Mayor Kenneth Romney

City Engineer/ Land Use Administrator Kris Nilsen

City Recorder/
Community
Development
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West West Bountiful, Utah 84087

> Phone (801) 292-4486 FAX (801) 292-6355 www.WBCity.org

Chairman Alan Malan

Commissioners

Mike Cottle Laura Mitchell Corey Sweat Dennis Vest Dell Butterfield, Alt.

THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 28, 2023, AT THE CITY OFFICES.

- Prayer/Thought Commissioner Butterfield;
 Pledge of Allegiance Commissioner Vest.
- 2. Confirm Agenda.
- 3. Hugoe 2-Lot Subdivision Preliminary Plat Review 1448 W 400 North
- 4. Building Permit Fee Discussion.
- 5. Meeting Minutes from March 14, 2023.
- 6. Staff report

7. Adjourn.

- a. Engineering (Kris Nilsen)
- b. Community Development (Cathy Brightwell)

This notice has been sent to the Davis Journal and was posted on the State Public Notice Website and the city website on March 24, 2023, by Cathy Brightwell, City Recorder.

MEMORANDUM

TO: Planning Commission

DATE: March 24, 2023

FROM: Kris Nilsen

RE: Hugoe 2-Lot Subdivision – Preliminary Plat Review



Owners of the Hugoe property (Sean Hugoe, Jodi Hugoe on behalf of Barbara M Dilks Hugoe Trust, and Damon V Hugoe Trustee) located at 1448 West 400 North have applied for a two (2) lot subdivision. The property is within the A-1 zone and consists of two (2) acres. The proposed lots meet the required A-1 zoning requirements for size and frontage. The preliminary plat fees have been paid.

<u>Purpose</u>. The purpose of the preliminary plat is to require formal preliminary approval of a subdivision to minimize changes and revisions which might otherwise be necessary on the final plat. Approval of the preliminary plat by the planning commission does not constitute final acceptance but authorizes the subdivider to proceed with the preparations of plans and specifications and with the preparation of the final plat.

<u>Plat Review</u>. The following checklist has been provided to the applicant. **Items in bold text need to be addressed.**

- A. The preliminary plat shall include the following information:
 - 1. The proposed name of the subdivision:
 - 2. The location of the subdivision as it forms part of a larger tract or parcel, including a sketch of the future street system of the un-platted portion of the property;
 - 3. A vicinity map of the proposed subdivision, drawn at a scale of five hundred (500) feet to the inch, showing all lots and streets in the project, and all abutting streets, with names of the streets;
 - 4. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;
 - 5. A contour map drawn at intervals of at least one foot, showing all topographic features with verification by a qualified engineer or land surveyor;
 - 6. Certification of the accuracy of the preliminary plat of the subdivision and any traverse to permanent survey monuments by a land surveyor, registered to practice in the state of Utah;
 - 7. The boundary lines of the tract to be subdivided, with all dimensions shown;
 - 8. Existing sanitary sewers, storm drains, subdrains, culinary and secondary water supply mains and culverts and other utilities within the tract or within one hundred (100) feet;
 - **9.** The location, widths and other dimensions of proposed streets, easements, and lots showing the size of each lot in square footage;
 - a. Provide design for full depth street improvements along the frontage of the project on 400 North or request a Deferral from the City Council.
 - i. Improvements along the frontage include street widening, 5" asphalt, 8" base course, 12" subbase material, 140N geotextile fabric, curb, sidewalk, etc.
 - ii. Improvements also include any required relocation of existing utility structures to fit the street widening such as, power poles, communication pedestals, etc.
 - b. If a deferral is to be requested, provide written (or email) request to the City Council. The deferral request can be sent to the city office in care of Cathy Brightwell at CBrightwell@wbcity.org
 - c. Label existing width of asphalt on 400 North.

