5-Year Estimates, Table CP05*

Zoning & Land Use

Washington Terrace's housing stock is largely detached single-family (66.8 percent of all units), though 15.8 percent, 7.3 percent are townhomes, and Ave percent are duplexes. Washington Terrace permitted 99 housing units between January 2010 and August 2021, the 12th-highest number of any Weber County jurisdiction. About 61 percent of those permits were for single-family detached homes, 19 percent were for attached single-family, and ten percent were for multi-family homes.

Washington Terrace's zoning does not allow for multi-family development. Based on 2018 data, about 24 percent of Washington Terrace's land is potentially developable, which ranks eighth out of the 15 jurisdictions for which data are available. That percentage equates to roughly 309 developable acres. The Governor's Office of Planning and Budget projects Washington Terrace's population will increase to about 13,000 by 2040 and then hold steady.

Key Trends & Take-Aways

Stagnant growth may change

Washington Terrace's population has only grown by two percent in the past decade. However, the community is projected to increase its population by 44 percent in the next thirty years.

Most renters are cost-burdened

Despite having relatively low rents, fifty-two percent of Washington Terrace's renters are cost-burdened, meaning they spend more than 30 percent of their income on rent. This is substantially higher than the county as a whole, in which 39 percent of its renters are cost-burdened. This can largely be attributed to the community's share of low-income households. In fact, 22 percent of Washington Terrace renting households are very low income, making less than 30 percent of the county's median income. The financial challenges are also recognized by HUD and Department of Workforce Services who calculate a CDBG low- and moderate-income summary data (LMISD) based on specific tabulations on the American Community Survey 2011-2015 5-year estimates (2015 ACS) and show the city with a 56.12% LMI.

As reported in the Weber County Moderate Income Housing report, Washington Terrace provides more than its fair share of affordable housing despite Washington Terrace having a substantial deficit of affordable units for its low and very low-income households, the community provides 5.2 percent of the county's affordable units despite comprising 3.5 percent of the county's population, indicating that currently, Washington Terrace is providing more than its fair share of affordable units relative to its population.

The community has a moderate amount of multi-family homes, Washington Terrace City has made efforts to allow for townhomes and higher zoning in the infill zone, but its zoning code does not allow for future high density multi-family development.

Purpose

By Utah State Statute, "Moderate income housing means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." A few years ago, the Utah State Legislature began efforts to address housing affordability within the state. Part of those efforts included revising state code to mandate that municipalities dedicate a section in their General Plan to housing affordability, particularly moderate income housing (MIH). When the requirement was initially put in Utah State Code 10- 9a-403, the law gave a list of items intended to increase possibilities for greater affordability of housing. In 2019, Washington Terrace city amended the General Plan to include some of those items prescribed in state law, therefore meeting requirements. Since 2019, Washington Terrace City has also submitted annual MIH reporting as required by state law.

During the 2022 legislative session, House Bill 462 was passed, changing many of the requirements of the MIH section of a General Plan. The revisions require the MIH plan to be

more detailed than previous mandates. Further, cities must now include a timeline for selected strategies and provide implementation measures for each adopted strategy. The law also provides penalties for cities who fail to comply with these mandates. Washington Terrace City desires to be compliant with state statute and further desires to serve its residents by creating opportunities for affordable housing to be developed.

It should be noted that while Washington Terrace City does not develop housing or provide housing as a service, upon implementation, the adopted strategies may provide opportunities for the development of moderate income housing.

Community Profile

Washington Terrace is an established community with a population of approximately 9276 and total number of households of 3,278, according to the 2020 Census. Washington Terrace aims to facilitate a reasonable opportunity for a variety of housing, including moderate income. Currently, the median rent and median income ratio is below the 28 percent cost burden suggesting affordability in the near-term. Likewise, the median mortgage and household owner income ratio is below the 30 percent cost burden. However, rents and mortgage loan rates are increasing at a higher rate than income.

There is also cause for concern that ownership of single-family homes is becoming too expensive for moderate-income households as housing prices continue to outpace income increases. The housing element of the General Plan is designed to determine the demand for moderate income housing and provide an outline of how to meet the needs of current and future residents. Washington Terrace land use plans and programs may encourage diverse housing opportunities that complement and enhance the existing community.

