

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

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, AUGUST 23, 2022, AT THE CITY OFFICES**

AGENDA:

1. Prayer/Thought - Commissioner Vest.
Pledge of Allegiance – Commissioner Mitchell.
2. Confirm Agenda.
3. Conditional Use Application – Jenny’s Daycare, 450 N 1100 West
(Applicant - Laura Torres).
4. Public Hearing – Proposed Amendments to the Housing Chapter of the West
Bountiful General Plan and Strategies for Housing Affordability.
5. Consider Proposed Amendments to Housing Chapter of the City’s General
Plan Including Strategies for Housing Affordability.
6. Future Development Strategies.
7. Consider Meeting Minutes from August 23, 2022.
8. Staff report.
9. Adjourn.

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the city website on September 9, 2022, by Cathy Brightwell, City Recorder.*

MEMORANDUM



TO: Planning Commission

DATE: September 9, 2022

FROM: Cathy Brightwell

RE: Jenny's Daycare – 450 N 1100 West

Laura Torres submitted a conditional use application on September 1, 2022, to open and operate a daycare at her home at 450 N 1100 West.

State law requires a certificate for a childcare provider when continuous care and supervision of 5 or more unrelated children is provided in place of care ordinarily provided by a parent in the parent's home, for less than 24 hours a day, and for direct or indirect compensation. Ms. Torres has completed the application process with the state, but a certificate cannot be issued until the childcare provider obtains a local business license.

The following requirements for issuing a home occupation day care license have been addressed:

- Ms. Torres intends to care for up to 8 children, as allowed by state law, and may increase the number if her daughter is available to help. Some of these children are her grandchildren.
- Ms. Torres has notified surrounding neighbors in person and the city has received no objections.
- Ms. Torres has completed a criminal history background check as part of her state license application.
- The Davis County Health Department has inspected the home and approved it for meal preparation.
- The property is fenced.
- The property has 2 driveways, one on each side of the home and a large shoulder in front of the home for parents to use when dropping off and picking up their children.

WBMC Chapter 17.60 Conditional Use, requires planning commission to consider the findings listed below before approving a Conditional Use Permit.

1. The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;
2. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;

4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use;
6. The proposed use will conform to the intent of the city's general plan; and
7. The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection.

If approved, staff recommends of the following conditions:

1. No external signage will be used for the preschool.
2. A person who is not a resident of the dwelling shall not be employed to work on the premises.
3. Completion of a fire inspection. An inspection has been scheduled for September 19 - the fire inspector is not scheduling inspections next week due to fire prevention activity preparations.
4. A copy of applicant's state day care certificate will be provided to the city once processing is complete.



HOME OCCUPATION BUSINESS LICENSE APPLICATION

West Bountiful City
BUSINESS LICENSING DEPARTMENT
550 N 800 West
West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbcity.org

Please allow 5-7 business days for processing

Applicant Information:

License # (Assigned by City):

1486

Resident/Business Owner's Name: Laura Cristina Torres Beltran

Physical Address: 2150 North 1100 West West Bountiful, UT 84087

Mailing Address, if different than above: 020718a

Email address: natalyy ~~020718a~~ @gmail.com

Primary Phone: 801 859-6539 Emergency Phone: _____

Property Owner Name & Contact Info, if different than applicant: _____

Business Information:

1. Name of business: Jenny's Daycare

State ID #: _____

State Sales Tax #: _____

Federal Tax ID #: pending

Other Required Licenses #: _____

(Depending on type of Business)

2. Describe the proposed business activity:

Child Care, taking care of children while parents are at work.

3. Hours of Operation: 8/9 hours 7am - 7pm

4. Name and relationship of person(s) participating in business (must reside at the home):

Jennifer Lopez - Daughter

5. Describe which room(s) or areas of the property will be used, and how they will be used, in conducting this business from your home. List the approximate square footage of such rooms as well as the total square footage of the main floor of your home; if a garage or other accessory structure will be used, list the approximate square footage to be used and the total square footage of the garage or structure:

5 bd/2 ba total

2 rooms + kitchen will be used
plus cuadrados de la casa

100%

6. Describe how, where, and in what amounts the materials, supplies and/or equipment related to your proposed home occupation will be displayed or stored:

We will store school supplies and materials like chairs and tables.

7. Are any chemicals or hazardous materials used in connection with your home occupation? If yes, state the amount and type of chemicals or materials stored or used.

None

8. Will individuals come to your home to obtain any product or merchandise, to utilize any service, or for any other purpose in connection with your proposed home occupation? If yes, please explain, including frequency.

None

9. If any vehicles or other equipment will be used as part of your home occupation, where will they be parked or stored?

Yes cars from parents dropping kids off. and probably my car to drop off children to school.

10. Do any vehicles or other equipment come to your property in connection with your home occupation? If yes, please explain, including frequency:

Parents dropping kids off in the morning + bus and pick up at 6:00 pm.

11. Will the home occupation involve the use of commercial vehicles for delivery of material to or from the premises? If yes, please explain, including frequency:

None

12. If your home occupation is a day care center, nursery, or preschool, please state how many children 8 or 16 and caregivers 1-2 will be involved in a typical workday. Please attach evidence of all licenses, permits, or approvals from federal, state, or local agencies authorizing the day care center, nursery, or preschool. later

13. Does the proposed home occupation conform with covenants, conditions, and restrictions (CCR's) pertaining to your property? Yes. If no, please explain:

Applicant Certification:

I hereby apply for a home occupation business license from West Bountiful City in accordance with the provisions of Title 5, West Bountiful Municipal Code. I understand that under certain conditions prescribed in the Municipal Code I may be required to apply for a conditional use permit as well.

I acknowledge that before this application may be approved, I must provide notice to the owners of property within a 300 foot radius of the exterior boundaries of the property on which the home occupation is to be conducted.