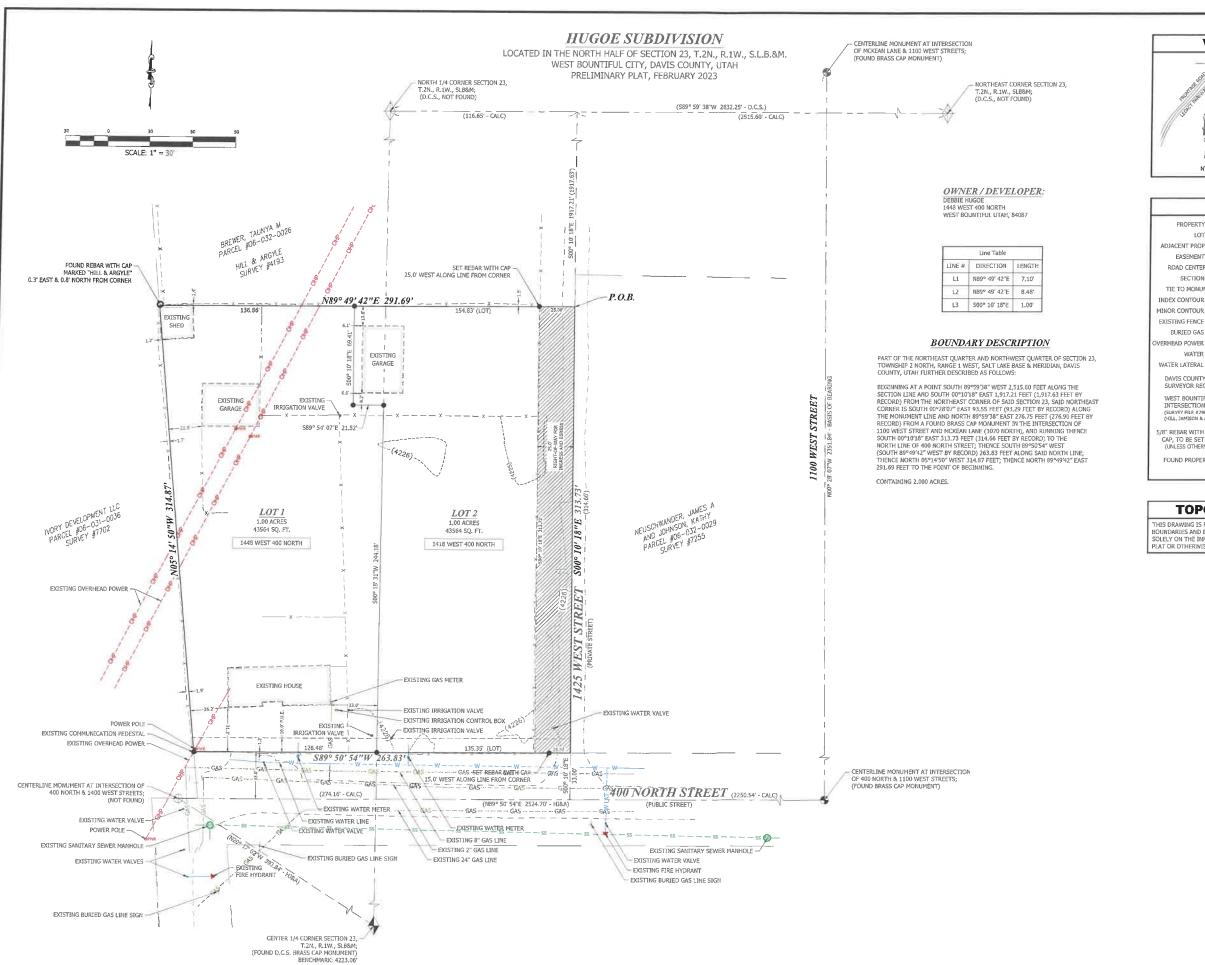
- 10. The location, principal dimension, and names of all existing or recorded streets, alleys and easements, both within the proposed subdivision and within one hundred (100) feet of the boundary, showing whether recorded or claimed by usage; the location and dimensions to the nearest existing bench mark or monument, and section line; the location and principal dimensions of all water courses, public utilities, and other important features and existing structures within the land adjacent to the tract to be subdivided, including railroads, power lines, and exceptional topography;
 - a. Provide easement on the plat for the existing overhead powerlines.
 - i. Provide written approval from Rocky Mountain Power for easement width and location (probably at least twenty feet width).
 - b. Provide any other easements or ROW described in the title report.
 - c. Add a note to the plat requiring all finished floor elevations to be 12 inches above proposed TBC or if no TBC is to be installed, above the center/crown of existing asphalt (400 N).
 - d. Label the distance from the west lot line of lot 1 to the west edge of the existing driveway.
 - e. Add a note to the plat restricting the driveway location into Lot 1 as follows:
 - i. Prohibit the existing driveway on lot 1 from being moved or widened to the west (no driveway shall be widened or moved closer to the intersection of 400 N and 1450 W than existing conditions).
- 11. The existing use or uses of the property and the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines drawn to scale;
 - a. Will the existing structure in the northwest corner of lot 1 be removed (demolished)? As currently shown, the structure appears to have no setbacks from the established rear and side property line.
 - b. Provide a demolition plan for the removal of any planned existing structures (if applicable).
- 12. The location of existing bridges, culverts, surface or subsurface drainage ways, utilities, buildings or other structures, pumping stations, or appurtenances, within the subdivision or within two hundred (200) feet, and all known wells or springs as well as the location of any one hundred (100) year flood plains as determined by FEMA;
- 13. Proposed off-site and on-site culinary and secondary water facilities, sanitary sewers, storm drainage facilities, and fire hydrants;
- 14. Boundary lines of adjacent tracts of unsubdivided land within one hundred (100) feet of the tract proposed for subdivision, showing ownership and property monuments;
- 15. Verification as to the accuracy of the plat by the owner.
- 16. Each sheet of the set shall also contain the name of the project, scale (not less than one hundred (100) feet to the inch, except for the vicinity map), sheet number, and north arrow.
- B. In addition to the foregoing plat, the subdivider shall provide the following documents:
 - 1. A storm water plan in accordance with 16.28.060 Hydrology Report (and 13.30.080 Storm Water Design Criteria);
 - a. Provide a Grading and Drainage Plan for the project.
 - i. Depending on the proposed drainage plan, a ten foot wide Public Utility and Drainage Easement may need to be added to the shared lot line (lot 1 and 2), five feet on each side of the shared lot line.
 - ii. Indicate direction and slope of surface runoff. Indicate the path that surface drainage runoff will exit the development site and be collected by the public storm water collection system in the event of a large storm.
 - 1. Natural grade of the rear portion of the property appears to drain to the north onto adjacent property owned by Brewer. For Drainage from this development to flow onto adjacent private property, agreements will need to be provided or acquired.
 - 2. The front portion of the property appears to drain to 400 North street and pools up before draining across 400 North to the ditch on the south side of