Utah Code 10-9a-4 requires the city to implement strategies for ensuring moderate income housing options are available throughout the community. The following selected strategies, verbatim from state code, fulfill this requirement, address community sentiments, and address strategies to provide opportunities for development of moderate income housing over the next five years and beyond. These strategies are further addressed in the Goal & Objective section at the end of the chapter.

- (A) Rezone for densities necessary to facilitate the production of moderate income housing.
- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (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.

Washington Terrace City residents appreciate the lifestyle offered by their community and have the desire to share the community with their children and others while preserving the existing sense of place. The focus of many residential zones is on single family residential units in low and medium density neighborhoods. To provide housing opportunities while maintaining the existing sense of place.

The statewide housing demand has pushed an emphasis on the need for variety in housing types to increase affordability. Through redevelopment, the diversification of housing stock near Main Street and north of 200 North may provide affordable housing options to meet the current and projected needs of the city.

Accessory dwelling units also offer an additional affordable housing opportunity for Washington Terrace. An Accessory Dwelling Unit (ADU) is a secondary residential area within an existing residential lot. ADUs can be attached, such as an addition or in a basement, or they may be detached. These low impact units can be incorporated by homeowners into existing residential parcels. Their presence within established neighborhoods could benefit the city by increasing affordability for property owners and renters alike.

Additionally, ADUs do not require significant infrastructure and are constructed individually by property owners. Often rented below market rate, ADUs can provide moderate income housing opportunities, frequently to family and friends, and provide homeowners with an additional income source.

The city should seek to work with the numerous existing programs available to encourage the development and preservation of affordable housing at all income levels.

Goals & Objectives

GOAL: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.1 (A) Rezone for densities necessary to facilitate the production of moderate income housing.

Timeline: Annual Review

The city will annually update the infill zoning option for available land where the infill zoning is appropriate.

- The city will update the zoning map on an annual basis or as needed for new development. Because of the built-out nature of Washington Terrace, the availability of infill projects is limited.
- Continue to implement infill zoning where appropriate on available open space.
- As warranted, the City will update the Future Land Use Map.
- In keeping with best practices, the City will begin a General Plan Update in 2027.

Implementation Measures

- Give appropriate guidance to future applicants on rezone application options to guide development which would have the greatest chance of approval.
- Give positive staff recommendations to rezone applications which are harmonious with the future land use map and the General Plan.
- Give strong consideration to rezone applications which are supported by elements of the General Plan but may not align with the future land use map.
- Give consideration to rezone applications which may not have support of the

currently adopted General Plan, but make sense in locations which will not detract from the character of existing neighborhoods.

Objective 1.2 (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

Timeline: Annual review

Will continue to allow for ADU's where parking is available or where renters will have transit availability.

Implementation Measures:

- Washington Terrace is burdened with narrow roads, small lot sizes and small homes that will not generally support an ADU. However, the city is and will continue to be cooperative in allowing ADUs as adopted in the city plan in 2021
- Consider detached auxiliary housing where appropriate. Research/study proper options and capacity by 2024. Take to Planning Commission and Council for consideration.

Objective 1.3 (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

Timeline: 2023 and annually

Staff will work with the Planning Commission and City Council to find appropriate areas within our commercial district that will support the integration of mixed use for commercial and high-density residential development. Bring research and planning back to the council for consideration in the General Plan update in 2027. Review annually for possible updates.

Implementation Measures

- Give appropriate guidance to future applicants on rezone application possibilities for mixed use zoning options which would have the greatest chance of approval.
- Give positive staff recommendations to rezone applications which are harmonious with the future land use map and the General Plan.
- Give strong consideration to rezone applications which are supported by elements of the General Plan but may not align with the future land use map.
- Give consideration to rezone applications which may not have support of the currently adopted General Plan, but make sense in locations which will not detract from the character of existing neighborhoods.
- Amend mixed use code to allow for greater flexibility in relation to moderate income housing.