I certify that the above information is true and correct to the best of my knowledge, and that I agree with the attached specific requirements and all other applicable provisions of the Municipal Code.

I understand the information on this application may be made available to the public pursuant to the Government Records Access and Management Act (UCA 63G-2-101 et seq), unless applicant specifically requests in writing that their personal information remain private.

Date: 7-28-22

Sign Here: Laura Cristina Jones Beltr
Applicant

FOR OFFICIAL USE ONLY

Application Fee Received: 9/8/22
Fire Inspection: Sched 9/19/22
Health Dept. Inspection: nd copy ✓ rec'd
Neighbor's Notification Complete: 8/23/22

Approval Date: _____
Conditional Use Permit Required: Yes
Conditional Use Permit Approved: _____
Protests Received: Non

Application \$15 ✓ pd 9/8/22
C.U.P \$20 ✓ pd 9/1/22

NOTICE TO NEIGHBORS

Date of Notice: 8/23/22

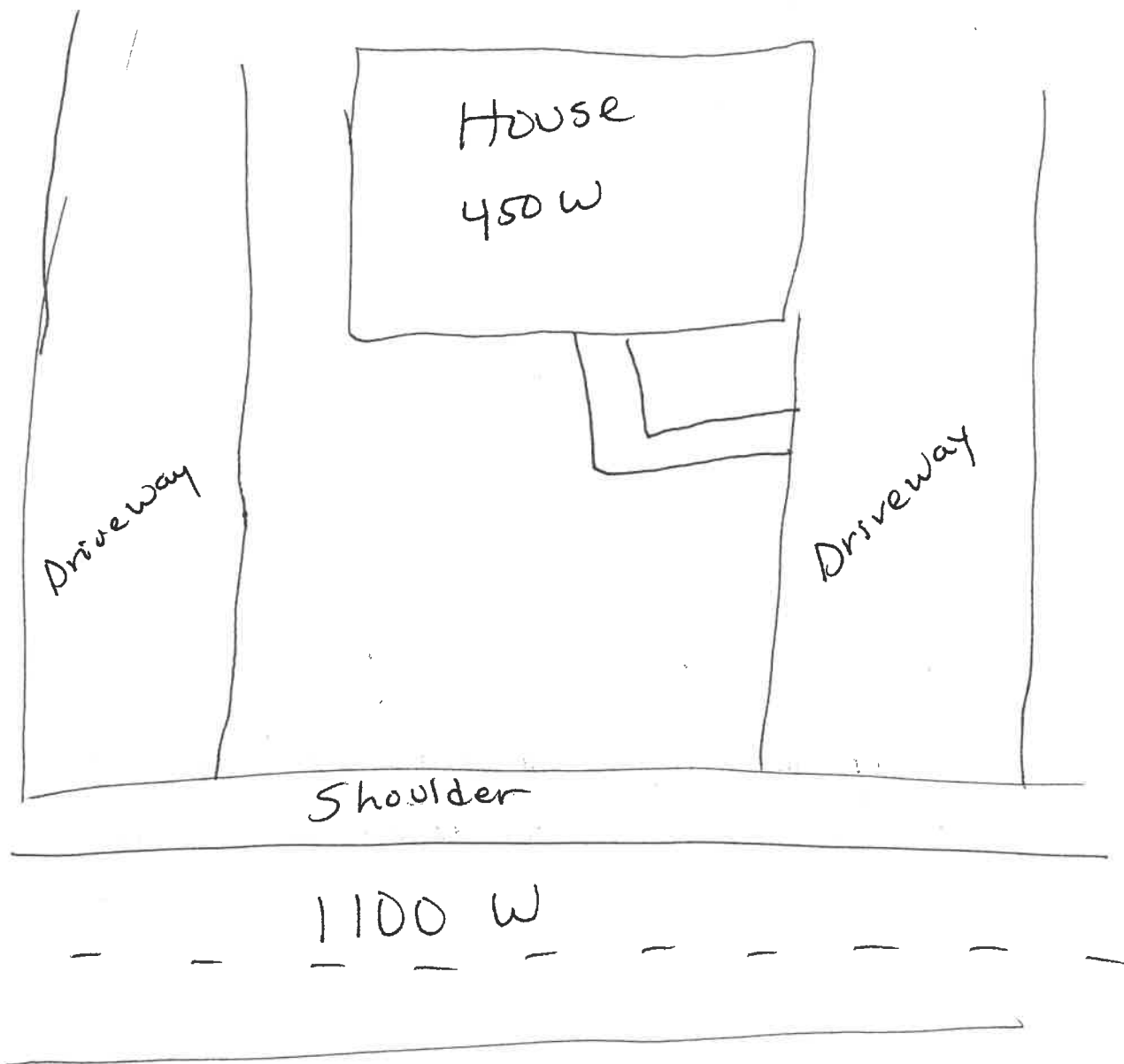
<u>Address</u>	<u>Name</u>	<u>Type of Notification</u>
<u>440 N 1100 W.</u>	<u>Justin Odekirk</u>	<u>In person</u>
<u>510 N 1100 W</u>	<u>LeGrand Monteiro de Carvalho</u>	<u>In person</u>
<u>510 N 1100 W</u>	<u>Myranda Madriaga</u>	<u>In person</u>
<u>1078 West 66 North</u>	<u>Henry Sweet</u>	<u>in person</u>
<u>481 N 1100 W.</u>	<u>SeNeil Ingram</u>	<u>In - person</u>
<u>628 N 1100 W</u>	<u>Pat Blackner</u>	<u>In person</u>
<u>1075 W 600 N</u>	<u>Dorey Hall</u>	<u>in person</u>
<u>505 N. 1100 W</u>	<u>Shanning Elggren</u>	<u>in person</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

I HEREBY CERTIFY THAT I PROVIDED NOTICE TO THE OWNERS OF PROPERTY WITHIN A 300-FT RADIUS OF MY PROPERTY AS LISTED ABOVE AND LET SAID NEIGHBORS KNOW THEY MAY FILE A WRITTEN PROTEST AT THE CITY OFFICES NO LATER THAN FIVE (5) BUSINESS DAYS AFTER THE DATE NOTICE WAS RECEIVED.

