

**Mayor**  
Kenneth Romney

**City Engineer/  
Zoning  
Administrator**  
Ben White

**City Recorder**  
Cathy Brightwell

# **WEST BOUNTIFUL PLANNING COMMISSION**

550 North 800 West  
West Bountiful, Utah 84087

Phone (801) 292-4486  
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**Chairman**  
Denis Hopkinson

**Commissioners**  
Laura Charchenko  
Mike Cottle  
Alan Malan  
Corey Sweat  
Dennis Vest, Alternate

## **THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD A MEETING BEGINNING AT 7:30 PM ON TUESDAY, APRIL 24, 2018 AT THE CITY OFFICES**

Prayer/Thought by Invitation

1. Accept Agenda.
2. Discuss Proposed Amendment to WBMC 16.20.020 Regarding Secondary Water for Subdivisions and Set Public Hearing.
3. Discuss Proposed Changes to West Bountiful Consolidated Fee Schedule Regarding Subdivision Inspection Fees and Set Public Hearing.
4. Discuss Changes to Permitted and Conditional Uses in Title 17, Residential Zones.
  - a. Day Care/Pre-school
  - b. Model Homes
  - c. Sales Trailers
  - d. Construction Trailers.
5. Discuss Setbacks in Residential Zones.
6. Staff report.
7. Consider approval of minutes from April 10, 2018 meeting.
8. Adjourn.

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*Individuals needing special accommodations including auxiliary communicative aids and services during the meeting should notify Cathy Brightwell at 801-292-4486 twenty-four (24) hours before the meeting.*

*This notice has been sent to the Clipper Publishing Company and was posted on the State Public Notice website and the City's website on April 20, 2018 by Cathy Brightwell, City Recorder.*

# MEMORANDUM



**TO:** Planning Commission  
**DATE:** April 19, 2018  
**FROM:** Ben White  
**RE:** **Secondary Water Requirements for Subdivisions**

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## Secondary Water

The City Council recently imposed a six-month moratorium on new subdivision applications while the City reviews the requirements for new developments to provide secondary water for irrigation. City staff has worked under the assertion that all new developments are required to provide secondary water.

A current draft of the proposed secondary water language is as follows:

*Secondary water for the purpose of irrigation shall be made available to each lot in all subdivisions. Construction of a pressurized secondary water system, including the pipe size, pipe alignment, valving and size of service connections, is subject to the appropriate secondary water district's approval. The subdivider will be required, at its own expense, to construct all required off-site pressurized water facilities necessary to connect to existing secondary water facilities. The subdivider shall pay all applicable fees to the secondary water district prior to its approval of the final plat.*

Staff suggests inserting language in municipal code paragraph 16.20.020 Public Improvements.

## Inspection Fee

Since this change will require a public hearing for Title 16, staff is suggesting we consider some house keeping changes at the same time. One such change is paragraph 16.08.050.D which reads, "Public Improvement Inspection Fee. The subdivider shall remit to the city a public improvement inspection fee equal to three percent (3%) of the improvement bond total."

Staff suggests changing the language to read, "**Public Improvement Inspection Fee. The subdivider shall remit to the city a public inspection fee equal to an amount which shall be established periodically by ordinance.**"



# MEMORANDUM

**TO:** Planning Commission  
**DATE:** April 19, 2018  
**FROM:** Ben White  
**RE:** **Fee Schedule Update**

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The 2017 State law that requires cities to approve their construction standards by ordinance also requires land use related fees to be adopted by ordinance. Not all fees included in the city’s Consolidated Fee Schedule are land use fees. Administrative fees, business licenses, utility bills, golf course fees are examples of non-land use fees, while impact fees and land use fees definitely are. Items such as building permits and some conditional use permits could be argued both ways.