**WASHINGTON TERRACE CITY
RESOLUTION 23-19**

MODERATE INCOME HOUSING PLAN UPDATE

**A RESOLUTION OF WASHINGTON TERRACE CITY, UTAH, ADOPTING
THE 2023 UPDATE REPORT TO THE MODERATE INCOME HOUSING
PLAN.**

WHEREAS, Washington Terrace City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-3-717 authorizes the City Council to "exercise all administrative powers by resolution";

WHEREAS, *Utah Code Annotated* §10-9a-408 requires the City to prepare a biannual report that reviews the City's Moderate Income Housing Plan Element of the General Plan and its implementation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Washington Terrace City that the attached Moderate Income Housing Plan 2023 Annual Report is hereby adopted and incorporated herein by this reference.

PASSED AND APPROVED by the Washington Terrace City Council this 5 day of December, 2023


Mayor Mark C. Allen

ATTEST:


Amy Rodriguez, City Recorder

Roll Call Vote

Council Member Barker	<i>Assnt</i>
Council Member Ferlin	<i>Ass</i>
Council Member Seal	<i>Ass</i>
Council Member Christiansen	<i>Ass</i>
Council Member West	<i>Ass</i>



2023 Moderate Income Housing Annual Report- Subsequent Progress Report

In accordance with UCA 10-9a-408 and 17-27a-408, the following jurisdictions must have a moderate income housing element with implementation plan in their general plan and annually submit a report documenting progress on the selected strategies.

Cities

- Of the first, second, third, or fourth class, or
- Cities of the fifth class with at least 5,000 in population (and within a first, second, or third class county)

Metro Townships

- A population of at least 5,000

Counties

- Of the first, second, or third class, and
- A population of at least 5,000 within the unincorporated portion of the county

Subsequent progress reports will be submitted by communities in each year following the initial report submission to document progress toward moderate income housing. The Subsequent reports will require communities to provide:

1. A description of each action, whether one-time or ongoing, taken by the jurisdiction during the previous 12 month period to implement the moderate income housing strategies selected by the jurisdiction for implementation;
2. A description of each land use regulation or land use decision made by the jurisdiction during the previous 12 months to implement the moderate income housing strategies, including an explanation of how the land use regulation or land use decision supports the jurisdiction's efforts to implement the moderate income housing strategies;
3. A description of any barriers encountered by the jurisdiction in the previous 12 months in implementing the moderate income housing strategies;
4. Information regarding the number of internal and external or detached accessory dwelling units located within the jurisdiction for which the jurisdiction: A) issued a building permit to construct, or B) issued a business license to rent;
5. A description of how the market has responded to the selected moderate income housing

strategies, including the number of entitled moderate income housing units or other relevant data; and

6. Any recommendations on how the state can support the jurisdiction in implementing the moderate income housing strategies.

By August 1, 2023, jurisdictions that fall under this requirement must submit their annual report using this form. Within 90 days of report submission, the Housing and Community Development Division will review the annual report for compliance and potential priority funding consideration. Please contact Alyssa Gamble at angamble@utah.gov with any questions, comments, or concerns.

Email *

tomh@washingtonterracecity.org

Preparer's Contact Information

Preparer's Name *

First and Last Name

Tom Hanson

Preparer's Job Title *

City Manager

Preparer's Email *

tomh@washingtonterracecity.org

Preparer's Phone *

801-395-8282

Type of Jurisdiction *

Count

y

Municipality (City, Town, Metro Township)

Municipalities

To verify if your municipality (city, town, metro township) is required to have a moderate income housing element in the general plan and submit an annual report, answer the following question.

Name of Municipality *

Washington Terrace

Municipal Annual Report- Washington Terrace

Municipal Government Contact Information

We have the following contact information on file for your municipality.

Mayor Mark C. Allen

(801) 479-7070

marka@washingtonterracecity.org

Use the field below to update any of the information above

Moderate Income Housing Element

Based on your municipality's population and classification, the city is required to include at least three strategies in the moderate income housing element out of the options provided in UCA 10-9a-403(2)(b)(iii).

Population: 9,276

Classification: 5th Class Municipality

Weber County Classification: 5th Class County

Data Source: Annual Estimates of the Resident Population for Incorporated Places in Utah: April 1, 2020 to July 1, 2021

Source: U.S. Census Bureau, Population Division

Release date: May 2022

Municipal Annual Report - General Plan

The subsequent report may be completed administratively and does not require the submission of a general plan update, unless there have been changes to the moderate income housing strategy or the jurisdiction needs to change strategies.