Date: 8/23/22

Sign Here: Laura Crow
Applicant

Laura Torres
Jennys Daycare



← 450 N 1100 W West Bountiful, Utah



Google Earth
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Camera: 1,291 m

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NOTICE OF PUBLIC HEARING

The Planning Commission will hold a public hearing on Tuesday, September 13, 2022, beginning at 7:30 p.m. as part of their regular meeting.

The purpose of the hearing is to consider proposed amendments to the Housing Chapter of the City's General Plan. The amendments include updates to certain data to reflect growth in the city, and the increased costs of housing combined with strategies to address housing affordability over the next several years.

More information can be found on the city website at www.WBCity.org. All interested parties are invited to participate in the hearing. Written comments may be submitted to Recorder@WBCity.org prior to the meeting.

Cathy Brightwell
City Recorder

MEMORANDUM



TO: Planning Commission

DATE: September 9, 2022

FROM: Staff & Consultants

RE: **Annual Moderate-Income Housing Report**

This memo addresses the state requirements to provide an annual housing report and include in the city's general plan certain goals towards housing by October 1, 2022.

Background

West Bountiful is required to provide an annual housing report to the State's Community Development Division and adopt goals towards increasing moderate income housing. These goals are required to be included in the Housing section of the city's general plan. In addition to providing a plan, recent changes in state law now require specific strategies to implement the plan.

In the past, the city has provided a housing plan that focused on the following strategies:

- Allowing and updating the accessory dwelling unit (ADU) ordinance. *Completed a rewrite of ADU ordinance and policy not to charge impact fees for ADUs, making them more cost-effective.*
- The possibility of providing funding to the city employees to assist them with their housing needs (down payment assistance). *Not completed.*
- Providing for multi-family use opportunities in the commercial zone. *Completed in 2021 with adoption of the Housing in Certain Commercial Areas Overlay (HCCO).*
- Preserving affordable housing (mobile home park). *This was addressed when the city worked with the owner on updates and improvements.*

Proposal

At its meeting on August 23rd, the planning commission reviewed the 24 goal options outlined in state law and selected the following 3 to recommend for inclusion in the city's plan:

- H-** Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, such as residential development near major transit investment corridors or senior living facilities.
- L-** Reduce, waive, or eliminate impact fees related to moderate income housing.
- V –** Develop and adopt a station area plan in accordance with UCA 10-9a-403.1 (REQUIRED)

A public hearing was scheduled for September 13.

The attached draft of updates to the Housing section of the city's general plan are attached for further review and discussion. Due to the October 1 required filing date, a recommendation will need to be submitted to city council to consider at its September 20th meeting.

WEST BOUNTIFUL GENERAL PLAN

VI HOUSING

6.1 Background And Introduction

6.2 Goals And Objectives

6.3 Existing Conditions

6.4 Tools And Implementation Strategies

6.1 Background And Introduction

West Bountiful is a community made up of a mix of historic homes, middle class homes, new high-end developments, and a mobile home park. As of 2020, ~~there~~ are approximately ~~1610-1814~~ occupied housing units for its ~~5700-5917~~ residents located with easy access to I-15 and Legacy Parkway. Most residents commute to locations outside of the City for work and school, making West Bountiful largely a “bedroom community.” However, the City also has a strong retail component and is a regional retail destination for much of southern Davis County.

This section will address the current housing available in the City and evaluate compliance with affordable housing guidelines as set forth in Section 10-9a-403 of the Utah State Code

Vision

Residents of West Bountiful City value the rural and residential lifestyle of their community and the opportunity to remain in the City as lifetime residents. The City therefore encourages community development that provides a range of life-cycle housing and housing types.

Summary of Findings

~~The most recent analysis indicates that there currently exists a reasonable opportunity for individuals with moderate incomes to obtain affordable, quality housing in West Bountiful and that the City meets statutory requirements. Roughly estimated, the percentage of units affordable to moderate income households, those making 80 percent or less of Area Median Income (“AMI”) is 74 percent.~~

1. Housing prices have risen at a greater rate than income.

~~2.~~ Opportunity for affordable housing comes mainly in the form of single-family dwelling units located throughout the City. Rental units are scarce, about 8% of total housing units. Due to the relatively small number of rental units, households that are unable to qualify for housing loans would have a more difficult time finding housing in West Bountiful.

3. Statistics in the most recent American Community Survey and current projections show that ~~there is a variety of~~ moderate-income housing options in West Bountiful ~~are limited.~~ ~~and this housing stock should be sufficient for the city's needs over the next five years. This stems from Possible affordable housing options include:~~ the city's older houses, and available affordable rental units, including a mobile home park.

2.4. Recent ordinance updates have resulted in the potential construction of multi-family dwellings in commercial districts.

6.2 Goals And Objectives

GOAL 1: Maintain the pleasing and well-kept appearance of all neighborhoods.

OBJECTIVE: Encourage well-maintained neighborhoods through community clean-up days, code enforcement, upkeep of vacant lots, and beautification awards and awareness.

GOAL 2: Allow housing that meets the demands of all stages of the life cycle, including starter and senior housing, where appropriate.

OBJECTIVE: Expand the range of existing housing available to accommodate the housing needs of a wider range of life stages which includes the development of starter and senior housing in appropriately zoned areas.

POLICY 1: ~~A commodity~~ **An emphasis** is placed on ensuring that ~~any~~ multi-family housing and other higher-density projects occur at appropriate locations in the City, which is primarily along or near 500 South and 500 West along the shared borders with Bountiful and Woods Cross.