For simplicity, staff has included the entire fee schedule, however, the only proposed change is to the Inspection Fee calculation on the very last page. The proposed change is as follows:

| Subdivision Inspection Fee |                  | % of Improvement Bond |
|----------------------------|------------------|-----------------------|
| Improvement Bond Value     | Inspection Fee % | Maximum Fee           |
| \$0 to \$500,000           | 3%               | \$12,500              |
| \$500,000 to \$1,000,000   | 2.5%             | \$20,000              |
| \$1,000,000 to \$2,000,000 | 2%               | \$30,000              |
| \$2,000,000 and over       | 1.5%             | -                     |

Staff did an on-line search of other city fee schedules. Below is a summary of what some other city’s charge for public improvement inspections.

|                 |                         |
|-----------------|-------------------------|
| North Salt Lake | 1% of bond              |
| Farmington      | 2% of Bond              |
| Ogden           | 2% of Bond              |
| Centerville     | 2% of bond (\$1800 Min) |
| American Fork   | \$60/hr                 |
| Bluffdale       | \$75/hr                 |
| South Jordan    | Actual Consultant Cost  |

A public hearing will need to be scheduled prior to making a recommendation to city council.

# MEMORANDUM



**TO:** Planning Commission  
**DATE:** April 24, 2018  
**FROM:** Ben White, Cathy Brightwell  
**RE:** Review of Uses by Zone

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At the past two planning commission meetings, we discussed modifications to West Bountiful's permitted and conditional uses in residential zones. One goal of this effort is to establish minimum criteria for uses that are currently listed as "conditional uses" and move them to "permitted uses" as changes to State Land Use Codes are tightening city's ability to impose restrictions on conditional uses.

Staff is providing a preliminary list of items with proposed definitions/criteria for discussion and will add to it as we move forward.

## **1. DAY CARE / PRESCHOOL - Home Occupation**

*State Code (R430-50-3) requires child care providers to be certified if they provide child care:*

- a) In the home where they reside;*
- b) In the absence of the child's parent;*
- c) For 5-8 unrelated children;*
- d) For 4 hours or more per day;*
- e) On a regularly scheduled, ongoing basis; and*
- f) For direct or indirect compensation.*

### **Minimum criteria to be considered in West Bountiful Code:**

1. Children to adult ratio and maximum number of children?
  - State requires 1 caregiver/8 children with no more than 2 children under 2.
2. No employees outside of home?
  - Current Home Occ regulation - A person who is not a resident of the dwelling shall not be employed to work on the premises.
3. Building Code compliant- exits, smoke alarms, electrical outlets, fire extinguishers.
  - Fire inspection on all and public health inspection as required.

4. Fenced play area?
  - State requires minimum 4 ft. fence.
5. One parking place on site or directly in front of the property on the same side of the street for each 4 children with all fractions rounded up.
6. Pre-School - no more than 2 sessions per day - 4 hour max - no children in more than one session
7. Percent use of home
  - Current Home Occ regulation – no more than 15% of main floor
8. Business clearly incidental use to the dwelling - cannot change appearance
  - Current Home Occ regulation
9. No signage
  - Current Home Occ regulation
10. Must provide proof of State Certification application, and certification once received, and copy of CCL background screening.

## **2. MODEL HOMES – new language**

Model homes are allowed in all residential loads provided the following criteria are met??

1. Street in front of the model home must be a paved hard surface
2. Provide concrete or asphalt off street parking capable of accommodating two (2) vehicles.
3. Hours of operation are limited to between 9:00 a.m. and 8:30 p.m.
4. Model home use is limited to on-site sales and construction only
5. Allowable signage is per applicable sign ordinance
6. Low level lighting compatible with residential uses only
7. Failure to comply with requirements will result in suspension of new building permits and inspections until reasonable assurance of future compliance is achieved.

## **3. SALES TRAILERS?**

## **4. CONSTRUCTION TRAILERS?**



# MEMORANDUM

**TO:** Planning Commission  
**DATE:** April 20, 2018  
**FROM:** Ben White  
**RE:** **Setbacks**

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The City Council has requested the Planning Commission review our residential setbacks. The expectation is to provide rationale for whatever setback is recommended. The recommendation may be to maintain the current setbacks. To aid the discussion, the required minimum setbacks for neighboring and other similar communities is included.