Complete this section to share any changes in the General Plan with HCD.

Has the municipality amended the Moderate Income Housing Element since the last notice of compliance was issued? *

Yes

No

No

Municipal Annual Report - Strategy #1

Please document progress made on the Moderate Income Housing Strategies since the jurisdiction received their compliance notice. A community must report on at least the minimum number of required strategies to comply in the Subsequent report.

Strategy #1 *

Select the first moderate income housing strategy from UCA that the municipality has included in its moderate income housing element.

(A) rezone for densities necessary to facilitate the production of moderate income housing

Describe each action taken by the municipality during the previous 12 months to implement this moderate income housing strategy. *

Example response: "In 2023, Alyssa City began the RFP process for a study to assess infrastructure and parking needs to accommodate external accessory dwelling units in residential zones. A contractor was procured and the study is underway expected to be completed in Spring 2024."

The city's staff has undertaken a thorough examination of potential infill opportunities for higher-density development within the city limits. Regrettably, our assessment did not reveal any additional parcels suitable for high-density development or MIH (Mandatory Inclusionary Housing) initiatives. This limitation is primarily due to the constraints on growth possibilities within Washington Terrace, which consequently hampers the availability of MIH development in a substantial manner. Currently, our staff is collaborating with a developer to introduce higher-density housing to an existing parcel that is not currently zoned for such purposes. We are working diligently to identify a suitable location and assess the project's capacity to accommodate this density housing. It's important to note that this project is a unique endeavor, requiring unconventional, out-of-the-box planning strategies for successful implementation. The development is expected to gain approval through a site-specific Development Agreement. While it's not categorized as an MIH project, it will significantly expand our housing inventory in areas where higher-density housing was previously not permitted. Furthermore, our staff has proactively reached out to other interested parties who may have land holdings currently underutilized in a commercial context. We are hopeful that such outreach will result in partnerships with individuals or entities willing to tap into the unrealized potential of these properties. We remain committed to exploring every avenue to make this a reality.

Describe each land use regulation or land use decision made by the municipality during the previous 12 month period to implement this strategy. *

Example response: *"A land use decision has not yet been made, but is expected, pending the outcome of the study. This timeline reflects the Moderate Income Housing Element implementation plan which was approved last year."*

Analysis and Findings: Limited Available Land: The city's land resources available for rezoning are restricted, posing a significant obstacle to conventional development strategies aimed at achieving higher density. Site-Specific Development Agreement: After careful evaluation of available options, the city and staff have determined that the implementation of a site-specific Development Agreement offers a promising solution. This tailored approach ensures that the development project can proceed while adhering to the city's density objectives. Alignment with City Goals: The proposed Development Agreement not only facilitates the development process but also harmonizes with the overarching city goals for density and the addition of housing stock. It strikes a balance between meeting the immediate needs of the project and serving the long-term vision of the city.

Describe how any land use regulations or land use decisions support the municipality's efforts to implement the strategy. *

Example response: *"While the land use decision has not been completed, the study is expected to provide recommendations on utility and parking capacities needed for external accessory dwelling units in the city. The findings will be used to develop a recommendation to the council for areas which could include external ADUs, reducing the local restriction on these units."*

In light of the constraints on available land for rezoning, the city and its staff have identified the implementation of a site-specific Development Agreement as the most favorable approach. This strategy enables the development project to move forward, while still being in line with the city's objectives for density and housing stock expansion in the specified area. Recommendations:

- Proceed with the establishment of a site-specific Development Agreement as the primary mechanism for advancing the development project.
- Continuously monitor and evaluate the progress of the project to ensure it remains aligned with the city's density and housing stock

objectives. • Explore additional innovative solutions to address the challenges posed by limited available land for future development endeavors. This report provides a comprehensive overview of the city's approach to overcoming land limitations for rezoning and achieving its goals for density and housing stock expansion. It underscores the importance of flexible, site-specific solutions in addressing complex urban development challenges.

