

ORDINANCE NO. 2022-1222-O

**AN ORDINANCE AMENDING THE WASHINGTON COUNTY AFFORDABLE HOUSING PLAN AS THE MODERATE INCOME HOUSING PLAN ELEMENT OF THE GENERAL PLAN
(AMENDMENTS - DECEMBER, 2022)**

RECITALS AND LEGISLATIVE FINDINGS

WHEREAS, under Utah Code Annotated § 17-27a-408, the county shall review and update the moderate income housing plan element of the General Plan and its implementation;

WHEREAS, the proposed amended plan incorporates the state requirements for a moderate income housing plan, and amendments requested by the state;

WHEREAS, the state mandated adoption of the updated moderate income housing plan element, on or before October 1, 2022, which was done in Washington County, Utah;

WHEREAS, this amended plan makes further updates requested by the state, by updating and providing specificity about the implementation of the moderate income housing plan element of the General Plan in Washington County;

WHEREAS, this proposed amended plan outlines implementation strategies to meet the goals and objectives to improve affordable housing options in Washington County;

WHEREAS, Washington County may be given priority consideration of funding for transportation and planning projects, as well as various other financial grants, if the County's moderate income housing plan is adopted and amended as needed to meet the applicable requirements;

WHEREAS, the Washington County Planning Commission held the properly noticed and required public hearing in conjunction with the consideration of this updated moderate income housing plan on December 13, 2022;

WHEREAS, the Planning Commission discussed the challenges of affordable housing in Washington County and unanimously recommended approval of the proposed amendments to the Washington County Affordable Housing Plan as the moderate income housing plan element of the General Plan; and

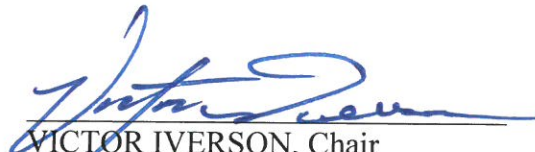
WHEREAS, it is in the best interest of Washington County to adopt the proposed amendments to the Washington County Affordable Housing Plan as the moderate income housing plan element of the General Plan, in order to plan, foster, and expand affordable housing opportunities for its citizens.

NOW, THEREFORE, the County Legislative Body ORDAINS as follows:


The County Commission hereby adopts the attached amendments to the Washington County 2022 Affordable Housing Plan as the moderate income housing plan element of the General Plan.

APPROVED AND ADOPTED this 20th day of December, 2022.

WASHINGTON COUNTY


VICTOR IVERSON, Chair
Washington County Commission

ATTEST:


Susan Lewis
Washington County Clerk-Auditor

Commissioner Iverson voted Aye
Commissioner Snow voted Aye
Commissioner Almquist voted Absent

Approved as to Form:


Deputy Washington County Attorney

Notice of Adoption of Washington County Ordinance No. 2022-1222-O

On December 20, 2022, the County Legislative Body of Washington County adopted Ordinance Number 2022-1222-O, 'An Ordinance Adopting and Amending Various Title 10 Zoning Regulations, and Title 7 Public Ways and Property Regulations, Regarding Pet Crematoriums, Public and Private Roadway Access, and Other Miscellaneous Provisions Described Herein. '

The purpose of this ordinance is to update Title 10 and Title 7 Regulations.

A complete copy of the Ordinance is available at the County Clerk's Office.

Commissioner Victor Iverson voted aye

Commissioner Adam Snow voted aye

Commissioner Gil Almquist was absent

Published in The Spectrum: Sunday, December 25, 2022



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Workforce Services

CASEY R. CAMERON
Executive Director

GREG PARAS
Deputy Director

NATE MCDONALD
Deputy Director

KEVIN BURT
Deputy Director

November 18, 2022

To: Commissioners
Washington County

From: Department of Workforce Services
Housing and Community Development Division

Re: Moderate Income Housing Report 2022—Notice of Non-Compliance

Dear Washington County Commissioners,

Thank you for submitting a County Moderate Income Housing Report for the 2022 submission year. Following review of the submitted plan and report, the Housing and Community Development Division has determined that the submission does not fulfill the requirements set forth in State Code section 17-27a-408. Please see the below description of deficiencies and actions the County must take to comply with the code.

Strategies:

Section 17-27a-403(2)(b)(ii) notes that counties shall include a recommendation to implement three or more moderate-income housing strategies from the code. HB462 updated the code language to include substantive changes and additions to the strategies, requiring all Counties to update their general plans to reflect the changes. The Goals and Strategies in the submitted Moderate Income Housing Element from Washington County have not been updated to reflect the specific language included in the code.

Deficiency Corrective Action: Update the County strategies in the Housing Element of the General Plan with the exact language found in 17-27a-403(2)(b)(ii). The report indicates that the County has adopted Strategies G, J, and M.

Implementation Plans:

Section 17-27a-403(2)(e) notes that the County shall draft implementation plans that establish a timeline for implementing selected strategies, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the County to adjust as needed. Additionally, section 17-27a-408(2)(c) requires each jurisdiction's report starting in 2023 to describe action taken by the County towards implementation of the selected strategies, including how each land use decision or regulation supports the implementation of the moderate income



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housing strategies, barriers encountered, accessory dwelling unit information, the market's response to the strategies and implementation plans, and recommendations to the State regarding how the State can support the County in implementing strategies. Thus, implementation plans in the 2022 reporting year must include sufficient detail on actionable tasks, timelines for implementation, measures used to demonstrate progress, and what resources the County will use to achieve the strategies selected.