## Zoning Setback Comparisons

| <u>City</u>           | <u>Zone</u> | <u>Front</u> | <u>Rear</u> | <u>Side</u> | <u>Side</u> | <u>Width</u> |
|-----------------------|-------------|--------------|-------------|-------------|-------------|--------------|
| North Salt Lake       | R-12/ R-12  | 25           | 25          | 8           | 12          | 90           |
| Woods Cross           | R-10/A-1    | 30           | 30          | 8           | 10          | 85/100       |
| Centerville           | R-22        | 30           | 30          | 10          | 10          | 80           |
|                       | A-5         | 30           | 30          | 10          | 10          | 100          |
| Farmington            | R-16        | 25           | 30          | 8           | 10          | 75           |
|                       | R-22        | 25           | 30          | 10          | 12          | 85           |
|                       | R-40        | 30           | 30          | 10          | 14          | 100          |
| Fruit Heights         | R-10        | 25           | 25          | 8           | 10          | 90           |
|                       | R-12        | 30           | 30          | 10          | 10          | 95           |
| Kaysville             | R-10/14/22  | 30           | 15          | 8           | 8           | 80/90        |
| South Weber           | R-10        | 25           | 25          | 10          | 10          | 80           |
|                       | R-12/22/A-1 | 30           | 30          | 10          | 10          | 100/100/150  |
| Bountiful             | R-11/A-1    | 25           | 20          | 8           | 8           | 80/100       |
| Clinton               | R-10/15/A-1 | 30           | 30          | 10          | 10          | 85/95/125    |
| Syracuse              | R-10        | 25           | 30          | 8           | 8           | 85           |
|                       | R-12/22     | 25           | 30          | 10          | 10          | 100          |
| Grantsville           | R-12        | 30           | 30          | 7.5         | 7.5         | 80           |
|                       | R-22        | 30           | 30          | 10          | 10          | 100          |
| West Haven            | R-22        | 30           | 30          | 10          | 14          | 125          |
| <b>West Bountiful</b> | <b>All</b>  | <b>30</b>    | <b>30</b>   | <b>10</b>   | <b>14</b>   | <b>85</b>    |

1 **West Bountiful City** **PENDING** **April 10, 2018**  
 2 **Planning Commission**

3  
 4  
 5 *Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website*  
 6 *and on the West Bountiful City website on April 6, 2018 per state statutory requirement.*

7  
 8 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**  
 9 **April 10, 2018 at West Bountiful City Hall, Davis County, Utah.**

10  
 11 **Those in Attendance:**

12  
 13 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Corey Sweat, Alan Malan, Laura  
 14 Charchenko, Dee Vest (alternate), and Council member Kelly Enquist

15  
 16 **MEMBERS EXCUSED:** Mike Cottle

17  
 18 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (Recorder), Debbie McKean  
 19 (Secretary)

20  
 21 **VISITORS:** Kyle Paget, Gary Jacketta, Paul Johnson, Mark Garza

22  
 23 The Planning Commission Meeting was called to order at 7:30 pm by Chairman Hopkinson.  
 24 Alan Malan offered a prayer.

25  
 26 **1. Accept Agenda**

27 Chairman Hopkinson reviewed the agenda. Corey Sweat moved to accept the agenda as  
 28 presented. Dee Vest seconded the motion. Voting was unanimous in favor among all members.

29  
 30  
 31 **2. Public Hearing to Receive Comments on Proposed Changes to Permitted and**  
 32 **Conditional Uses in Title 17, Residential Zones A-1, R-1-22, and R-1-10**

33  
 34 Ben introduced the proposed language changes that were suggested for Home based business for  
 35 each of the three residential zones for Chapter 17.