Describe any barriers encountered by the municipality in the previous year in implementing this strategy. *

Documenting barriers provides HCD with context and allows us to identify and assist with challenges. The documentation of barriers does not exempt the community from making and reporting progress toward strategy completion. Each strategy must advance for compliance, regardless of the barriers faced.

If no barriers were experienced, write "None."

As described earlier, the city is land locked with very limited available lots to expand density housing; the city simply has few options to expand into high density housing. We are doing when we reasonably can but finding it difficult at best.

Strategy Market Response

Please describe how the market has responded to the implementation of the strategy outlined in the section above. Fill in the blanks for the market response metrics relevant to the strategy. If the metric is not applicable to the strategy, type n/a.

Describe the changes observed and any other market responses in the long answer question at the end.

Number and type of new units permitted

*

There will be 37 units if the project is successful.

Number and type of affordable units added

*

0

Number and type of affordable units rehabbed

*

0

Number and type of units converted from other uses

*

0

Change in local rent amounts

*

No data to indicate change in rent amounts.

Change in the number of people displaced

*

No people will be displaced with this project.

Change in the number of households experiencing housing cost burden

*

No data available related to 37 units.

Change in the share of household income spent on housing

*

No available data.

The number of rezones associated with MIH strategies

*

0

Provide narrative describing the market responses the jurisdiction has observed during the implementation of strategies.

*

This description should include "other" market responses that are not among the above metrics.

Washington Terrace City is strongly committed to addressing the pressing issue of affordable housing, particularly in light of the fact that more than 50% of our residents fall within the Low to Moderate Income bracket. While we are acutely aware of this need, we are also faced with significant limitations in securing available land for development. We are optimistic that developers will view our city as a viable location for the successful construction of high-density housing solutions, all the while preserving the cherished sense of community that defines our unique character.

Municipal Annual Report - Strategy #2

Please document progress made on the Moderate Income Housing Strategies since the jurisdiction received their compliance notice. A community must report on at least the minimum number of required strategies to comply in the Subsequent report.

Strategy #2 *

Select the first moderate income housing strategy from UCA that the municipality has included in its moderate income housing element.

(E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones

Describe each action taken by the municipality during the previous 12 months to implement this moderate income housing strategy. *

Example response: "In 2023, Alyssa City began the RFP process for a study to assess infrastructure and parking needs to accommodate external accessory dwelling units in residential zones. A contractor was procured and the study is underway expected to be completed in Spring 2024."

In an effort to simplify the licensing procedure for ADUs, the city has streamlined the application process and eliminated any disproportionately high licensing fees. As a result, there are now four more ADUs that have obtained licenses and are operating within the city legally. It's important to

note that the limitations imposed by lot size and street width in Washington Terrace do constrain the number of dwellings eligible for ADU-based business activities, as you are already aware.

Describe each land use regulation or land use decision made by the municipality during the previous 12 month period to implement this strategy. *

Example response: "A land use decision has not yet been made, but is expected, pending the outcome of the study. This timeline reflects the Moderate Income Housing Element implementation plan which was approved last year."

Currently, we are in the process of implementing the ADU approval procedure as described earlier. The demand for ADUs is relatively low due to the limited availability of suitable residences capable of accommodating them.

Describe how any land use regulations or land use decisions support the municipality's efforts to implement the strategy. *

Example response: "While the land use decision has not been completed, the study is expected to provide recommendations on utility and parking capacities needed for external accessory dwelling units in the city. The findings will be used to develop a recommendation to the council for areas which could include external ADUs, reducing the local restriction on these units."

No additional land use was required to implement the approval process. The ADU process is running successfully.

Describe any barriers encountered by the municipality in the previous year in implementing this strategy. *

Documenting barriers provides HCD with context and allows us to identify and assist with challenges. The documentation of barriers does not exempt the community from making and reporting progress toward strategy completion. Each strategy must advance for compliance, regardless of the barriers faced.

If no barriers were experienced, write "None."

None

Strategy Market Response

Please describe how the market has responded to the implementation of the strategy outlined in the section above. Fill in the blanks for the market response metrics relevant to the strategy. If the metric is not applicable to the strategy, type n/a.

Describe the changes observed and any other market responses in the long answer question at the end.