The County does include a list of Benchmarks for each strategy, but these Benchmarks do not provide adequate specificity to support the Strategy Implementation. Timelines have also not been included as part of the implementation plan.

Deficiency Corrective Action: Goals 1 and 2 must provide greater detail about each of the benchmarks. For example, what is being researched? Or what will be involved in the research? A timeline must be included to support the strategies and benchmarks. If strategies have been implemented already, the implementation plan (benchmarks and timeline) must include monitoring, program evaluation metrics, or other next steps that the County will take.

Deficiency Corrective Action: Goal 3 does not provide defined benchmarks or a timeline for the Housing Action Coalition or Community Land Trust partnerships. The County must provide descriptions of the steps it will take to engage with these organizations. This could include, ongoing activities, a need to develop relationships, etc. A timeline must be included to support the strategies and benchmarks. If strategies have been implemented already, the implementation plan (benchmarks and timeline) must include monitoring, program evaluation metrics, or other next steps that the County will take.

Please review the State Code sections referenced and submit your report using the form found here: <https://jobs.utah.gov/housing/affordable/moderate/reporting/>.

Section 17-27a-408(6) allows for each community 90 days to come into compliance with State Code. Per section 17-27a-408(7), **failure to cure the described deficiencies in your County's report by February 16, 2023 will make your community ineligible for Utah Department of Transportation (UDOT) Transportation Investment Fund of 2005, including the Transit Transportation Investment funding and the Governor's Office of Planning and Budget (GOPB) Covid-19 Local Assistance Matching Grant for the 2024 fiscal year.**

The Housing and Community Development Division is available to help you work through the noted deficiencies. If you have any questions or concerns, please contact Alyssa Gamble at angamble@utah.gov, or schedule a time to meet using this link: <https://calendar.app.google/QfJHXwmR5WNtkhHh6>.

Sincerely,

Alyssa Gamble
Program Manager – Moderate Income Housing Database
Housing and Community Development
Department of Workforce Services



Washington County Affordable Housing Plan

Executive Summary

The purpose of the Washington County Affordable Housing Plan (the Plan) is to ensure that Washington County provides a reasonable opportunity for a variety of housing, including housing for low and moderate income households, to meet the needs of the population desiring to live in Washington County. Throughout this Plan, housing for low and moderate income households will be called “affordable housing.”

The population of Washington County is projected to increase substantially over the next 10 years. Over one-third of all Washington County households are earning a moderate income or less, and the demand for attainable home ownership and rental opportunities will likely increase.

There is a deficiency of housing for very low and extremely low income households in Washington County. The County should be actively seeking opportunities to provide sufficient housing to satisfy the rising population demands.

Even though Washington County has relatively new housing stock, the 2017 American Community Survey (ACS) estimated that approximately 31% of the units were built prior to 1990. In order to maintain a healthy housing stock capable of providing safe, habitable, and attainable living conditions, building new units and actively maintaining the current housing supply is necessary.

The attainability of housing has been exacerbated in 2022. Military conflict, supply chain issues, a global pandemic and economic uncertainty, have fueled economic instability. Inflation is at a 40-year record and the rise in average interest rates have increased monthly mortgage payments up 51% since 2021.

Households earning more than a moderate income have enough attainable housing options, while households earning less than a moderate income do not have sufficient opportunity to purchase or rent attainable homes. Approximately half of all low and moderate income households are expending a high percentage of their income on housing, and a greater supply of attainable rental and owned housing is needed to meet the needs of all Washington County residents.

The county will need to review its zoning ordinances to ensure that there is adequate opportunity to develop a sufficient supply of various housing types to meet the county’s diverse needs. The following goals are recommended to maintain adequate attainable housing choices for all those who wish to reside in Washington County:

- Amend land use regulations to allow for higher density and new, affordable residential development in commercial or mixed use zones near major transit investment corridors (create the Village Overlay Zone;



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permit a variety of housing types including “missing middle” housing types).

- Implement zoning incentives for affordable housing units in new developments (create the Affordable Housing Overlay Zone).
- Demonstrate creation of, or participate in, a community land trust program for affordable housing (partner with Housing Action Coalition (HAC) and non-profits that produce housing products meeting these goals).

Introduction

In 2022, the Utah Legislature passed House Bill 462 requiring cities and counties to update their affordable housing element of the general plan. Housing is considered affordable when households of various incomes, spend no more than 30% of their gross monthly income on housing expenses. In this plan, housing needs are considered for households earning a moderate income or less (80% Area Median Income or less).

The intent of this attainable housing plan is to ensure that Washington County provides a reasonable opportunity for a variety of housing, including low to moderate income housing for its residents. Low to moderate income housing should be encouraged to allow persons earning less than 80% of the Area Median Income (AMI) to fully participate in, and benefit from, all aspects of neighborhood and community life.