36  
 37 **ACTION TAKEN:**

38 *Laura Charchenko moved to open the Public Hearing at 7:34 pm to receive comments on*  
 39 *Proposed Changes to Permitted and Conditional Uses in Title 17 for Residential Zones, A-1,*  
 40 *R-1-22 and R-1-10. Corey Sweat seconded the motion and a roll call vote was taken with all*  
 41 *Commissioners voting Aye.*

42

43 **Public Comment:** No Public Comment

44

45 **ACTION TAKEN:**

46 *Corey Sweat Moved to close the Public Hearing at 7:35 pm to receive comments on Proposed*  
 47 *Changes to Permitted and Conditional Uses in Title 17 for Residential Zones, A-1, R-1-22 and*  
 48 *R-1-10. Dee Vest seconded the motion and voting was unanimous in favor.*

49

50

51 **3. Consider Revising the Conditional Use Permit for Kyle Paget at 600 West 1000**  
 52 **North for a Detached Garage that is More Than Twenty Feet Tall.**

53

54 Commissioners received a Memorandum from Ben White dated April 5, 2018 regarding Paget-  
 55 Revised Accessory Building Conditional Use Permit 600 West 1000 North with an attached  
 56 aerial view of site plan for the accessory building. The memorandum included the following  
 57 information:

58

- 59 • A Conditional Use Permit was approved for the Paget family to construct a 24' high  
 60 accessory structure in the northeast corner of the property at the March 27<sup>th</sup> Planning  
 61 Commission meeting.
- 62
- 63 • Paget's would like to know if the conditions would change if they were to construct  
 64 the building in the northwest corner of their property instead of the originally  
 65 proposed northeast.

66

67 Ben White explained the proposed change request from the northeast to the northwest corner of  
 68 the property from the Conditional Use Permit approved last meeting.

69

70 No Commissioner had any problems with the change.

71

72 Kyle stated that part of the reason for the change is the safety factor of being farther away from  
 73 the curved road abutting his property.

74

75 **ACTION TAKEN:**

76

77 *Corey Sweat moved to modify the Conditional Use Permit approved on March 27 so that the*  
 78 *accessory building may be built on the northeast or northwest side of the property. Laura*  
 79 *Charchenko seconded the motion and voting was unanimous in favor.*

80

81

82 **4. Consider Conceptual Plan from DEV Group, LLC, for Mountain View Estates**  
 83 **Subdivision at Approximately 200 North 1100 West**

84

85 Commissioners received a Memorandum from Ben White dated April 5, 2018 regarding  
 86 Mountain View Subdivision-Concept Plan with attached site plan. The memorandum included  
 87 the following information:

88

89 • Bountiful Pasture, LLC has accepted an offer from DEV Group, LLC to purchase the  
90 23.68 acre parcel of land north of the DSB canal at approximately 2000 North  
91 running east and west of the D&RG right of way to 1100 West. Kinross Subdivision  
92 borders the property to the north. This is not the same developer who submitted an  
93 application two months ago.

94

95 • The property is zoned R-1-22 (1/2 acre) and the Concept Plan includes 42 lots that  
96 appear to meet the minimum size and frontage requirement for the zone.

97

98 • Other points of interest, consist of the overhead/underground easements present a  
99 development challenge, dead-end street connection to Kinross will be reduced to just  
100 under 1000 feet in which a temporary turnaround will be required at the northeast  
101 end, storm water needs to be better defined before the preliminary plat come to us  
102 (DEV will likely partner with Kinross in this matter) and secondary water issue and  
103 current moratorium will need to be discussed at the next City Council meeting.

104

105 Ben White introduced the property layout as a Concept Plan. He noted that the storm detention  
106 would most likely be on the Hamlet ground. There will be secondary water provided on the  
107 property and they are working closely with Hamlet Development in that matter. A unique  
108 feature to the property is the proposed trail access to the south and they will need to work with  
109 the County to fulfill that concept. It could be a nice feature of the development.

110

111 Chairman Hopkinson noted that there will be approximately 42 lots (1/2 acres) with a few lots  
112 that may have a few challenges to meet that minimum requirement.

113

114 Mark Garza, DEV Grp, was invited to take the stand. He stated that he is aware of the challenges  
115 and is confident they can work through them. They are developers that will work with Custom  
116 Home builders. They feel they can meet all the City's requirements. They are working with  
117 Hamlet Homes to coordinate efforts where necessary.

118

119 Kelly Enquist asked about drainage next to the Prospector trail. Ben White stated there is an old  
120 well that will be abandoned, and proper procedures will take place to address the drainage issues.

