

Chapter 16.30 AFFORDABLE HOUSING REQUIREMENTS

Section 16.30.05 Affordable Housing Agreement as a Condition of Development.

(1) Developers, subject to this chapter, shall demonstrate compliance by executing an Affordable Housing Agreement prepared by the Housing Authority and submitted to the developer for execution. Agreements shall be reviewed by the Wasatch County Planning Department for ERU compliance and density bonus calculations, the Executive Director of the Housing Authority for completeness and approved by the Chairman of the Board of the Housing Authority. The approval and execution of the Affordable Agreement shall take place prior to the final approval of the development. Agreements, which involve special concessions or incentives, shall require the recommendation of the Housing Authority Board and the County Legislative Body prior to execution. An Affordable Housing Agreement, for which the housing requirement will be satisfied through new construction of Affordable Housing units, shall establish, but not be limited to, the following:

- (a) The total number of units proposed in the project;
- (b) The average selling price of a unit for each of the phases of the development;
- (c) The number of affordable units proposed;
- (d) The square footage, calculated ERUs and numbers of bedrooms;
- (e) The proposed location of the units;
- (f) The schedule for production of dwelling units, both affordable and market rate;
- (g) Production cost associated with dwelling construction;
- (h) Appraisals for units;
- (i) Providing copies of plans for such units;
- (j) Security posted or to be posted prior to recording of final plat, for building of units, if construction of such units will not take place at the same time as the market rate units in a proportionate manner;
- (k) An Affordable Housing Agreement will not be required for projects which will be satisfying their Affordable Housing requirements through payment of a fee-in-lieu, provided such payment is made prior to final plat approval. The developer is required to provide the Planning Department with a statement of the average anticipated selling price for a unit in each planned phase of the development; and
- (l) An Affordable Housing Agreement for which Affordable Housing requirements will be satisfied, all or in part, through a fee-in-lieu contribution other than money, shall include the method of determination, schedule and value of total fee-in-lieu contributions, which must be approved by the County Legislative Body and Housing Authority.

(2003-22, Amended, 11/24/2003, Effective date 12/19/2003., [Prior Text](#))