



## CITY COUNCIL **SPECIAL** MEETING NOTICE AND AGENDA

Notice is given that the City Council of the City of Farmington will hold a SPECIAL meeting on **Tuesday, September 27th 2022** at City Hall 160 South Main, Farmington, Utah.

### **PUBLIC HEARING:**

- Farmington City's intent to amend its General Plan to meet the State requirements related to Moderate Income Housing including minor text changes to use language required in Utah Code 10-9a-403.

### **CLOSED SESSION**

Minute motion adjourning to closed session for City Manager interviews.

- City Manager Interviews

### **ADJOURN**

*DeAnn Carlile*\_\_\_\_\_

DeAnn Carlile, Farmington City Recorder

### *CERTIFICATE OF POSTING*

*I hereby certify that the above notice and agenda were posted at Farmington City Hall, the State Public Notice website, the city website [www.farmington.utah.gov](http://www.farmington.utah.gov), and emailed to media representatives on September 15th, 2022*



# FARMINGTON CITY

BRETT ANDERSON  
MAYOR

ROGER CHILD  
SCOTT ISAACSON  
MELISSA LAYTON  
ALEX LEEMAN  
AMY SHUMWAY  
CITY COUNCIL

BRIGHAM MELLOR  
CITY MANAGER

## City Council Staff Report

To: Honorable Mayor and City Council

From: Lyle Gibson, Assistant Community Development Director

Date: September 27, 2022

SUBJECT: **An amendment to the General Plan of Farmington City to meet the State requirements related to Moderate Income Housing including minor text changes to use language required in Utah Code 10-9a-403**

### RECOMMENDATION

1. Hold a public hearing.
2. Move that the City Council approve the enclosed enabling amending the Moderate Income Housing component of the Farmington City General Plan.

*\*As of the date of this report, the Planning Commission has not yet made a recommendation on this item. They have a public hearing scheduled for 9/22/22. Staff will be prepared to update the Council on any changes to the recommendation that the Planning Commission may make when this is presented to the City Council.*

### Findings

1. The amendments maintain the same goals and objectives as previously adopted by Farmington City while bringing the language in the City's plan into compliance with what is required by the State of Utah.
2. Adding an additional element to prepare a Station Area Plan is new, but it has already been done indicating it is consistent with the city's intent; furthermore, this goal is not an option for the city as the State requires all cities with fixed guideway stations to include this goal in their plans.
3. Updating the plan to meet the requirements of the State will keep the city in compliance and eligible for priority funding for transportation funding from the State of Utah. This is particularly important in the near term with large projects on the horizon.

### Background Information

In recent years it has been a requirement of many cities in Utah to adopt a moderate income housing plan and report progress to the State of Utah as to its implementation.

As a city with a Frontrunner Station, it is required that the city adopt 4 strategies from a picklist created by the State legislature, 1 of those strategies must state that the city will develop a station area plan.

In 2019 when the City first adopted its moderate income housing component of the general plan, 8 strategies were chosen from the original picklist exceeding the requirements of the state at the time. This past legislative session HB 462 modified some language from the picklist and added the requirement for the station area plan.

While it is arguable that the elements the city has previously adopted reflect the required strategies from the state with the exception of the station area plan, the language should reflect verbatim what is in State Statute to ensure compliance. Moreover, it was the hope of staff that having adopted a station area plan (the Farmington Station Area Plan) the required element would have been met. In beginning to prepare the annual report it was relayed by the State that even with a station area plan adopted, the city must update its general plan to include the language as a goal.

In order to ensure compliance with the statute and not put the city at risk of losing priority on transportation funding, amendments to the cities general plan have been prepared to match the language in 10-9a-403. Other than adding an item indicating the city would prepare a small area plan, the changes in the opinion of staff do not change the substance of the plan and its goals, rather they update the language to match what is in statute.