Number and type of new units permitted

*

4

Number and type of affordable units added

*

4

Number and type of affordable units rehabbed

*

0

Number and type of units converted from other uses

★

0

Change in local rent amounts

★

No data to support rent amounts based on ADU allowances.

Change in the number of people displaced

★

No data

Change in the number of households experiencing housing cost burden

★

4 based on allowed ADU's

Change in the share of household income spent on housing

★

No Data

The number of rezones associated with MIH strategies

★

None

Provide narrative describing the market responses the jurisdiction has observed during the implementation of strategies.

★

This description should include "other" market responses that are not among the above metrics.

The market's response to the relaxation of ADU requirements for obtaining approval has been moderate. The approval process has been made more efficient and is available at a nominal cost for licensing. While the city cannot mandate ADU participation, it is supportive of applicants, provided that the proposed location can accommodate the additional parking and population.

Municipal Annual Report - Strategy #3

Please document progress made on the Moderate Income Housing Strategies since the jurisdiction received their compliance notice. A community must report on at least the minimum number of required strategies to comply in the Subsequent report.

Strategy #3 ★

Select the first moderate income housing strategy from UCA that the municipality has included in its moderate income housing element.

(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

Describe each action taken by the municipality during the previous 12 months to implement this moderate income housing strategy. *

Example response: *"In 2023, Alyssa City began the RFP process for a study to assess infrastructure and parking needs to accommodate external accessory dwelling units in residential zones. A contractor was procured and the study is underway expected to be completed in Spring 2024."*

Washington Terrace is utilizing Development Agreements to facilitate mixed-use projects. The city faces a significant constraint in terms of available land for commercial development, which restricts the number of mixed-use projects that can be accommodated. However, the city's leadership remains receptive to proposals that promote the overall economic well-being and structural resilience of the community.

Describe each land use regulation or land use decision made by the municipality during the previous 12 month period to implement this strategy. *

Example response: *"A land use decision has not yet been made, but is expected, pending the outcome of the study. This timeline reflects the Moderate Income Housing Element implementation plan which was approved last year."*

The city has incorporated a city-owned parcel of land and has agreed to initiate a Development Agreement aimed at introducing 37 new housing units to the area. Given the current constraints on commercial projects arising from increasing interest rates, the city considers it a valuable opportunity to collaborate with a developer in a mixed-use capacity. Adding housing stock is a legitimate way to improve housing prices and rental availability.

Describe how any land use regulations or land use decisions support the municipality's efforts to implement the strategy. *

Example response: *"While the land use decision has not been completed, the study is expected to provide recommendations on utility and parking capacities needed for external accessory dwelling units in the city. The findings will be used to develop a recommendation to the council for areas which could include external ADUs, reducing the local restriction on these units."*

The revision in land use regulations and subsequent approval of high-density housing represents a noteworthy shift in our perspective on housing regulations. Historically, the city prohibited high-density housing due to issues arising from a substantial number of apartments and condominiums within the city. Regrettably, high-density housing has been linked to an increased volume of law enforcement calls and consequentially limited in the past. However, the new land use policy now permits high-density housing through the implementation of a development agreement as the primary approval mechanism.

Describe any barriers encountered by the municipality in the previous year in implementing this strategy. *

Documenting barriers provides HCD with context and allows us to identify and assist with challenges. The documentation of barriers does not exempt the community from making and reporting progress toward strategy completion. Each strategy must advance for compliance, regardless of the barriers faced.

If no barriers were experienced, write "None."

None

Strategy Market Response

Please describe how the market has responded to the implementation of the strategy outlined in the section above. Fill in the blanks for the market response metrics relevant to the strategy. If the metric is not applicable to the strategy, type n/a.

Describe the changes observed and any other market responses in the long answer question at the end.

Number and type of new units permitted

*

36 units in the process

Number and type of affordable units added

*

None

Number and type of affordable units rehabbed

*

None

Number and type of units converted from other uses

*

None

Change in local rent amounts

*

No Data

Change in the number of people displaced

*

No data

Change in the number of households experiencing housing cost burden

*

No Data

Change in the share of household income spent on housing

*

No Data available

The number of rezones associated with MIH strategies

*

One in process

Provide narrative describing the market responses the jurisdiction has observed during the implementation of strategies.