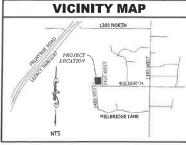
- 400 North. At a minimum, a drainpipe and inlet box will be required to convey this drainage to the ditch on the south side of 400 North.
- 3. There may be an existing culvert that crosses 400 north from the frontage of this property (Hugoe) to the ditch on the south side of 400 North that this project can connect to. The only culvert I am aware of is east of the Hugoe property along the Neuschwander property frontage?
- iii. Some options for surface drainage off the project are:
 - 1. Provide or acquire an easement to maintain an open path for surface drainage to flow north to City Public Storm Drain ditch/pipe near west end of Jessi's Meadow Subdivision.
 - 2. Adjust grades on the lot collect and convey all surface drainage to the public street (if elevations permit).
 - 3. Install a back lot drain that connects to the existing drain ditch on the south side of 400 North Street (if elevations permit).
 - 4. Consider designing for retention on site if groundwater elevation permits.
 - 5. It is required to review the LID requirements and provide LID improvements such as retention, treatment, or explain why LID is not workable for the subject site.
- b. Detention and/or retention requirements and the possibilities of implementation shall be provided to the City for review by the City Engineer.
- c. Change the front PUE to a PUE &DE and provide a definition on the plat for PUE & DE.
- 2. A plan for providing street lighting in the subdivision in compliance with the city's design standards;
 - a. Belmont Farms to the west will be placing a streetlight at the intersection of 400 N and 1450 W (SW side). Minimum spacing is 350 feet between streetlights, the next required streetlight is 46 feet north of the subject project (Hugoe sub.).
- 3. Copies of any agreements with adjacent property owners relevant to the proposed subdivision;
- 4. A comprehensive geotechnical and soils report prepared by a qualified engineer based upon adequate test borings or excavations in accordance with the city's design standards;
 - a. A geotechnical and soils report will **NOT** be required for the subdivision project.
 - i. There are limited public improvements for the project, consisting of street widening along the frontage where city standards are required and there is not a need for a site specific geotechnical and soils report.
 - b. Existing Ground Water Table Elevations and soil types report will be required if any retention or detention is proposed on site. Infiltration rate calculations will be required for proposed retention.
- 5. A copy of a preliminary title report evidencing satisfactory proof of ownership;
- 6. Satisfactory evidence that all utilities and services will be available (will-serve letters) for the subdivision and that the utilities and easements have been reviewed by the utility companies and approved;
- 7. A Davis County development and construction permit, if the proposed project is located within one hundred (100) feet of a critical flood area as defined by Davis County;

Recommendation:

After review of the provided preliminary plat/construction plan, city staff recommends Preliminary Approval is granted by the planning commission subject to the following condition:

1. All Staff and Planning Commission review comments are addressed prior to the project being placed on the Planning Commission agenda for final approval.