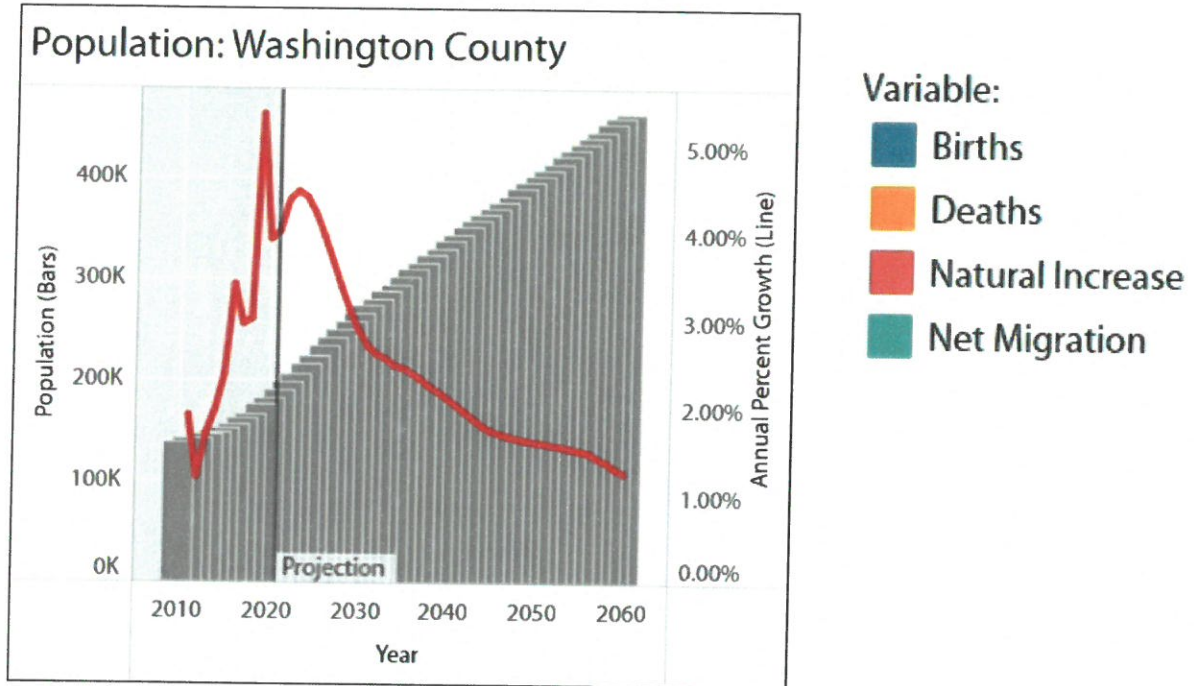
Demographics

Population and Growth

According to the Kem C. Gardner Policy Institute the annual growth rate in 2021 equaled 4.02% with a total population of 189,432 but the growth rate is expected to decrease to an annual average of 3.0% between 2022 and 2030. This puts the current estimate of absolute growth in Washington County at 7,321. This puts the current population estimate below the current projections by 0.07% (114 residents/homeowners). If the projected growth rate is realized, Washington County will gain 65,018 new residents between 2020 and 2030, and 282,212 new people between 2020 and 2060. The chart below displays population projections through 2060.



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Source: Kem C. Gardner Policy Institute 2015-2065 State and County Projections.

Analysis of Population and Growth

The projected population increase of 65,018 new residents between 2020 and 2030 is significant because 22,115 new households will need a place to live in Washington County, and by 2060 it is estimated that 95,990 additional households will need a place to live.

According to the 2020 US Census sixteen percent (11,783) of local homes were vacant. Seasonally vacant houses are vacant during a specific season and are for recreational or occasional use. Many of these are not available for permanent residents, and although it is likely that future residents will fill some of the vacant units, the vacant housing stock will not be sufficient to accommodate all the estimated households over the next several years. Many pressures keep permanent residents out of houses that are second homes for those who live out of the area, including the use of housing stock for legal and illegal vacation rentals. In addition, the existing housing stock will have to be maintained and, in some cases, rehabilitated, for the units to be safe, permanent places to live.

Population Pyramid

Population Pyramids indicate various needs of a given population including, depicting the age and sex makeup of a population, and indicating whether a population will increase or decrease. There



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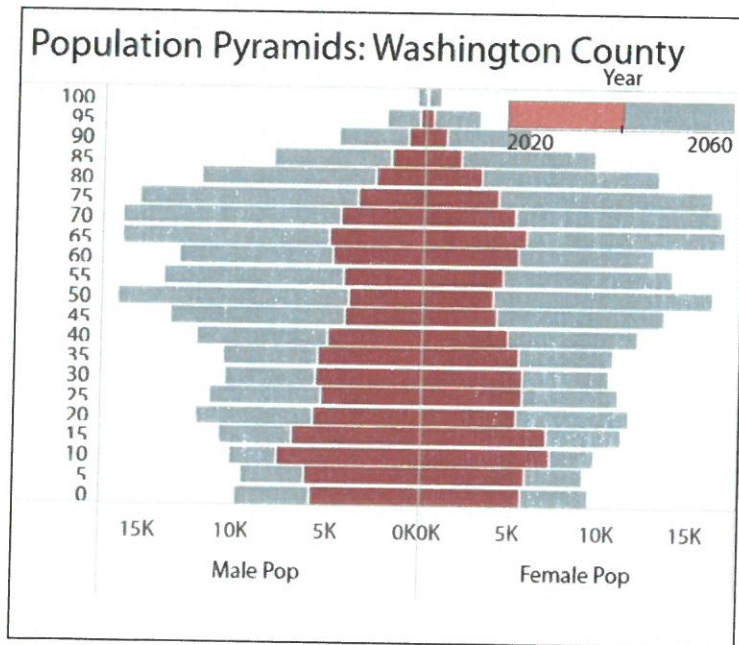
are two major attributes of Washington County’s population pyramid that will have an effect on the County’s growth and future housing needs.