*

This description should include "other" market responses that are not among the above metrics.

As previously mentioned, the city faces significant limitations in its capacity to expand its housing inventory. This constraint leaves the city heavily reliant on market dynamics and the willingness of developers to engage in high-density projects. Consequently, the city has adopted a more collaborative approach, demonstrating a willingness to engage in density projects when developers work in tandem with the municipal authorities to execute such endeavors. In this cooperative model, the city and developers join forces to bring density projects to fruition. This symbiotic relationship helps mitigate the constraints imposed by market forces alone, allowing for a more deliberate and strategic expansion of housing options. By actively engaging with developers, the city can tailor projects to address specific community needs and concerns, fostering a more balanced and inclusive approach to urban development. This adaptive stance reflects the city's commitment to meeting evolving housing demands, all while ensuring that the broader interests of the community are carefully considered and integrated into the development process. It underscores a forward-thinking strategy aimed at achieving a harmonious balance between urban growth and community well-being.

Do you have additional strategies to report? *

Yes

No

No

Accessory Dwelling Units

Please describe the number of Accessory Dwelling units in your jurisdiction to the best of your ability.

How does the jurisdiction track Accessory Dwelling Units? *

Count of building permits

☒ Count of rental licenses or permits

Other:

Total Number of Accessory Dwelling Units in the Jurisdiction *

11

Total number of building permits to construct an ADU in the jurisdiction granted the previous year: *

No Building permits needed. The ADU's were accommodated with existing structures.

Total number of business licenses or permits to rent an ADU in the jurisdiction granted the previous year: *

If not applicable, type n/a.

4 permits were approved while others area in process.

Total number of other types of permit or license issued for an ADU in the jurisdiction granted the previous year: *

If applicable, please provide the count and the type of permit or license issued. If not applicable, type n/a.

N/A

Feedback & Recommendations

In order to improve the moderate income housing efforts of the state and jurisdictions, we'd love to hear from you.

What types of support would be helpful to your community as you implement the moderate income housing strategies? *

Select all that apply

☒ Housing supply data

☒ Housing needs data

Planning technical assistance

Model Ordinances

Case studies for strategies

Staff resources

Reporting technical assistance

Guidebooks for planning and reporting

☒ Other: Data specifically for our area and city. There are specific needs that we cannot meet if we don't know the details. We are very limited on staff and resources to take on statistical research.

Describe any recommendations on how the state can support the jurisdiction in implementing the moderate income housing strategies? (technical assistance, resources, data, etc.) *

If none, please write n/a

We do not have financial resources to support MIH in the city. Funding for development may be helpful but that is probably out of the realm of possibility.

Thank you for completing the Moderate Income Housing Report for 2023.

Please click 'submit' below to complete the report. You will receive confirmation of your submission via email.

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**CITY OF WASHINGTON TERRACE
ORDINANCE NO 2024-__**

URBAN CHICKENS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE CITY, UTAH,
ADOPTING CHAPTER 17.86 REGULATING URBAN CHICKENS; SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, there is renewed interest in raising chickens in the urban environments and the City desires to allow for such while mitigating adverse impacts;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on _____, to take public comment on this proposed Ordinance, and subsequently gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1. Repealer. Any Ordinance that conflict with this Ordinance is repealed.

Section 2. Amendment. Chapter 17.86 is hereby adopted to read as follows:

**Chapter 17.86
URBAN CHICKENS**

Sections:

17.86.010	Purpose.
17.86.020	Land Use Permit.
17.86.030	Application.
17.86.040	Regulations.
17.86.050	Inspection.
17.86.060	Enforcement and Appeal.

17.86.010 Purpose.

The purpose of this Chapter is to permit the keeping and/or raising of chickens in certain single-family zones as provided in this Chapter for the sole purpose of family food production. Any chicken kept as provided in this Chapter is not considered or otherwise deemed a household pet.

17.86.020. Land Use Permit.

Any person keeping and/or raising one or more chickens in the City shall first obtain a Land Use Permit under this Chapter. Any Land Use Permit issued under this Chapter shall be made by application of the property owner and continue under this Chapter for the duration of ownership upon which time any Land Use Permit shall cease. No Land Use Permit under this Chapter shall run with the land.