TOPOGRAPHIC PLAN

THIS DRAWING IS FOR TOPOGRAPHICAL INFORMATION ONLY. ALL BOUNDARIES AND EASEMENTS ARE APPROXIMATE AND ARE BASED SOLELY ON THE INFORMATION AVAILABLE ON THE SUBDIVISION PLAT OR OTHERWISE PROVIDED TO THE SURVEYOR.

1470 South 600 West Woods Cross, UT 84010 Phone 801.298.2236 www.Entellus.com





SST 400 NORTH 76, #06-032-007, #06-032-0078 DF SECTION 23, T.2N., R.IW., S.L.B.&M 7, DAVIS COUNIY, UTAH

1448 WES PARCELS #06-032-007

DEBBIE HUGOE

AWN: 02/01/20.

| JJS | 02/01/2023 | APPROVED: | ALI | XX/XX/XXXX | PROJECT #: 2103001.dwg

1 OF 1
PRELIMINARY PLAT

MEMORANDUM

TO: Planning Commissioners

DATE: March 24, 2023

FROM: Cathy Brightwell, Kris Nilson

RE: Review Building Permit Fees



Background

As discussed at the last meeting, fees the city charges for building permits have not been updated in many years and several frequently used fees do not cover the costs associated with the work.

Discussion

There was discussion at the last meeting about the need to come up with fees that are based on city-specific costs and that are calculated in a consistent manner. Staff is researching different methodologies including those recommended in the International Building Code (IBC) and those used in other cities to help us meet our goal.

In the meantime, staff proposes the attached updates to several frequently used fees to put us in a better position of covering our costs until more information can be collected to address the costs and fees in more detail. Fence plan and Landscape plan fees are also proposed to match recently created regulations.

Recommendation

Staff recommends a public hearing be scheduled for the next planning commission meeting to consider adoption of the fees proposed in the attached fee schedule.

ERVICE	FEE
nilding Permits	
Deposits	
House or Commercial construction	\$1,000
Accessory Buildings, Pool, and	\$200
Solar	\$100
Cell Phone Tower Co-location	\$500
Sign Permit	\$75
Tenant Fit Up/Improvement (Commercial)	\$ 500 300
Permit Fees	
Building Permit (based on valuation above)	varies
Plan Review (Res.= 50% of Permit fee, Comm.= 65% of Permit fee)	varies
Fence Plan Review	\$25
Landscape Plan Review	\$25
Pool - standard 20' x 40' (includes permit, plan review, state fee) <i>increased value</i> , standard review	\$ 379.38 \$600
Public Improvements Construction Bond	\$2,400
Sign Permit-for each wall mounted sign (includes permit, plan review, state fee) \$75 standard, \$100 electrical	\$75, \$100
Solar (includes permit, plan review, state fee) increase based on higher value and admin costs-solar permits are submitted electronically so we make all the copies and call the applicant for payment, then mail or email permit docs back when issued.	\$ 302 \$375
Roof Re-shingle - Basic (includes permit, plan review, state fee)	\$202

State Fee (1% of Building Permit fee)	varies
Water Use Fee - for construction	\$50
ctrical (only) Permit (includes permit, plan review, state fee)	\$ 45 \$75
eavation Permits	
Bond of Indemnity for 3 years	\$10,000
Minimum Fee (affecting asphalt)	\$150
Minimum Fee (not affecting asphalt)	\$50
Excavations in non-paved areas (> 10 sq. ft.)	\$0.25 - per sq. ft.
Excavations in paved areas (> 10 sq. ft.)	\$ 1 - per sq. ft.
Directional Bores (Base Fee)	\$50
Each additional Bore Pit	\$25
First Pothole	\$50
Each Additional Pothole	\$10
Curb Cutting & Sidewalk (only)	
_Minimum Fee	\$25 <u>Plus</u>
Curb & Gutter	\$0.50/linear ft
Sidewalk	\$0.50/linear ft
Cash Bond	\$500
echanical (only) Permit (includes permit, plan review, state fee)	\$45 \$ <u>75</u>

1 West Bountiful City March 14, 2023

2 Planning Commission Meeting

PENDING – NOT APPROVED

- 4 Posting of Agenda The agenda for this meeting was posted on the State of Utah Public Notice website,
- 5 on the West Bountiful City website, and at city hall on March 10, 2023, per state statutory requirement.
- 6 Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 14, 2023, at
- 7 West Bountiful City Hall, Davis County, Utah.
- 8 Those in Attendance:
- 9 MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Laura Mitchell,
- 10 Mike Cottle, Dell Butterfield (Alternate), and Council member Kelly Enquist.
- 11 STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder) and Debbie McKean
- 12 (Secretary).