POLICY 2: Multi-family or townhome mixed-use development should be ~~promoted~~ **limited to locations that provide buffers between in** commercial ~~districts and single family residential areas.~~

POLICY 3: Continue to allow accessory dwelling units as a way to provide senior and starter housing.

6.3 Existing Conditions

The Median Income for West Bountiful based on the ~~U.S. Census—2012-2016-2020 U.S. Census American Community Survey 5 year~~ estimates, ~~including benefits,~~ is \$99,797.84,784. Moderate Income is defined as 80% of the median ~~County income. Using the Census and the State Law definition, or the actual average median income (AMI) is \$87,570 67,827 and therefore the 80% median income is \$70,056. Based on a~~

~~An estimated 1410-1487 (82%) are owner-occupied households with average mortgage payments of \$1844. The number of owner-occupied households is less than the previous housing studies and indicates more homes are being rented with an average rent charged as of 2020 of \$1607, Table 6.1 below shows the percentage of households falling within different categories as compared to median income and moderate income levels.~~

1. Affordability Analysis

1. Household Income

The average size of a household in West Bountiful is ~~3.593.16~~ persons, ~~which also shows a significant drop from 2016. Average income is \$99,797 but again the actual affordable housing emphasis is for persons and families with incomes less than \$70,056.; therefore, four has been used as the average family size in order to analyze the affordability of homes in the area. A family of four in West Bountiful would need to earn a minimum of \$67,827 a year in order to earn a moderate income (80 percent of the HUD median income).~~

2. Housing Affordability

~~1.—The average price of a home in West Bountiful was \$342,600 and in the County it was \$320,100. Housing is considered affordable when no more than thirty percent (30%) of the gross monthly income is used to pay for housing costs including utilities. For a household making \$70,056 67,827 annually, the monthly housing costs should not cannot exceed about \$1800 1696 for the housing to be considered affordable. Table 6.1 identifies the percentage of households whose housing costs are less than the thirty percent income threshold. As shown in the table, seventy-four percent (74%) of the households in West Bountiful have an income equal to the~~

~~moderate income threshold whose housing costs fall within the affordability range.~~

6.4 Tools And Implementation Strategies

The above analysis demonstrates that there is ~~reasonable reduced~~ opportunity for moderate-income households to obtain quality housing in the City, ~~as compared to other years~~. The available affordable housing comes mainly in the form of ~~smaller~~ single-family dwelling units, multi-family units, accessory dwelling units, and mobile homes.

It is important for West Bountiful to consider a variety of housing types in the future ~~in order~~ to be able to meet the needs of a variety of residents, including special needs populations, elderly housing, and entry-level housing.

During the last several years, the Utah State Legislature has been attempting to reduce housing costs through required strategies intended to reduce housing costs within communities. The Moderate Income Housing Plan (MIHP) is required by the State. Utah Code Annotated 10-9-307 was first introduced in 1996 and has since been updated nearly every year. The most recent change outlines 246 strategies that can help to address the current housing crisis. Of those 24 strategies, West Bountiful must select three and devise an implementation timeline to accomplish the goal/strategy. The strategies are intended to help provide housing for those persons/families making less than 80% of the median income (AMI) which is based on average incomes in the County.

Purpose and Objectives:

1. To meet the needs of people of various income levels living, working, or desiring to live or work in the community.
2. To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life.
3. Determine how the jurisdiction will provide realistic opportunity to meet the need for additional moderate income housing within the next five years.
4. Receive consideration for funding of projects based on compliance with the moderate income housing requirement.

Of the proposed strategies, West Bountiful has chosen the following:

1. Develop and adopt a station area plan in accordance with UCA Section 10-9a-403.
2. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.
3. Reduce, waive, or eliminate impact fees related to moderate income housing.

Strategy 1 – Station Area Plan

Although a transit station is not located within West Bountiful's boundaries, the nearest station in Woods Cross is within one-half mile. The one-half mile distance is considered a walkable length and therefore for specified areas along 500 South, a station area plan could be developed in a coordinated effort with Woods Cross City.

Suggested steps to accomplish the plan:

1. Coordinate with Woods Cross during the first 6 months of 2023. Consider a formal agreement.
2. After a coordination strategy is created, seek funding for such a plan within WFRC's resources during the last 6 months of 2023.
3. Create the plan during 2024.
4. Hold hearings and move the plan through to adoption toward the end of 2024 and likely complete that process during 2025.

Strategy 2 - Parking requirements

Updates to the parking chapter have not been made for some time. A review of parking ratios, an allowance for parking studies, and shared parking could be included in an update of this zoning chapter.

Suggested steps to accomplish this during 2023:

1. Consultants and staff review and update the chapter.
2. Create new draft.
3. Present draft to planning commission for comments.
4. Set a public hearing with the Planning Commission.
5. Present to City Council for adoption.

Strategy 3 - Reduce or waive impact fees for moderate income housing

The City has already waived such fees for accessory dwellings units (ADU). Waiving and reducing fees is a City Council responsibility.

Suggested steps to accomplish this strategy:

1. The City Council will discuss the pros and cons of reducing/waiving such fees during 2023.
2. If a decision is made to reduce or eliminate certain fees, it will adopt a revised fee schedule in 2023.

In the past, other topics relating to housing have been discussed including housing for special needs, elderly housing, and ADU's. In addition, a list of housing resources was compiled as follows:

1. Special Needs

Affordable housing is an issue for persons with special needs as well as for the population at large. The lack of affordable housing, and particularly of affordable housing targeted to those at or below 50 percent of AMI, is a major cause of homelessness. Affordable housing targeted at very low-income households will be rental housing as many families with incomes at 30 to 50 percent of AMI simply cannot qualify for mortgages. Numerous Accessory Dwelling Units have been constructed to specifically address the needs of extended family members with special needs.