17.86.030 Application.

A complete application for a Land Use Permit filed with the City under this Chapter shall include:

1. A one-time license fee of one hundred dollars (\$100.00).
2. Property Owner Authorization and Affidavit that states: The undersigned, being duly sworn, depose that I am (we are) the applicants of the property involved and that we agree to abide by the provisions contained herein and acknowledges that he or she is responsible to know and understand all local, state, or federal regulations related to the keeping of one or more chickens at the location of the property listed in the application.
3. Applicant's contact information, including:
 - a. Legal name.
 - b. Phone number.
 - c. Email.
 - d. Other contact information as needed.
4. Address of the property where chickens are proposed to be located and proof of ownership.
5. Site Plan showing the:
 - a. North arrow.
 - b. Building lot size.
 - c. All property boundaries.
 - d. All existing and proposed public streets, private streets, drives, right-of-ways, and easements shown including widths.
 - e. Location of existing curb, gutter, and sidewalk.
 - f. Location of all existing structures and accessory buildings on the property with accurate square footage.
 - g. Location of proposed structures and/or proposed additions to existing structures with proposed square footage.
 - h. Location and size of any existing or proposed septic tanks and leach fields, if applicable.

17.86.040 Regulations.

The keeping and/or raising of one or more chickens is subject to the following regulations:

1. Compliance. Any chicken shall be kept in a manner consistent with this Chapter.
2. Family Only. Any chicken shall be kept strictly for family food production, and not for commercial sale or personal income. No egg sales whatsoever.
3. Prohibited. No roosters shall be kept, and no breeding is permitted on the property.

4. Keeping. Up to six (6) chicken hens may be kept on a residential lot in accordance with the following:
 - a. Any chicken shall only be kept on a property containing a single-family detached dwelling unit with a minimum lot size of 20,000 square feet.
 - b. Any chicken shall be kept in one coop or one properly enclosed area at all times in the rear yard as depicted on an approved Site Plan.
 - c. No chicken shall be permitted to roam outside a coop or enclosed area.
 - d. A coop shall be covered, ventilated, and rodent and predator resistant.
 - e. A coop shall not be constructed of scrap or dilapidated materials.
 - f. The coop shall be built with a finished, all weather exterior material.
 - g. Any crowing hen shall be culled.
5. Setbacks. The coop or enclosure shall be located:
 - a. At least twenty-five (25) feet from any primary residential dwelling.
 - b. At least twenty-five (25) feet from any primary residential dwelling on an adjoining property.
 - c. At least five (5) feet from any property line.
 - d. Maximum coop height is seven (7') feet, at its highest point.
 - e. Any time a heating device used must be separated at least ten (10) feet from any residential dwelling.
6. Maintenance.
 - a. Any coop and/or enclosure shall be maintained in a orderly and sanitary condition, and in a manner that prevents a detectable odor at the property line.
 - b. Chicken feed shall be stored in a covered container and in a manner that prevents access from rodents or other animals.
 - c. No growth or vegetation other than sod grass is permitted within five (5) feet of any coop.
 - d. The area within five (5) feet of the perimeter of any coop shall be unobstructed, except the side where a coop may be attached to an accessory building.
 - e. No coop, pen, cage, or similar structure shall exceed one hundred fifty (150) square feet (including the coop, run, and/or enclosure).
 - f. Any chicken found at-large is subject to being culled or confiscated.

17.86.050 Inspection.

The property will be inspected upon application and periodically to verify compliance with this Chapter. Upon an initial application, reinspection is required if property does not meet requirements of this Chapter. For each reinspection the applicant is subject to a fifty (\$50.00) reinspection fee.

17.86.060 Enforcement and Appeal.

A Land Use Permit may be denied, suspended, or revoked for a violation of this Chapter. A violation of this Chapter is subject to an infraction and a fine not to exceed \$750 per violation. Appeals are subject to this Title.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this _____ day of _____, 20____.

Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 20____.

PUBLISHED OR POSTED this _____ day of _____, 20____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted at: 1) _____, 2) _____, and 3) _____ on the above referenced dates.

City Recorder

DATE:_____