Population pyramids like Washington County’s, that have most of the population in the pre-reproductive (ages 0-14) and the reproductive cohorts (ages 15-44), usually indicates that the population will grow rapidly. The anomaly in Washington County’s population pyramid is that the population evens out in the early post-reproductive years and then grows in the mid post-reproductive years.

Large populations at or near the top of population pyramids often indicate a stagnant or declining population. However, because Washington County’s pyramid has a large base and a substantial post-reproductive population it is assumed that Washington County will grow rapidly.

Because the aging population is not likely to decline, it is anticipated that there will be a significant housing needs for the elderly population. A portion of the aging population will be able to stay in their homes; however, there will be an increased demand from those that need housing assistance.

With a growing population of all age cohorts, there will be a need for a variety of housing types. Decision makers at the County will need to be mindful of the current and projected socio-economic needs of the community to provide opportunities for appropriate housing types to be constructed.



Source: Kem C. Gardner Policy Institute 2015-2065 State and County Projections.

New Housing Demand

Households that earn a moderate-income and less make up 37.9% of the population. Of the 22,115 households projected to be in Washington County between 2020 and 2030, 8,381 will need attainable housing options. To meet this need beyond 2030, 838 attainable housing units will need to be added each year, in addition to the 8,381.



Based on the projected increase in population, observed income levels, and existing vacancies, the UAHFT Housing Model estimates that there will be a demand for 8,268 new housing units for low and moderate income (LMI) households between 2020 and 2030. The demand for new units attainable to LMI households in 2050 will be 30,332.

Income

Analyzing the income of Washington County’s residents is critical to understanding the attainable housing need for the County. Housing attainability is directly correlated with household income. Because the cost of living is relative to the area in which the residents live, and to household size, the U.S. Department of Housing and Urban Development (HUD) has created a measure called the Area Median Income (AMI). The 2022 AMI for Washington County is \$83,900 The AMI is the standard to determine housing attainability of the population.

Analysis of Income

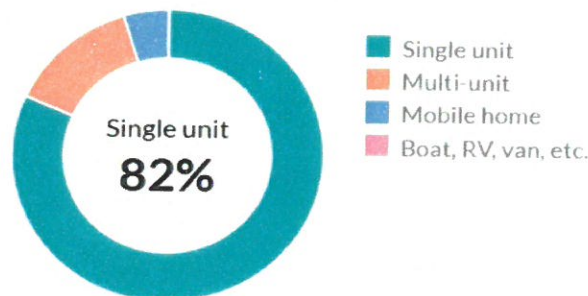
Approximately forty-one percent (41%) of households in Washington County earn a moderate income or less. A moderate income is 80% of the area median income, or \$67,120 annually or less. Approximately 9.6% of these same households earn 30% of the area median income, \$25,170 annually or less. Households that earn 30% or less of the area median income find it very difficult to live within the attainable housing guidelines. They cannot afford average market rental rates and are considered very low or extremely low-income households. It is vital to the well-being of the community that households of all income levels have housing options.

Housing Stock Characteristics

Eighty percent of the housing stock in Washington County are single-family homes, and 13% are multi-family units. The 2020 American Community Survey estimates that of Washington County’s 71,482 housing units, 58,268 are single-family, 9,799 are multi-family, and 3,415 are mobile homes, RV, etc.

Housing Occupancy and Vacancy

Types of structure





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According to the 2020 ACS there are 71,482 housing units in Washington County. Eighty three percent (59,699) of the units were occupied while sixteen percent (11,783) were vacant. Of the 71,482 occupied housing units, 70% (41,927) were owner occupied, and 30% (17,772) of the units were rented.

Age of Housing Stock

Approximately 31.1% of the housing stock in the County was built prior to 1990, with approximately 2.3% built before 1950. Due to the age of the housing stock, rehabilitation efforts are likely necessary, and the existing properties will need to be maintained to adequately supply enough attainable housing in the future, especially if development of attainable housing does not keep up with demand.

Housing Affordability

The affordability of the housing stock is determined based upon the Area Median Income and the amount that a household at each income level can afford. According to current State and Federal definitions, housing is considered attainable 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 their monthly income on housing expenses are considered “cost-burdened” and are referred to as such throughout this document.

The 2022 area median income (AMI) in Washington County is \$83,900 annually or \$6,991 monthly. Based on this standard, mortgage or rent, and utilities, should not exceed \$2,097 per month for a median household in Washington County.