2. Elderly Housing

Many seniors prefer to live in the same community when circumstances require that they move out of their homes. At the present time, there is one community in West Bountiful that targets senior citizens.

4.3. Accessory Dwelling Units (ADUs)

- a. Higher density brings down the cost of units by reducing the cost of land per unit. Higher density can take a variety of forms. West Bountiful has chosen to implement an accessory dwelling unit strategy over more traditional multifamily projects such as multistory apartment complexes.
- b. Accessory dwelling units (often termed “mother-in-law” apartments) have many benefits. In addition to providing affordable rental housing, they can allow first-time homeowners to gain access to homes that would otherwise be out of reach by renting out an additional unit. When homeowner’s income and/or need for more space increases, the accessory unit may no longer be needed as a rental. The homeowner can then expand into the space vacated by the former accessory unit. Accessory dwellings are a conditional use, and ordinances have been written allowing accessory units only with deed restrictions and designs that ensure these units are not easily adapted to a rental unit situation.
- c. Impact fees have also been waived for ADUs.

2.4. Housing Resources and Programs

- a. There are a variety of housing programs available to help maintain and increase the City’s present affordability. These programs are summarized as follows:
- b. Preserving the Existing Stock
 - i. *HOME, Investment Partnership Acts*

THE HOME, Investment Partnership Acts were established to develop and support affordable rental housing and homeownership mainly through the rehabilitation of existing units rather than new construction targeting low and very low-income households. This grant program is flexible in allowing participating jurisdictions to decide the most appropriate use of money in their communities. The program requires that at least 90 percent of the rental assistance be targeted to households with incomes no higher than 60 percent of the area median. Participating jurisdictions are required to match 25 percent the federal funds used. This program is typically administered in conjunction with other non-profits. More information can be found at

http://www.hud.gov/offices/cpd/affordable_housing/programs/home/index.cfm

- ii. *HUD’s Title I program*

“Insures loans to finance the light or moderate rehabilitation of properties... This program may be used to insure such loans for up to 20 years on either single- or multi-family properties. The maximum loan amount is \$25,000 for improving a single-family home.” More information can be found at

http://www.hud.gov/offices/hsg/sfh/title/ti_home.cfm.

- iii. *HUD’s 203k Rehab program*

1. The borrower can get just one mortgage loan, at a long-term fixed (or adjustable) rate, to finance both the acquisition and the rehabilitation of a property.
2. To provide funds for the rehabilitation, the mortgage amount is based on the projected value of the property with the work completed, taking into account the cost of the work.
3. To minimize the risk to the mortgage lender, the mortgage loan (the maximum allowable amount) is eligible for endorsement by HUD as soon as the mortgage proceeds are disbursed, and a rehabilitation escrow amount is established. At this point the lender has a fully insured mortgage loan. More

information can be found at
<http://www.hud.gov/offices/hsg/sfh/203k/203kabou.cfm>.

iv. *Community Development Block Grant*

The Community Development Block Grant (CDBG) program is a federal entitlement grant program for urban communities seeking to revitalize neighborhoods, improved community facilities, prevent and eliminate slums, aid low- and moderate-income families, and promote economic development. West Bountiful City participates with Davis County's administration of their CDBG program.

3.5. Special Needs

- a. Utah Assistive Technology Foundation (UTAF) provides assistive devices and services, including home modifications to those who are disabled. The goal of UATF is to assist those who are disabled in Utah to enhance their independence, education, employment, and quality of life. Zions Bank provides zero interest loans for all approved UATF projects. UATF can be reached at (800) 524-5152.

i. *Lifecare*

Lifecare was established to maximize the independence of older people and people with disabilities by providing lawn care, yard clean up, and snow shoveling for County residents over the age of 60. They also coordinate a number of home repair and maintenance projects through their Volunteer Ventures program. Lifecare can be reached at (801) 978-2452.

ii. *Section 202 Loans for Housing the Elderly.*

The HUD Section 202 program offers capital advances to finance the construction and the rehabilitation of structures to serve as supportive housing for very low-income elderly persons. It also provides rent subsidies to help make the projects affordable. If the project serves very low-income elderly persons for 40 or more years, the capital advance does not need to be repaid.

iii. *Davis County Aging Services*

Davis County Aging Services is committed to promoting the dignity, self-determination, well-being, and contribution of older persons-both as individuals and within the context of their families and communities. We value people and respect their right to a quality of life. Davis County Aging Services will provide reasonable accommodations for customers with disabilities upon request. These services are funded in part by the Davis County Board of Commissioners and the Utah Department of Human Services.
http://www.co.davis.ut.us/aging_services/default.cfm.

iv. *Home Ownership*

West Bountiful will investigate implementing a mortgage assistance program for city employees, local first responders and similar public service occupations. The program can be modelled after Logan City's "Welcome Home Own in Logan"

program. Logan's program is designed to encourage home ownership in Logan and is targeted to first-time homebuyers with incomes below 80 percent AMI. Assistance comes in the form of \$5,000 subsidy, which can be used to pay for down payment and/or closing costs. If the home is owner-occupied for five years, the subsidy is fully forgiven. Although not currently available, in the past, the purchaser has also received a grant of \$600 to be used for miscellaneous expenses incident to first-time homeownership.