**Supplementary Information**

1. Enabling Ordinance
2. Moderate Income Housing Plan with redlines.

Respectfully Submitted



Lyle Gibson  
Assistant Community Development Director

Concur



Brigham Mellor  
Assistant City Manager

**FARMINGTON, UTAH**

**ORDINANCE NO. 2022 –**

**AN ORDINANCE AMENDING THE MODERATE INCOME HOUSING COMPONENT OF THE GENERAL PLAN OF FARMINGTON CITY.**

**WHEREAS**, Farmington City has previously adopted a Moderate Income Housing component of the City’s General Plan in 2019; and

**WHEREAS**, the State of Utah has updated the requirements that the City must include with this plan via the passage of HB 462 in the 2022 General Legislative Session; and

**WHEREAS**, the City is required to include as a strategy to address moderate income housing needs a statement that the City will develop and adopt a station area plan; and

**WHEREAS**, language previously used in strategies previously identified by the city no longer match how they are written in 10-9a-403; and

**WHEREAS**, in order to maintain compliance with requirements of the State of Utah and to maintain eligibility for prioritization of transportation funding to be spent within the community; and

**WHEREAS**, the City Council desires to approve and adopt the proposed amendments to the Moderate Income Housing component of the General Plan of Farmington City;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Farmington City, Utah:

**Section 1. Amendment.** The Farmington City General Plan is hereby amended to include the changes identified in Exhibit A attached hereto to update the Moderate Income Housing component of the plan.

**Section 2. Severability.** If any section, subsection, clause, sentence or portion of this Ordinance is declared, for any reason, to be unconstitutional, invalid, void or unlawful, such decision shall not affect the validity of the remaining portions of the Ordinance and such remaining portions shall remain in full force and effect.

**Section 3. Omission no Waiver.** The omission to specify or enumerate in this Chapter those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

**Section 4. Effective Date.** This ordinance shall take effect immediately upon final passage by the City Council.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH, ON THIS 27<sup>th</sup> DAY OF SEPTEMBER, 2022**

**FARMINGTON CITY**

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Brett Anderson  
Mayor

**ATTEST:**

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DeAnn Carlile  
City Recorder

## Farmington City Moderate Income Housing Plan

~~November-September 27~~ 201922

### **Purpose:**

As defined by the State of Utah, Housing is affordable when households of various incomes, spend no more than 30% of their gross monthly income on housing expenses. In this plan, housing needs for Moderate-Income Households (MIH) within the following Area Median Income (AMI) brackets: 1) Low-income [50-80% AMI], 2) Very low-income [30-50% AMI], and 3) Extremely low-income [<30% AMI].

SB34, adopted by the 2019 Utah Legislature, directed each municipality with a population greater than 5,000, to amend its General Plan to include updated 5-year estimates of moderate-income housing needs and base its moderate income housing element and its implementation on three or more strategic affordable housing development policies chosen from a menu of options provided by the legislation.

This Farmington City Moderate Income Housing Plan (MIH) is adopted in compliance with this mandate, and replaces (where applicable) the 2012 Farmington City Housing Plan.

### **5-Year Estimates of Moderate Income Housing Needs:**

Demographic estimates and estimates of moderate-income housing needs are provided by the U.S Census Bureau and Department of Workforce Services, Division of Housing and Community Development, pursuant to Utah Code 10-9a-408(2)(a), and are included in this plan in the Appendix. The data and their sources are as follows:

U.S Census Bureau, American Community Survey:

- Population by tenure
- Supply of Housing Units by Structure Type
- Housing Occupancy
- Housing Vacancy
- Average household size
- Monthly Housing costs
- Median Household Income
- Davis Area County Median Household Income (AMI)

Utah Department of Workforce Services, Division of Housing and Community Development and U.S Census Bureau, American Community Survey:

- Housing Gap for the Current Biennium including difference between 2017 to 2024
- Population not living in Occupied Housing
- Annual Vacancy Rates
- Average Cost Burden Ratio
- Approximate Housing Cost Burden at HUD's

- 80%
- 50%
- 30%

**Strategic Affordable Housing Development Policies**

Consistent with the language and intent of SB34 and HB 462 (from the 2022 Utah Legislative Session), Farmington City has analyzed it’s land use code and provides the following as strategic moderate-income housing development policies considered for continuation for adoption in order to encourage the private sector to respond to market demand for affordable housing.

Utah Code 10-9a-403 (2) (b) (iii) mandates that the General Plan include a recommendation for implementation of three or more strategies from a menu of strategies provided in the code.