The purpose of this Plan is to ensure that housing is attainable for all income levels, not just those earning a median income or higher. The same affordability standards apply to households that earn less than the area median income. For example, a moderate-income household of four (4) in Washington County earns 80% of the area median income, which is \$66,300 annually or \$5,525 monthly. Mortgage or rent and utilities should not exceed \$1,657 per month for a moderate-income household. The table below summarizes the maximum monthly attainable housing costs for various income levels in Washington County.

Summary of Affordability		
Household Income	Maximum Monthly Income for Housing Expenses	Maximum Mortgage Loan Amount



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<= 30% HAMFI	\$693	\$129,180
>50% to <=80% HAMFI	\$1,036	\$193,000
>80% to <=100% HAMFI	\$1,657	\$308,700
Source: 2022 HUD user Datasets		

Available Housing Prices

On August 5, 2022, www.zillow.com indicates that there were 1,745 total properties for sale in Washington County. The median asking price was \$762,500. The median rental price on that date was \$1,089 for a two-bedroom unit.

Attainability of Home Ownership

A monthly budget of \$1,657 for housing and utility expenses would support a mortgage of a home valued at \$308,700 based on a 30-year fixed rate loan at 5.0% interest, an average monthly utility bill of \$150, 1.2% property tax and a 10% down payment. Homes valued at or below \$211,867 are considered attainable for moderate-income earning households in Washington County.

Approximately 41% (20,700) of all households in Washington County are at or below a moderate-income ($\leq 80\%$ AMI). Of the units listed on the Washington County Board of Realtors Database, 8.9% (94 units) were attainable to moderate- or low-income households. Only four of the 94 units were attainable for very low or extremely low-income households ($\leq 30\%$ AMI).

The housing stock deficit for lower income groups causes these households to reside in units that are above the affordability threshold. Approximately 3,461 very low-income households ($\leq 30\%$ AMI), and 824 low-income households (30%-50% AMI), are paying more for housing than they can afford.

There are additional factors that can be calculated into the affordability of housing stock, such as rentals and secondary homes. There are approximately 12,570 non-primary residential buildings in Washington County (second homes, some of which are rented short and long term), and approximately 15,663 occupied rental units. Even with the large number of rentals, available housing in Washington County is limited, and shrinks further for the LMI population. Further, there are many households in occupied units that cannot afford the housing in which they live. The 2016 CHAS reports shows that 47% owner occupied low- and moderate-income households are cost burdened.

Affordability of Rent

According to the 2020 American Community Survey (ACS) there are 17,772 occupied units paying rent in Washington County. As of August 4, 2022, the median cost of rent in the county is between \$837 and \$1,864. A one bedroom rental in St. George averages \$898. Households earning a moderate-income or less ($\leq 80\%$ of AMI) may find it difficult to afford median rental rates, with a



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maximum monthly budget for housing expenses of \$1,657. The 2013 Comprehensive Housing Affordability Strategy (CHAS) estimates indicate that 71.9% of LMI rental households in Washington County are cost burdened.

Attainable Housing Options

There are several multi-family housing complexes that offer attainable housing through rental assistance programs and/or tax credit programs. The following chart lists attainable housing options available in Washington County.

Low Income Rentals in Washington County				
Facility	# Of Units	Street Address	City	Phone #
Calculated Rents @ 30% of Income				
St. George Housing Authority	-	975 N 1725 W #101	St. George	435-628-3648
St. George Villa	42	351 W Tabernacle	St. George	435-673-9081
Renee Ann Apartments	23	6325 W 25 N	Hurricane	435-674-5818
*Hurricane Apartments	-	165 N 200 W	Hurricane	435-635-7026
*Dixie Sun Manor	30	975 N 1725 W #101	St. George	435-628-3648
Jefferson Park	50	1023 W 540 N	St. George	435-628-2703
Black Hills	50	454 N Valley View Dr.	St. George	435-628-0042
*Mesa Manor Apartments	-	28 S 900 E	St. George	435-628-8042
Summerhill	48	1279 W 360 N	St. George	435-673-9139
Base Rents then Calculated to Income Brackets				
Snow Canyon	39	970 N 1300 W	St. George	435-628-8640
Ridge View	-	245 Playa Della Rosita	Washington	435-628-3255
Affordable Rentals				
Desert Rose	66	2929 E 450 N	St. George	435-627-1485
Sierra Point	166	1503 N 2100 W	St. George	435-674-9919
Stone Ridge Townhomes	-	6247 W 685 S	Hurricane	435-986-1933
Hurricane Hills	-	2000 W 200 S	Hurricane	435-635-4111
Canyon Pointe	-	1737 W 360 N	St. George	435-674-9696
*The Village at Heritage Court	55	425 E 900 S	St. George	435-703-9975
Knollwood Townhomes	-	6220 W 140 N # 9	Hurricane	435-673-5693
*Summit Pointe	-	1770 W 360 N	St. George	435-652-4600
*Red Cliff Manor	-	1768 E 280 N	St. George	435-656-5888