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- 13 **VISITORS**: Paul Giles, Deby Marshal, Tyler and Natalie Jones, Gary Jacketta
- 14 The Planning Commission meeting was called to order at 7:30 pm by Chairman Malan.
 - Prayer by Commissioner Cottle; Pledge of Allegiance- Commissioner Butterfield
- 17182. Confirm Agenda
 - Chairman Malan reviewed the proposed agenda. Corey Sweat moved to approve the agenda as presented. Mike Cottle seconded the motion. Voting was unanimous in favor among all members present.
 - 3. Conditional Use Application #23-03 for Chickens at 821 West 1060 North for Tyler & Natalie Jones.

Commissioner packets included a memorandum dated March 10, 2023, from Cathy Brightwell regarding Conditional Use application #23-03 for chickens at 821 West 1060 North for Tyler and Natalie Jones with attached application, site plan, and a copy of the Farm Animal Ordinance.

Cathy Brightwell explained that Tyler and Natalie Jones have applied for a conditional use permit to have 13 chickens on their property. They do not currently own any chickens and have no intention of having roosters. She noted that under the city's point system for farm animals, the Jones' have 27 points available; chickens are assigned 4 points each. WBMC 17.24.080 A.2. authorizes the Planning Commission to decrease the number of points for small animals from 4 points to 2 points each subject to approval of a conditional use permit. Regulations require that all animals be kept in an area enclosed by a fence or structure sufficient to prevent escape; the chicken coop and pen are at least 6 feet from any property line or dwelling; and that animal waste, debris, noise, odor, and drainage be kept in accordance with usual and customary health standards.

Ms. Brightwell noted that staff has reviewed the request and does not object subject to the proposed conditions. Adjacent neighbors have been contacted and none have objected to the request.

Action Taken:

Corey Sweat moved to approve the Conditional Use Application for Tyler and Natalie Jones at 821 W 1060 North for 13 chickens with the Findings that the proposed use will comply with the regulations and conditions specified in the land use ordinance for such use and will conform to the intent of the city's general plan. The conditions imposed are that the Conditional Use Permit will expire upon sale of the property (WBMC 17.60.090), chickens will be kept in an area enclosed by a fence or structure sufficient to prevent escape, the coop/run will be located a minimum of 6 feet from any property line or dwelling and in order to protect the health, safety, and welfare of the animals and the public, and animal waste debris, noise, odor, and drainage will be kept in accordance with usual and customary health standards associated with chickens. Failure to comply with these regulations will invalidate the Permit. Mike Cottle seconded the motion and voting was unanimous in favor.

4. Building Permit Fee Discussion

Commissioner packets included a memorandum dated March 10, 2023, from Kris Nilsen & Cathy Brightwell regarding Building Permit Fee discussion with an attached redlined fee schedule.

Cathy Brightwell explained that staff has been reviewing the city's fees for building permits as they have not been updated in many years. Several fees do not cover the costs associated with the work, and some the fees are based on valuations calculated from a formula used in the 1997 International Building Code (IBC). She stated that the city currently uses the 2018 IBC.

Staff would like to begin initial discussions on how best to address the issue of fees and how to handle refunds when permits are cancelled. In the short term, staff would like to update several of its frequently used fees to better match the cost of the work. In the future, the city may want to conduct a broader more detailed study to determine costs and fees.

Cathy provided some history on how the fees were determined including several that have been given flat fees due to the consistent reviews and inspections needed, such as solar and pools, regardless of their size. Permit fees are intended to cover administration and inspection costs and plan review fees are set at 50% of the permit fee for residential and 65% of the permit fee for commercial. We also collect 1% of the permit fee on behalf of the state.

She pointed out that two of the most frequently used fees – electrical and mechanical – have had the same rates for many years and do not cover their cost. The city currently charges \$45 for these permits even though they require an inspection by the building inspector whose fees are \$50 per hour with a minimum 30 minute fee. In this case, the building official's fees are a minimum of \$50 plus administrative costs to input the permit, prepare copies for review, collect fees, file the issued permit, and in the case of electrical permits, call Rocky Mtn Power with the clearance information.