v. *Community Development Corporation of Utah (CDC)*

1. Community Development Corporation of Utah (CDC) provides neighborhood homeownership for those shut out of the housing market, and market rate buyers. The Affordability Project is an innovative initiative designed to reduce the cost of homes in all phases of development and construction to serve those families that are hardest to serve- those with very low incomes and/or those with special needs. Through the Neighborhood Home Ownership program, the CDC builds new homes and rehabilitates existing housing then works with interested low-income homebuyers to help them qualify to purchase these homes. The CDC also administers federally funded loan/grant down payment assistance programs in various areas. The goal of the program is to assist eligible homebuyers to purchase single-family homes with help of down payment and closing costs assistance.
2. The CDC also administers a home improvement program for income eligible homeowners, whose homes are in need of repairs and need help financially to get the work done. Homeowners must simply submit an application to access this program. CDC also maintains a materials and supplies warehouse to help low-income families. All materials are donated or purchased at cost and are available to any sponsored CDC client. CDC can be contacted at (801) 994-7222. The warehouse can be contacted at (801) 487-6275

vi. *Habitat for Humanity*

Habitat for Humanity provided housing for people who are inadequately housed and who lack the resources to improve their situation through conventional means. Habitat does not charge interest on the loans, and the monthly mortgage payments are lower than standard mortgage loans. Habitat for Humanity can be contacted at (801) 463-0554.

vii. *Utah Housing Corporation ("UHC")*

Utah Housing Corporation ("UHC") is a public corporation that assists in the creation of affordable housing opportunities for lower and moderate-income households across the state. UHC offers a number of loan programs for first-time and low or moderate -income homebuyers to consider when applying for a home loan. Utah Housing Corporation can be contacted at (801) 902-8200. UHC programs are as follows:

1. FirstHome is a home ownership assistance program offered by the Utah Housing Corporation (UHC). First-time homeowner loans are available at below-market interest rates for qualifying applicants. The maximum purchase price may not exceed the price and income limits set by UHC.

2. FirstHome Plus is another homeownership assistance program offered by the Utah Housing Corporation. The CHAMP loan offers down payment and closing cost assistance in the form of a second mortgage.
3. CROWN is a lease-to-own program developed by the Utah Housing Corporation (UHC) to bring home ownership within reach of very low-income households that are willing to make a long term commitment to the community. Cities and counties cooperate with UTHC to make land available to construct homes. UHC then leases these homes to those households within the 50 to 55 percent of AMI range. CROWN creates permanent home ownership opportunities by utilizing Low Income Housing Tax Credits to construct new, affordable single-family detached or attached homes. Lease payments last until the fifteen-year tax credit period expires. At this point, residents have the option of purchasing the home at a very attractive price through a low interests UHC mortgage loan. The qualified low-income residents who become homeowners through the CROWN program are also eligible to receive training in the areas of housekeeping, home maintenance, and basic budgeting.
4. The Utah Housing Corporation also sponsors other specialized program s including the REACH and ECHO programs, both of which construct new modest homes for low and moderate-income persons.

viii. *Subsidized and Special Needs Housing Database*

The Utah Department of Community Development manages the Utah Subsidized and Special Needs Housing Database, which is an easy to use resource that helps individuals and families identify the availability of different kinds of rental housing depending upon their specific needs. All multiple family rental housing that has reduced rents is listed (by location and type) and will show the rent as a percent of income. The database will also show the number of currently vacant apartments at each listed property. The database can be accessed at the following address:

<http://webapps.dced.utah.gov/shod/execute/search;jsessionid=6CBA6B65E2CA32F1076D841C8FF99EF5>

b. Other Resources for Affordable Housing Development

1. *Low Income Housing Tax Credits ("LIHTC")*

- a. The federal government has developed a program to encourage the construction, rehabilitation and preservation of rental housing for very low, low and moderate-income households. This program makes approximately \$4.3 million available annually to the State of Utah. The LIHTC program is administered by the Utah Housing Corporation (UHC), which determines the amount of tax credit available to applicant projects and operations and on the percentage of the project that will be restricted to low income tenants. The program limits rents on the units and also limits the incomes of the tenants. The UHC establishes maximum rents in accordance with HUD standards. Projects receiving LIHTC must maintain the status as low-income project for a minimum of 15 years.

- b. The LIHTC program provides a credit equal to nine percent of the construction cost for new construction or substantial rehabilitation for projects which do not use other federal assistance and a four percent credit for acquisition of existing projects and for those projects which use other federal subsidies (CDBG excluded). Credits are claimed annually for ten years. The credits may be used by the owner of the property or sold through syndication.

2. *Olene Walker Housing Loan Fund*

- a. The Olene Walker Housing Loan Fund is comprised of state appropriations and federal funds to provide loans at below-market interest rates for the construction of affordable housing. The majority of projects built using this fund are multi-family. While the majority of the fund is used for loans, a small amount of the fund is available for grants.

West Bountiful City

August 23, 2022

Planning Commission Meeting

PENDING – NOT APPROVED

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website, on the West Bountiful City website, and at city hall on August 19, 2022, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, August 23, 2022, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Mike Cottle, Laura Mitchell, Corey Sweat, Dennis Vest, and Council member Kelly Enquist.

STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder), and Debbie McKean (Secretary).

VISITORS: Paul Giles, Gary Jacketta, Jake Young, Dell Butterfield, Joyce Price, Sue Demas, Deby Marshall, Skylar Tolbert

The Planning Commission meeting was called to order at 7:30 pm by Chairman Malan.

Chairman Malan introduced our new Planning Commission alternate, Dell Butterfield. He will be appointed at the next City Council Meeting.

1. **Prayer by Commissioner Sweat**
Pledge of Allegiance- Commissioner Vest

2. **Confirm Agenda**

Chairman Malan reviewed the proposed agenda. Mike Cottle moved to approve the agenda as presented. Dennis Vest seconded the motion. Voting was unanimous in favor among all members present.

3. **Public Hearing- Updates to Landscape Regulations.**

Cathy Brightwell explained that the purpose of the hearing is to receive public comment on updates to the city's landscape regulations. The affected sections of West Bountiful Municipal Code include: WBMC 12.28 – Water Efficient Landscape Standards – miscellaneous clarifications; Title 17 Development Standards for Non-Residential Zones – miscellaneous changes to be consistent with WBMC 12.28; 17.52 – Off-Street Parking - Landscaping Updates; and WBMC 15.12.040 – Movement of Buildings – Updates to be consistent with WBMC 12.28.