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*Hurricane Hills	50	2000 W 200 S	Hurricane	435-635-4111
Sunridge Townhomes	52	227 S 1000 W	St. George	435-628-4448
Pine Valley Townhomes	148	1209 E Oak Grove Dr.	Washington	435-656-5666
Sunset Springs	124	1660 W Sunset Blvd.	St. George	435-628-3436
Fountain Heights	20	3424 S River Road	St. George	435-674-4330
Riviera Palms	-	179 S 2700 E	St. George	435-652-8385
Red Rock @ Sienna Hills	-	20 N Red Trail Lane	Washington	435-522-4044
Riverwalk Village	55	2333 E Dinosaur Crossing Dr	St. George	435-879-3620
*Are only available for seniors or people with disabilities				

Source: St. George Housing Authority

Utah Fair Housing Act Support

In accordance with state and federal laws, Washington County 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 Washington County to report housing discrimination to the Utah Antidiscrimination Labor Division immediately. It is the goal of Washington County to eliminate, mitigate, and prevent unfair housing practices systematically through biannual process reviews of housing related plans, policies, and ordinances. It is also the goal of Washington County to affirmatively further fair and attainable housing by reviewing the housing needs of its moderate-income households and its vulnerable populations annually, and proactively planning to meet those needs.

Special Needs Housing

It is important for Washington County to address housing for those with special needs. People with special needs may include seniors, disabled veterans, people with disabilities, homeless, or those otherwise in need of specialized or supportive housing.

Seniors

In 2010, there were an estimated 37,028 people aged 65 years or older living in Washington County, constituting 21.5% of the population. Many of the elderly who own their homes are likely living on fixed incomes, and their housing affordability is affected by property values, tax



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increases, maintenance, and utility costs. For seniors that do not own their homes, finding attainable housing becomes even more difficult. For a multitude of reasons, some elderly citizens can no longer remain in their homes. As these citizens move out of their houses, demand for senior rental housing will increase.

Some options available to assist low-income senior citizens are property tax deferred payment programs, tax and mortgage foreclosure prevention services, home rehabilitation and weatherization programs, and utility assistance programs.

Disabled

According to the 2020 American Community Survey (ACS) 12% (21,183 individuals), of Washington County’s population has a disability. Disability status is correlated to age, and the proportion of people with disabilities is expected to increase as the senior population rises. Approximately 64% (11,368 individuals) of the County’s population over the age of 65 have a disability. People with disabilities often face financial and social difficulties that make it hard to obtain housing. Programs that are geared toward helping people with disabilities obtain housing include: low rent and public housing voucher programs, assistance through centers for independence, and employment and training resources.

Age Group	# Of Individuals with a Disability	% Of Individuals with a Disability
Under 65	9,815	23%
65 and Older	11,368	65%
Total	21,183	12% (of the total population)

Source: 2020 ACS

Homeless

According to the Utah Continuum of Care (UCC) 2019 annualized Point-in-time Count, roughly 0.09% of Utah's population is homeless. Although regional differences may impact the rate of homelessness, this percentage can be used to estimate the number of homeless individuals in Washington County, which is approximately 154. Given this estimate, Washington County should continue to develop and promote programs designed to help these individuals become stably housed.

Analysis of Special Needs Housing

Although there is a significant population of seniors and people with disabilities, there is currently a deficiency of housing in Washington County specifically designated for this segment of the population. As Washington County continues to grow, the need for specialized housing will likely



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follow. In order to meet this need, the County should assure that there are minimal regulatory barriers to constructing this type of housing.

Racial Composition

The purpose of an Analysis of Impediments (AI) is to assess conditions and factors that affect fair housing choice. Impediments to fair housing choice include actions that restrict housing choices due race, color, religion, sex, disability, familial status, or national origin. Impediments to obtaining attainable housing can often have the effect of limiting housing options for the classes of people protected by law, as listed above. Therefore, the analysis focuses both on impediments to fair housing choices and to attainable housing.

Evaluation of Fair Housing Legal Status

Utah’s Fair Housing Act (Utah Code Annotated § 57-21-1) prohibits discrimination on the basis of race, religion, color, sex, national origin, familial status, disability or source of income in the rental, purchase and sale of real property. According to The Utah Anti-discrimination and Labor Division, there were 47 fair housing related complaints in Washington County between January 1, 2010, and Jan 1, 2017. Twenty-six of these complaints were related to a disability; six were related to familial status; five were related to retaliation; four were related to race; four were related to source of income; four were related to national origin, and one was related to religion. Although there have been relatively few fair housing complaints in Washington County over the last several years, this is not sufficient evidence to suggest that discrimination does not exist. Barriers to fair housing choice should be eliminated.

Currently, the only formal mechanism for identifying discrimination cases, based upon the parameters of the Fair Housing Act, is the incident of fair housing complaints. There are several annual trainings throughout the area that are directed at training landlords on housing discrimination. However, in order to analyze the level of discrimination more comprehensively, it may be necessary to incorporate other methods, such as testing of landlords. However, there are currently no methods being utilized.

Ethnic and Racial Minority Populations

According to the 2020 US Census, 19.44% of the population of Washington County reported a race or ethnicity other than white alone. For a complete description of the Washington County’s Ethnic and Racial makeup see the table below.