There was some discussion about how to refund deposits and fees if a permit is cancelled. Ms. Brightwell pointed out that there are situations, especially as a result of the pandemic where material costs increased significantly and/or materials were not available. Refunds need to be based on whether the plan review has been completed but it's not clear how to handle the administration costs. Percentages don't work well because deposits range from \$100 to \$1000 so a flat fee is more reasonable. If plan review has been done then that portion would not be refunded, but the permit fee should be refunded at a pro-rated rate. Currently there are about 5 permits that need to be refunded. Staff's recommendation is to refund the money that has not cost the city time and money for review.

Some discussion took place. It was determined that unused costs should be refunded with the additional fees for the cost of administration time which would be approximately \$25 to \$50 dollars.

There was discussion on how valuations are determined. Cathy explained that the IBC directs the valuation, or cost of construction, to be provided by the contractor or homeowner. If a valuation is not provided, staff can calculate the value based on a square footage formula but this method is typically way off from the valuation when provided. Chairman Malan felt that the valuation should be done based on square footage regardless of what the contractor cost is and then apply the building permit fee formula to come up with the fee. Commissioner Sweat concurred.

Commissioner Butterfield suggested this discussion be tabled to collect more information on what things truly cost. He suggested that we review fees of other cities to help gauge the reasonableness of proposed fees and conduct an annual review of fees to keep current.

Cathy Brightwell noted that she has reviewed fees in surrounding cities and in most cases, our fees are lower. She recommended that a more in depth study be performed as we have time but consider adopting the suggested fees now to be more in line with costs until we can study the issue in more depth.

This is the information that staff would like further direction on:

Update the Building Permit Fee Formula from the 1997 IBC to the 2018 IBC.

2. Update frequently used permit fees to better match the associated costs, including electrical and mechanical permits, pool permits, and sign permits.

3. How to refund deposits/fees when a permit is cancelled.

It was determined that Staff will do further research and come back with more information for continued discussion.

Ms. Brightwell also stated that staff is looking to update regulations for construction bonds and when and to whom they are released. In the past, bonds were held until landscaping was completed, but two years of drought and landscape restrictions caused us to reconsider. It was not reasonable to hold a construction bond for that long when landscaping was being restricted by the city.

Some discussion took place. It was determined that more information is needed before recommendations can be made. Staff will bring back some ideas.

5. Consider Meeting Minutes from February 28, 2023

Action Taken:

Laura Mitchell moved to approve the minutes from February 28, 2023, as presented. Dennis Vest seconded the motion and voting was unanimous in favor.

139 6. Staff Report 140 141 a. Engineering (Kris Nilsen) 142 Google Fiber will be done with cutting in the next couple of weeks and then finish with 143 the clean-up. Potential users will be contacted when they are ready to turn up service. 144 Public Works facility outdoor improvements are going slow due to weather. 145 City Council will tour the Public Works building at their April 4th meeting at 6:30 pm, 146 planning commissioners are welcome to join. It was suggested that they do an open 147 house for the public once the building is completed. 148 400 North well is up and running, but we're still working on a few fluoride components. Weber water meters are being installed but will not be individual usage billing will not 149 150 begin until 50% of the users are online. 151 b. Community Development (Cathy Brightwell) 152 153 County is still contacting people regarding annexation. Loveland Nursery is anxious to get the process moving and will plan to move forward on their own if the process continues 154 155 to be delayed. Ivory Homes has still not provided the necessary information to get the Phase 1 plat 156 157 recorded and we are told there is high demand for the remaining lots. Ivory has not 158 presented any plans for future phases of development even though we have heard many 159 comments from realtors and residents about their plans for smaller lots. We are doing research on detached ADU's so discussion can move forward now that the 160 161 legislature is over. BU zoning is also on the list of items to be considered in the future. 162 The 3+ acre property owned by Liz Moore's family on 800 West just north of Holly is for 163 sale. Holly has indicated they are not interested in purchasing the property and potential 164 buyers are not interested in living/developing next to a refinery. They may be coming in 165 with rezoning proposals that will not impact the residential neighborhood. 166 167 7. Adjourn. 168 169 Action Taken: 170 Corey Sweet moved to adjourn the regular session of the Planning Commission meeting at 9:00 pm. 171 Dennis Vest seconded the motion. Voting was unanimous in favor. 172 173 174 175 The foregoing was approved by the West Bountiful City Planning Commission on March 28, 2023 by 176 unanimous vote of all members present. 177 178 179 Cathy Brightwell – City Recorder

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