Action Taken:

Corey Sweat moved to open the public hearing at 7:35 pm. Laura Mitchell seconded the motion and voting was unanimous in favor.

Public Comment:

No public comments were made.

Action Taken:

Mike Cottle moved to close the public hearing at 7:36 pm. Dennis Vest seconded the motion and voting was unanimous in favor.

4. Belmont Farms Subdivision (Ivory Development) - Phase 1 Preliminary and Final Plat

Commission packets included a memorandum dated August 19, 2022, from Kris Nilsen regarding Belmont Farms Subdivision – Preliminary / Final Plat with attached plat.

Kris Nilsen explained that Ivory Development has applied for a six-lot subdivision located on the west side of 1450 West at 400 North. The property is within the B-U zone and the proposed use is single family detached residential dwellings, matching the existing use adjacent to the property on the east and south. The project has been reviewed by staff and meets the underlying A-1 zone requirements for size and frontage, as represented.

Staff has been meeting with the developer to discuss project phasing and staff design comments. The project was initially proposed as nine lots but has been modified to consist of six lots to reduce the frontage on 1450 West Street postponing the improvements to the Millcreek drainage and 1450 West bridge. Phase I meets all city code requirements; Phase 2 is pending review by the county.

Mr. Nilsen noted the following items:

- There is existing sewer and all items that were concerns with the city have been addressed.
- Storm Drain runs down 400 North, and the alignments satisfy city concerns.
- Weber Basin has provided an improvement letter.
- Three streetlights are planned.
- Davis County had to approve where the water was being dumped. Kris received an email that indicated they have approved the plan. A transfer of water rights needs to be completed.
- Landscaping around the retention pond is recommended to be dedicated to the city for maintenance. Public works is willing to do easy maintenance, but administration does not want any more maintenance projects.
- Fencing around the pond retention area and culvert. Kris recommended that no fence is needed. He showed where the pond retention area is and explained how it drains into Millcreek.

There was discussion about fencing around the detention pond. Commissioners Vest and Cottle believe fencing is necessary for safety reasons. Kris Nilsen suggested a bond could be held for fencing if they decided to do that in the future. After discussion, the majority of the commission was not in favor of requiring fencing around the culvert.

Chairman Malan allowed Paul Giles to ask questions. He inquired about the specific areas to be developed and if 400 North will be as wide as 1100 West. He is concerned about the current size of the road and how tight it is when garbage cans are out. Kris responded that the city is addressing those issues. Paul asked the developer when the second phase would be developed. Mr. Tolbert responded that they will actively work with the county on outstanding issues so they can begin Phase 2 as soon as possible. He stated that they will be active in weed control on that property as the city code requires.

Action Taken:

Corey Sweat moved to approve the preliminary/final plat for Belmont Farms with the condition that all of staff's checklist items below are satisfied. Laura Mitchell seconded the motion and the motion passed with a vote of 3-2. Chairman Malan, Corey Sweat, and Laura Mitchell voting yay, and Dennis Vest and Mike Cottle voting Nay (Note: It was stated that the two Nay votes were due to lack of fencing requirement and not the subdivision itself.)

Preliminary Plat Review Checklist (WBMC 16.16.020)

- 1. Copies of any agreements with adjacent property owners relevant to the proposed subdivision.**
 - a. Utah Power and Light (RMP) for proposed utility crossing.*
 - b. Ivory Development for storm drain improvements outside of subdivision boundary.*
- 2. Satisfactory evidence that all utilities and services will be available for the subdivision and that the utilities and easements have been reviewed by the utility companies.**
- 3. A Davis County development and construction permit if the proposed project is located within 100 ft. of a critical flood area as defined by Davis County (Davis County Flood Plain Permit).**

Final Plat Review Checklist (WBMC 16.16.030)

- 1. Prior to recording, a current title report will be submitted for review by the city attorney.**
- 2. Following city council approval, the developer will enter into a bond agreement to insure completion of all required improvements within 18 months.**
- 3. Following city council approval, a mylar plat (19" x 30") signed by all required and authorized parties with appropriate notarial acknowledgements will be recorded.**

Review and Approvals from Davis County

- 1. Storm drain discharge to Millcreek drainage approval from City Engineer**
- 2. Transfer of ownership to West Bountiful City the portion of 1450 West Street currently owned Davis County.**

The city will perform the maintenance of the landscape/area once the improvements have completed a warranty period; upon completion of the above items a revised final plat and plans should be submitted to city staff for review.

5. Consider Updates to Landscape Regulations.

Commissioner packets included a memorandum dated August 19, 2022, from Staff regarding General Landscape References in West Bountiful Municipal Code with an attached redline copy of proposed changes.

Cathy Brightwell explained that staff and legal counsel have reviewed all general landscape references throughout the municipal code to complement and be consistent with the newly adopted Water Efficient Landscape ordinance, WBMC 12.28. It also proposes several clarifications to the new Code.

Ms. Brightwell reviewed the document and proposed changes in its entirety with the commission:

12.28 Water Efficient Landscape Standards:

- Clarification of definitions and applicability
- Yellow highlighted text is provided for discussion.

17 - C-G, C-N, L-I, C-H, I-G, HCCO:

- Eliminate duplicative language included in Chapter 12.28
- C-H - change to match C-G, C-N, and L-I

- I-G – add a minimum landscape requirement of 15% of the site area for all zones
- HCCO – make changes and add clarifications consistent with 12.28.

17.52 Off-Street Parking:

- Delete Landscaping from 17.52.060 Maintenance of Parking Lots and create new section.
- Update regulations to require landscaped islands in parking lots.