Farmington City adopts the following strategies, some of which are already incorporated into the City’s General Plan and land use code:

**1. Rezone for densities necessary to assure the production of MIH**

Farmington City has land zoned R-2, R-4 and R-8 all of which are Multiple Family Residential Zones. High density residential - condominium and apartment style units are permitted in the GMU (General Mixed Use) and TMU (Transit Mixed Use) zone. Medium density residential - single-family small lots and attached units or townhomes/condominiums limited to duplexes, triplexes, fourplexes, fiveplexes, or sixplexes are permitted in the RMU, GMU and TMU Zone subject to certain provisions. Multiple family residential is also allowed in the CMU (Commercial Mixed Use), NMU (Neighborhood Mixed Use) and BR (Business Residential) zones. These zoning designations provide ample density for affordable housing units to be built. Planned Unit Development (PUD) also allow, if approved, greater densities (or multipole family units) greater than the underlying zone. The Farmington Station Area Plan indicates high density residential development which is permitted in the established OMU (Office Mixed Use) zoning district which governs most of that area by means of a development agreement.

**2. ~~Faeilitate~~ Demonstrate investment in the rehabilitation or expansion of infrastructure that will encourage the construction of MIH**

Farmington City continuously invests in its infrastructure including streets, water, storm drainage, electrical and telecommunications. The city will consider infrastructure improvements and city involvement to assist Moderate Income Housing Projects including on site improvements through engineering, public works and finance. The city has procured a contractor to start major road projects in the Farmington Station Area which will provide the main infrastructure needs for development including projects which include a MIH element.

**3. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.**

~~The Community Development department after approval from the City Council shall revise and amend the Accessory Dwelling Ordinance, creating a single ordinance for Accessory Dwelling Units and Secondary Dwelling Units thereto~~ Farmington City has ordinances which allow for and govern

the use of internal accessory dwelling units as a permitted use and detached accessory dwelling units as a conditional use in many zoning districts.

4. **Amend land use regulations to allow** ~~Allow~~ for higher density or **new** moderate-income residential development in commercial and mixed-use zones **near major transit investment corridors, commercial centers, or employment centers.**

Farmington City's commercial and mixed use zone allows for higher density or moderate income residential development and much of its commercial and employment centers are already zoned for such uses the city will continue to consider rezone applications that bring diversity to the mixed-use areas in Farmington City including projects that are coordinated with the General Plan. These areas are located near the Frontrunner Station and the interchanges on I-15 and Highway 89.

5. **Zone or rezone for** ~~Encourage~~ higher density or moderate-income residential development **in commercial or mixed-use zones** near major transit investment corridors, **commercial centers, or employment centers.**

Farmington's General Plan, Zoning Map and Transportation Plan encourage development around major transit corridors as well as commercial and employment centers being primarily the mixed use zoning districts near the Park Lane interchange at I-15.

6. **Amend land use regulations to** ~~Eliminate~~ or reduce parking requirements for residential development where a resident is less likely to rely on ~~their~~ **the resident's own vehicle, e.g. such as** residential development near major transit investment corridors or senior living facilities

Farmington City's land use regulations support reductions in parking when parking demand is less than otherwise required, and its codes allow for shared parking. Moreover, development within certain distances of a fixed transit stop may incorporate parking reductions as part of their projects, and all developments within mixed-use zones may count on street parking to meet off street requirements.

7. **Preserve existing MIH**

The City shall encourage reinvestment in Farmington's older neighborhoods.

8. **Demonstrate utilization** ~~Utilize~~ of a MIH set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency **to create or subsidize MIH**

Consider affordable housing as public land is developed. Track Tax Increment Funds for projects with a moderate-income housing element, including private and public investment thereto.

9. **Develop and adopt a station area plan in accordance with Section 10-9a-403.1** Farmington City has adopted the Farmington Station Area Plan to meet the requirements of Section 10-9a-403.1 which is under review for certification by the Wasatch Front Regional Council.



## **Appendix:**

1. Demographics
2. Davis County Housing Authority Statement
3. Fair Housing
4. Housing Data Tables

## 1. Demographics

Demographic characteristics greatly influence housing demands within a city. Population growth, age, income, and other characteristics determine desired housing and how many units available. This section evaluates these factors in Farmington in order to inform the analysis of the demand for units and the type of those housing units.