Race / Ethnicity	Number of Householders	Percentage
White Alone	154,802	89.9%
Black or African American Alone	1,202	.07%



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American Indian and Alaska Native Alone	2,347	1.4%
Asian Alone	1,562	0.9%
Native Hawaiian and Other Pacific Islander Alone	1,201	.07%
Some Other Race Alone	6,379	3.7%
Two or More Races	4,634	2.7%
Hispanic or Latino	18,297	10.6%

Source: 2020 Census

Racial and ethnic minority status is correlated with poverty level. In Washington County, 14.2% of the entire population is reported to be below the poverty level. Approximately 21.3% of the “Hispanic or Latino” population is below the poverty level, while 13.8% of the “white alone, not Hispanic or Latino” population is below poverty (ACS, 2013-2017 estimates). Based on this correlation, actions which limit the provision for low- to moderate-income housing disparately impact minority populations.

Similarly, racial minority populations are more likely to be renter households than owner households. According to the 2010 Census, 58% of all minority householders in Washington County are renters, compared to only 27% of white only householders. As the maps below display, the portion of total non-white renter households in many of the groups are greater than the total population of non-white households. Therefore, actions which limit options for rental housing impact minority populations. The County should be mindful about instituting policies and practices which may limit options for attainable housing for both renter households and homeowners for minority populations.

Summary of Impediments

This analysis of impediments to fair housing choice concludes that there currently are no specific discriminatory policies in place that limit fair housing opportunities. However, actions which have the effect of limiting attainable housing may have the effect of limiting fair housing opportunities. As described, racial and ethnic minority households in Washington County are more likely to be renters and low-income than non-minority populations. The County should pursue strategies which provide a variety of housing types to meet the needs of all segments of the population.

Analysis of Zoning Ordinances

In order to evaluate the potential for development of low to moderate income housing in the community, it is important to understand the regulatory environment for residential housing.



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Zoning regulations govern the use, lot size, and building size for new developments. These regulations have a direct impact upon the opportunity to provide affordable housing within the community.

Because ethnic and racial minority populations are composed of a much higher proportion of low-income earners, zoning regulations have an impact on providing fair housing to minority populations. In some cases, zoning regulations also may limit the opportunity to provide rental housing and contain barriers toward providing housing targeted to individuals with disabilities. The following is a survey of residential zoning in Washington County.

Washington County zoning allows for the development of single-family, multi-family, and mobile home housing districts. Lot size provisions vary by zone. Below is a description of the zoning districts in which residential dwellings are allowed in the County:

Washington County Residential Zones

Zone	Minimum Acreage	Permitted Residential Uses
Open Space		
OSC-20	20 Acres	N/A
OST-20	20 Acres	Single Family Dwellings, Accessory Dwelling Units
Agricultural		
A-5	5 Acres	Single Family Dwellings, Accessory Dwelling Units
A-10	10 Acres	Single Family Dwellings, Accessory Dwelling Units
A-20	20 Acres	Single Family Dwellings, Accessory Dwelling Units
A-40	40 Acres	Single Family Dwellings, Accessory Dwelling Units
Forest Residential		
FR-13.5	13,500 sq ft.	Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability
FR-.05	.5 Acre	Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability
FR-1	1 Acre	Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability



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FR-5 5 Acres Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

FR-10 10 Acres Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

Seasonal Forest Residential

SFR-1 1 Acre Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

Residential Agricultural

RA-1 1 Acre Single Family Dwellings, Accessory Dwelling Units

RA-2.5 2.5 Acres Single Family Dwellings, Accessory Dwelling Units

RA-5 5 Acres Single Family Dwellings, Accessory Dwelling Units

RA-10 10 Acres Single Family Dwellings, Accessory Dwelling Units

Residential Estates

RE-20 20,000 sq. ft. Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

RE-40 40,000 sq. ft. Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

RE-2.5 2.5 Acres Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

RE-5 5 Acres Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

Single Family Residential

R-1-10 10,000 sq. ft. Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

R-1-12 12,000 sq. ft. Single Family Dwellings, Accessory Dwelling Units, Residential facility for persons with a disability

Multiple Family

R-2 20,000 sq. ft. Multiple Family Dwellings-Medium Density, Townhouses or condominiums with a minimum project of four dwelling units, Residential facilities for persons with a disability



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R-3 20,000 sq. ft. Multiple Family Dwellings-High Density, Townhouses or condominiums with a minimum project of four dwelling units, Residential facilities for persons with a disability

Manufactured Housing Park and Recreational Vehicle Park

Permitted Uses: Manufactured Homes

Conditional Uses: Manufactured Home Parks

Planned Development

PDR 40 Acres

Permitted Uses: Detached residential units, Townhouses, Residential facilities for persons with a disability

Conditional Uses: Accessory Dwelling Units, Condominiums, Apartment Rental Developments, Assisted living or independent living care facilities

PDC 5 Acres

Permitted Uses: Mixed Uses, i.e., Commercial, Office, or Residential within the same buildings or on the same site as other commercial uses.

Conditional Uses: N/A

Evaluation of Zoning Code's Effect upon Fair and Attainable Housing

In general, the Washington County Zoning Code provides for an opportunity to develop a variety of housing types within the County, including, single family, multi-family, and mobile homes. Washington County Land Use code guides future development plans and provides opportunities to develop a mix of housing types. In addition, the Zoning Code gives reasonable opportunity to develop housing for specialized populations.