15.12.040 Movement of Buildings:

- Clarify and reference Chapter 12.28.

Following discussion, the following changes to the draft were made:

- 12.28.040.B – The minimum front yard landscaping requirement for vegetation was changed from 25% to 10%.
- 12.28.070- it was decided that the requirement for a landscape plan be limited to the front yard.
- 17.xx.xxx- (all commercial, industrial, and HCCO zones) it was decided to change the total required landscape for the site area to 10% to be consistent across these zones.
- 15.12.040 - Movement of Buildings - All redlined language was agreed upon as proposed.
- 17.52.060 & 080 - Landscaping in Parking Lots – Jake Young suggested having a minimum parking island size of 140 sf with a minimum average width of 8 ft to better accommodate trees which the commission agreed to.

Action Taken:

Laura Mitchell moved to approve the proposed modifications made to WBMC 12.28 and Sections of Title 17 and 15 as discussed above, and to recommend approval by the City Council. Corey Sweat seconded the motion and voting was unanimous in favor.

6. Flood Damage Prevention Review.

Commissioner packets included a memorandum dated August 19, 2022, from Staff regarding Flood Damage Prevention with an attached redline draft

Kris Nilsen introduced this agenda item stating that West Bountiful is required to adopt floodplain management measures that meet or exceed the minimum National Flood Insurance Program (NFIP) regulations by September 15, 2022. If the city does not adopt the necessary floodplain management measures, our community will be suspended from the NFIP. Suspension means that no new policies or renewals will be issued to residents in our city.

FEMA reviewed our existing Flood Damage Prevention ordinance, WBMC 15.16, and provided a checklist of items that need to be included or changed before they can approve it.

Staff prepared a draft that includes revisions to WBMC 15.16 to address the checklist items. It has been reviewed by legal counsel and FEMA and, if adopted, satisfies the NFIP regulations. The draft was reviewed by the commission.

Action Taken:

Laura Mitchell moved to adopt WBMC 15.16 Flood Damage Prevention Ordinance as presented to satisfy the NFIP Regulations and recommend approval by the City Council. Corey Sweat seconded the motion and voting was unanimous in favor.

7. Moderate Income Housing Review.

Commission packets included a memorandum from Jake Young (Citi Design), the city's contract planner, regarding an update of the Moderate Income Housing Plan (MIH).

Jake Young explained that during the 2022 Legislative Session, the Moderate-Income Housing law was amended to require communities to update previous MIH plans, including implementation strategies and schedules, by October 1. West Bountiful City is required to pick a minimum of 3 strategies from the list and that includes a required station area plan for cities within proximity of a public transit station. He reviewed the list of strategies the city selected in the past.

1. Allowing and updating the Accessory Dwelling Units (ADUs) ordinance. *This has been accomplished. Additionally, the city does not charge impact fees for ADUs making them more cost-effective.*
2. The possibility of providing funding to City employees to assist them with their housing needs (down payment assistance). *This strategy has not been implemented, and staff has indicated that it is not likely practical at this point.*
3. Providing for multifamily use opportunities in the commercial zone. *The Housing in Certain Commercial Overlay (HCCO) was completed in 2021.*
4. The strategy of preserving affordable housing (Woodhaven mobile home park). *This was addressed when the city worked with the owner of the mobile home park on updates and improvements.*

Given the work on these items to date, Jake and staff recommend selecting new goals in accordance with state law. The emphasis this year is on committing cities to accomplish the strategies they prioritize. He said that due to the relatively short timeframe to comply with the new report requirements, staff recommends the commission hold a public hearing on September 13 and send a proposal to city council for consideration at its September 20th meeting.

Commissioner Sweat pointed out that West Bountiful does not have much buildable area left. This project is about increasing density and not affordable housing and that the two are different. Higher density does not result in affordable housing. Jake Young explained the definition of moderate-income housing. He noted that the formula used is based on average household size divided by the average median income at 80% of the County median, making it specific to each city. The intent of this plan is to help legislators know what each city is willing to do to help create moderate income housing.

The commission discussed the proposed options and chose to move forward with the following:

- H-** Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, such as residential development near major transit investment corridors or senior living facilities.
- L-** Reduce, waive, or eliminate impact fees related to moderate income housing by 1 %.
- V –** Develop and adopt a station area plan in accordance with UCA 10-9a-403.1 (REQUIRED)

A public hearing will be scheduled on September 13, 2022.

8. Consider Meeting Minutes from August 9, 2022

Action Taken:

Mike Cottle moved to approve the minutes from August 9, 2022, as presented. Dennis Vest seconded the motion and voting was unanimous in favor.

9. Staff Report

Cathy Brightwell:

- ULCT has a land use lunch & learn training scheduled for September 6th from 12pm – 1pm via Zoom. This will qualify toward their required hours. Cathy will send the information to the commissioners.
- Staff has been working with the Super Stop convenience store on the new landscape standards and the past issue regarding retail tobacco specialty permit appears to be resolved.

Kris Nilsen:

- 400 North well will be starting up with fluoride tomorrow morning.
- 600 West project – currently excavating the north end; paving is scheduled for September 6.
- Public Works facility – The steel structure is going up. Material storage building should be poured by next week. Hoping to be in by Christmas.

Commission Comments:

- Corey Sweat reported that the drainage behind Alice Acres is dammed off due to fencing. It also has a lot of leaves and debris. Kris will check it out. Kris suggested a letter be given to the residents of Alice Acres about their responsibility to keep debris out of the ditch.
- It was reported that more RV's were being stored at the sewer plant again. It was determined that the property they are on is in the county and permitted.
- Water usage for the city of secondary water is less than expected. City water usage has been reduced as well.

10. Adjourn.

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 10:00 pm.

Mike Cottle seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on September 13, 2022 by unanimous vote of all members present.

Cathy Brightwell – City Recorder