Farmington has seen rapid growth from the 2000 census that showed a population count of 12,162 to 18,275 in 2010. ~~Census estimates from 2017 put the City's population over 24,000 residents~~The most recent numbers from the 2020 census indicate a population of 24,531. Davis County, at about ~~364~~362,000, appears to be approaching buildout. Per Wasatch Front Regional Council, "According to Davis County studies, the buildout population is forecast at more than 400,000. Davis County has the smallest land area of any county in the state and will be the first in the state to have to deal with countywide buildout." Due to this geographic factor, WRFC estimates Farmington City's 2040 Population to be ~~30,409.~~31,279. ~~Since then WRFC has modified that number to~~ 31,279.

WRFC data indicates the following population projections:

<b>City Area: Farmington</b>
2020 Population: 23,649
2025 Population: 25,137
2030 Population: 26,821
2035 Population: 29,102
2040 Population: 31,279
2045 Population: 33,252

2050 Population: 34,794

## Race and Ethnicity

According to the 2010 US Census, ~~57.7%~~ of the ~~population of Farmington reported a race other than “white”~~. ~~Based on the 2017 ACS, 8.8 % of the~~ City’s’ population were non-white residents indicating a low level of change in diversity.

Race	Percentage
White Alone	<del>91.4</del> <u>92.3</u> %
Black or African American	<del>1.0</del> <u>1.1</u> %
American Indian and Alaskan Native	<del>0.5</del> <u>0.3</u> %
Asian	<del>1.3</del> <u>1.9</u> %
Native Hawaiian and Other Pacific Islander	<del>0.0</del> <u>0.1</u> %
Two or More Races	<del>2.1</del> <u>3.6</u> %
Persons of Hispanic Origin	<del>3.9</del> <u>5.7</u> %
<u>White alone, not Hispanic or Latino</u>	<u>88.6</u> %

## Age and Household Size

Farmington has a median age of 30 years’ old, which is similar to Davis County and adjacent Salt Lake County. However according to studies the average household age of a new father is 30.9 and mothers 30.3 indicating that family’s formation is starting at a later age. The average household size is ~~3.4~~3.0. Approximately 51.8% have children at home.

## Special Needs Population

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

## Homeless

On January 24, 2018, each of Utah’s Continua of Care carried out the HUD-mandated Point-in Time Count (PIT). The PIT is a massive effort to count everyone who meets the HUD definition of literal homelessness in a community on a specific night. As a result, the PIT captures people who spent the night in an emergency shelter, transitional housing, or in a place not meant for human habitation. While many factors, from the weather to the way the count is organized and performed, influence the results of any given PIT count, the PIT is a useful tool.

Per the State of Utah Annual Report on Homelessness 2018 Point in Time Summary, 68 individuals were homeless in Davis County in which less than 10 individuals were unsheltered. The 2018 Housing Inventory

shows that Davis County holds 166 beds, 54 Rapid Re-Housing, 44 Permanent Supportive Housing, 36 Transitional Housing and 32 at an Emergency Shelter. These providers include Davis Community Housing Authority, Open Doors and Safe Harbor. Overall, current programs can address Farmington homelessness.

## **Veterans**

According to the 2013-2017 American Community Survey, approximately 4% of Farmington's population is a veteran or 920 people. 85% of veterans were male and 15% female. 53% of Farmington's veteran population, or 484 veterans were age 65 and older. The unemployment rate for working age veterans is 2.7% therefore, of 436 working age veterans approximately 11 are unemployed. As of Mar 16, 2019, the average annual pay for a Veteran in Utah is \$45,688 a year, or \$3,807 monthly.