Although there is an opportunity to provide a variety of housing types within Washington County, there is a gap between the number of units that are attainable for those earning a moderate income or less, and particularly very low and extremely low-income earners. The County should be proactive in responding to the demand for housing which is attainable to all income earners. The County should seek strategies to provide housing opportunity for residents of all incomes.



Strategies

The following goals and strategies are designed to guide Washington County in helping to provide moderate income housing to meet the needs of people of various income levels, allowing them to benefit from and fully participate in neighborhood and community life.

The following six (6) strategies from the moderate-income housing strategies list in Utah H.B. 462 are identified to assist Washington County in meeting its moderate-income housing goals.

Strategy B:

Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;

Implementation Steps:

- Advocate for Moderate Income Housing in the Transportation Master Plan.
- Target funding and infrastructure projects toward Mixed Use Overlay Zone.
- Planning Commission to attend meetings and guide Transportation Master Plan goals and strategies.

Timeline:

- Planning Commission attends and advocates for consideration of Moderate Income Housing as an element to the Transportation Master Plan - 1st and 2nd quarterly meetings 2023.
- Transportation Masterplan approved by Planning Commission - July 2023.
- Transportation Masterplan approved by County Commission – September 2023.

Measure of Success:

- Transportation Master Plan written and adopted with goals and strategies which support the development of Moderate Income Housing.

Strategy G:

Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;

Implementation Steps:



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- Research and potentially amend County Code to allow for Mixed Use Overlay Zone.
- Hold quarterly work meetings with Planning Commission, Staff, or property owners in target development areas to discuss Mixed Use Overlay Zone to understand infrastructure, ordinance, and regulation restrictions.
- Write, present, and adopt county ordinance pertaining to Mixed Use Overlay zone.

Timeline:

- Provide Mixed Use Overlay zoning examples to Planning Commission for consideration – June 2023.
- Write proposed county code to include Mixed Use Overlay zone – October 2023.
- Public Hearing and Public Meeting with Planning Commission to adopt Mixed Use Overlay zone as part of the Washington County General Plan – December 2023.
- Present to County Commission for final approval – March 2024.

Measure of Success:

- Adopt Mixed Use Overlay Zone as a new zone within the county.
- Apply Mixed Use Overlay Zone to targeted development areas within the county.

Strategy J:

Implement zoning incentives for moderate income units in new developments;

Implementation Steps:

- Define Mixed Use Overlay setback requirements to maximize density.
- Define height restrictions in Mixed Use Overlay zone to allow for multiple story construction.
- Allow for commercial business to operate on main level with housing units above.
- Provide Density bonuses to developers which reduce building costs.

Timeline:

- Language of the Mixed Use Overlay zone established and presented to Planning Commission – December 2023.



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- Adoption of the Mixed Use Overlay Zone by County Commission – June 2024.

Measure of Success:

- Incentives encourage developers to utilize Mixed Use Overlay zones for Moderate Income Housing.

Strategy L:

Reduce, waive, or eliminate impact fees related to moderate income housing;

Implementation Steps:

- Reduce Mixed Use Overlay zone cost per square foot building fee.
- Present fee schedule to Planning and County Commissions for approval.
- Work with area Special Service Districts (SSD's) to reduce impact fees for moderate income housing.

Timeline:

- Define and submit building fee schedules of Mixed Use Overlay zone to County Commission – July 2024

Measure of Success:

- Reduced fees allow developers to reduce up front cost associated with Moderate Income Housing developments within the Mixed Use Overlay zone.

Strategy M:

Demonstrate creation of, or participation in, a community land trust program for moderate income housing;

Implementation Steps:

- Actively serving founding member of SW Utah Community Land Trust Non-Profit.
- Actively serving Co-Chair Housing Action Coalition (HAC).
- Attend annual workshops and planning conferences with public and private stakeholders.
- Attend monthly SW Utah Community Land Trust meetings.
- Attend Attainable Housing Forum November 2023.



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- Bring voice and awareness to Moderate Income Housing throughout the Washington County structure.

Timeline:

- SW Utah Community Land Trust and HAC operating as established entities by December 2025.
- Apply for State and Federal grants by December 2026.
- Secure funding for Moderate Income Housing developments December 2027.

Measure of Success:

- Having both the SW Utah Community Land Trust and HAC be fully operational and funded to support construction of Moderate Income Housing.

Strategy N:

Implement a mortgage assistance program for employees of the county, an employer that provides contracted services for the county, or any other public employer that operates within the county;

Implementation Steps:

- Explore the feasibility to create an interest buy-down program or other mortgage assistance program; may utilize a portion of the Department budget.

Timeline:

- Present the mortgage assistance program to commissioners through work meetings focused on Moderate Income Housing strategies and progress – December 2025.
- Propose commitment mortgage assistance to employees who agree to work full time and remain in good standing for 24 months – December 2025.
- Establish program by December 2026.

Measure of Success:

- 10 employees receive mortgage assistance either through interest rate buy-down or commitment mortgage assistance by December 2027.



This Plan was prepared by the Washington County Community Development Staff.
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