## **Seniors/Elderly**

In 20210, there were 1,3092,355 people 65 and over living in Farmington City, which constituted 7.19.6% of the total population. ~~Per the 2017 ACS, the percentage has risen slightly to 8.6%.~~ Many of the elderly that own their homes are living on fixed incomes, their housing affordability is often affected by property values, maintenance, and utility costs. For seniors who do not own their homes, obtaining affordable housing can be even more difficult. Many elderly citizens can no longer remain in their own homes for a variety of reasons. As these citizens move out of their homes, demand for senior rental housing opportunities will increase. Several projects in Farmington City address this issue including Rose Cove Apartments, Park Lane Village Apartments, Legacy House of Park Lane and the Brookside Senior Living Facility. These types of housing are critical. Further, there should be available housing options available for seniors to remain in Farmington City near family and friends. This in turn increases senior's quality of life.

## **Disabled**

People with disabilities comprise about 6.4% of Farmington City's total population or 1,410 individuals. An estimated 26% of the persons 65 and older reported a disability in Farmington. Based on 2019 Census estimates, 19% of Americans reported some form a disability. Being part of a community and living as independently as possible are among the most important values and goals shared by people with disabilities, their families, and advocates. A home of one's own – either rented or owned – is the cornerstone of independence for people with disabilities. However, across the U.S. people with disabilities, including people with intellectual and developmental disabilities (I/DD), face a severe housing crisis. Issues include affordability, accessibility, aging caregivers, housing discrimination and availability.

The 2013-2017 ACS estimate the median income of \$38,750 per year for an individual with a disability in Farmington, which is only 51% of Davis County's Median Household Income and only 40% of Farmington's median household income. At this rate, people with disabilities earned a gross income of \$3,229 per month or 18.63 an hour. The median gross rent in the city is \$1,048 per month, according the 2017 ACS estimates. This means a single income householder with a disability would be slightly cost burdened because they would have to pay 2% more than the 30% standard set by the U.S Department of

Housing and Urban Development. Housing affordability is a concern for people with disabilities as other costs can be higher including healthcare and other services to meet their needs.

More concerning, is the current rental vacancy available from ACS which indicates the rental vacancy rate in Farmington at 0% vacancy down from 2% last year. Therefore, although housing affordability is a concern, availability is a larger concern for Farmington City. There is a significant portion of seniors and people with disabilities with a need for housing specifically designated for this segment of the population. As the city grows, the need for specialized housing will likely follow and the city should assure that there are minimal regulatory barriers to constructing this type of housing in order to meet this need.

## Income

Farmington has a very high median income of \$97,168 compared to Davis County's median income of \$75,961. According to the Utah State Tax Commission, approximately 59% of households in Farmington reported an income over \$100,000 a year. 27% or 1,734 households reported incomes between 30,000 to 75,000 and 15% or 933 households reported making under 30,000 a year.

## Housing Affordability (Housing Needs Analysis)

The affordability of the housing stock is determined based upon the Area Median Income AMI and the amount that a household at each income level can afford. According the current State and Federal definitions, housing is affordable when a household spends no more than 30% of their annual income on housing expenses, including mortgage or rent and utilities. Those that spend more than 30% of the monthly income on housing expenses are considered "cost-burdened" and are referred to as such throughout the document. The tables attached in the appendix summarize the costs for various income levels in Farmington City.

## Housing Demand

In ~~2017~~2020, Farmington had an estimated total population of 24,066-531 residents according to the U.S Census Bureau. ~~American Community Survey estimates a net increase of~~That number represents a net increase of 5,7916,256 residents between 2010 and 20172020. Growth rate projections based on 2010 to 2017 ACS data, the city's population is estimated to be 27,485 residents by 2020. This growth in population would amount to an additional 379 households by 2020, based on the city's current household size (3.43). ~~Farmington added 1,241 housing units between 2013 and 2018 based on data from Kem G Gardner Institute.~~ Based on those estimates, the city's housing supply grew ~~19.3~~34.2% or approximately 4.33.5% per year adding an average of approximately 248 units a year to the city. This was confirmed by data from our IWORQS, our internal building permit software estimated higher about 349 units a year. According to the annual growth rate projection of 272 units a year, Farmington is currently building at the rate of projected growth.

## **Build Out Projections**

Farmington has 10 square miles of land within city limits. Farmington is also sandwiched between the Wasatch Mountains to the east and the Great Salt Lake to the west. This leaves much of our land in the foothills or wetlands, including the addition of the West Davis Corridor. Therefore, there are certainly some geographical limitations to our growth. Many years into the future, development will be redevelopment of infill properties and furthering subdivisions into smaller properties. As we reach buildout, the state of maximum development as permitted by a plan or regulations.

## **Housing Supply/Housing Stock**

According to the 2017 ACS Survey, Farmington is growing at approximately 272 housing units a year with a housing stock of approximately 6,689 housing units with a 96 percent occupancy rate. According to observations that are more recent there is little or no vacancy currently in Farmington. Interesting, however is the diverse housing rentals. Of the 1,259 renter, occupied structures only 30% are single-family homes leading city staff to believe there is an interest in diverse housing types in the city. The real estate industry refers to single-family homes that sit on their own lot without sharing any walls with another home or building as detached residences. Attached housing, on the other hand, share walls on both sides with another home. The city may also increase the rental opportunities by diversifying housing types.

## **Location Affordability**

Transportation Costs are the second largest budget item and the location of a house has a direct impact on these costs. For example, living close to work and other common destinations can significantly lower the amount of mileage a household drives and reduces the need for additional vehicles.

The Location Affordability Index developed by HUD and the Department of Transportation estimates the housing and transportation costs for communities across the US. Housing and transportation costs consume about half of the average household budget, but it can be difficult for people to factor transportation costs into decisions regarding where to live and work. According to this measure, the average household in Davis County spends about 24 percent of its median income a year on transportation, which is \$23,320, a year or \$1,943 a month. For a family with two vehicles, this would mean each vehicle is costing about \$971 a month.

## **2. Davis County Housing Authority Statement**

*“For over three years, Davis Community Housing Authority (DCHA) has actively searched for land in Farmington on which to build affordable housing, due to an extreme shortage of affordable housing in Farmington and other municipalities in Davis County. They are only aware of one housing program that meets the definition of "affordable" within the HUD Fair Market Rents for Davis County - DCHA's Credit to Own housing (5 townhomes) at Farmington Crossing. To our knowledge, Rose Cove Apartments, located at 847*

*Shepard Lane, is the only designated housing for elderly and/or disabled persons, however, that property is becoming increasingly unaffordable due to continual rent increases by the owner. It seems as though the housing developments in Farmington are either high-end subdivisions and/or apartment complexes. None of which usually satisfy the affordable housing requirements of a Consolidated Plan. DCHA is interested in working with Farmington City to locate and develop housing that meets the HUD Fair Market Rents and targets affordable housing for special groups.*

*Davis Community Housing Authority allocated 1036 vouchers by the Department of Housing and Urban Development (HUD). We are required to operate on an Annual Contributions Contract budgeted for the amount of money HUD will allow us to spent in a one-year period. Due to rising rental costs and our allocated budget, we are only able to assist 900 - 920 families.*

- Sixty (60) of our total eight hundred ninety (890) current voucher holders reside in Farmington:*
- Two (2) households reside in DCHA's owned units at Farmington Crossing townhomes,*
- Two (2) households reside in older homes being rented privately and,*
- Fifty-Six (56) households reside at Rose Cove Apartments. Rose Cove is raising rents at an alarming rate. There have been an increase of clients residing at Rose Cove requesting to move to another area.”*

### **3. Fair Housing**

In accordance with state and federal laws, Farmington City exercises the authority to plan, zone, and regulate land-use in promoting the community's health, safety, and welfare. The moderate-income housing element of this plan acknowledges and upholds the Utah Fair Housing Act by promoting the equal protection and equitable treatment of all people who lawfully seek to rent, lease, purchase, or develop real property within its jurisdiction. Its housing policies and plans strictly prohibit discrimination on the basis of color, disability, ethnicity, familial status, gender identity, national origin, race, religion, sex, sexual orientation, source of income, or any other suspect classification. It is the policy of [City/County] to report housing discrimination to the Utah Antidiscrimination Labor Division immediately. It is the goal of Farmington City is to prevent, eliminate, and/or mitigate any unfair housing practices that may result from its plans, policies, regulations, and ordinances. It is also the goal Farmington City to affirmatively further fair and affordable housing by reviewing the housing needs of its moderate-income households and its vulnerable populations biennially, and by proactively planning to meet their needs.