121

122 Commissioners had no further questions at this time.

123

124

## 125 **5. Land Use Training- Utah Risk Management Mutual Association (URMMA) by Paul** 126 **Johnson**

127

128 Mr. Johnson introduced himself and his background. He gave a brief history of his Company and  
129 explained what their main purpose was in serving the Cities. The whole jest of their business is  
130 to help a city to decide what risks there are and how to decide whether or not to take the risk. He  
131 informed the Commission that there are three areas that are potentially high for large lawsuits  
132 and noted that Land Use is one of them. That issue is being addressed in the training this  
133 evening.

134  
 135 Paul Johnson explained that there is always risk involved and that all risk cannot be eliminated.  
 136 A city must choose what is worth the risk and what isn't. He gave an example of an experience  
 137 with property that the Osmond Studios used to own that was made into a Recovery Center for  
 138 Addicts. Surrounding neighbors did not want it to be located there. They tried to get the  
 139 Recovery Center shutdown but were unsuccessful due to the fact that this is a Recovery Unit (for  
 140 disabled citizens). Facilities for the disabled are protected and cannot be denied. However,  
 141 some conditions can be placed on the facility as necessary.

142  
 143 Land Use issues can be high dollar in court situations and very tricky to debate. Making foolish  
 144 decisions is costly. The legislature has taken a lot of discretion from cities and put more  
 145 mandates in Land Use. Cities need to incorporate these changes in their code and ordinances.  
 146

147 He added that in the event there is a tie in judgement, the tie goes to favor the landowner if the  
 148 ordinance is not clear or is ambiguous in nature. It is very important that the language in our  
 149 ordinances is clear and not not ambiguous. Ordinance needs to be in lay terms for applicants to  
 150 understand; clear for them to know what is and is not allowed.

151  
 152 Mr. Johnson stated that subjectable languages needs to be eliminated. He offered some  
 153 suggestions of language that should be stricken from ordinances:

- 154 • "in the sole discretion of"
- 155 • "Compatible with..."
- 156 • "Approve, deny or approve with conditions"
- 157 • "In keeping with the character of the neighborhood"
- 158 • "Shall not negatively impact the neighborhood"
- 159 • "Shall not significantly increase traffic, light, odors, etc."
- 160 • "Any other conditions imposed by the Planning Commission"

161  
 162 Other notable advice given from him was:

- 163
- 164 • Conditional Use Permits should not go to the elected body, "City Council."
- 165 • Conditional Use Permits, unless there is no way to mitigate adverse impact with  
 166 reasonable conditions, cannot be denied.
- 167 • Conditions must be related to standards contained in the ordinance.
- 168 • Prefer to have permitted uses with standards and conditions built into the ordinance or  
 169 make them non-permitted uses.
- 170 • Take out any language and regulations that you do not feel you would be okay to approve

171  
 172 **Group Homes:**

- 173 • Cannot be denied because they serve the disabled. Federal and state law prohibits denial.  
 174 Penalties are harsh and damages are high. Reasonable conditions can be applied if  
 175 necessary (limit # of people in home, etc.).

176  
 177 Mr. Johnson suggested the Commission research all the different types of Group Homes and list  
 178 the specific regulations for each. He noted that Orem City has an ordinance that could be used; it  
 179 was developed six years ago and is very good.

180  
181 He explained that neighbors get to give their input when the ordinance is being reviewed and  
182 drafted in a zoning situation during the Public Hearing process. Once the ordinance is in place it  
183 must be adhered to. Ex-parte communication is allowed for legislative decisions. Reasons must  
184 be in record for why decision was made.

185  
186 He gave examples of Administrative, Quasi-judicial decisions

- 187 • Conditional Use Permits,
- 188 • Subdivision plats,
- 189 • Ex-parte communications are not allowed,
- 190 • If it meets the ordinance, it must be allowed.

191  
192 He encouraged the Commission to plan the City as you want it to be keeping within the  
193 legislative guidelines.

194  
195 Takings:

- 196 • Physical takings are rare. Must pay for what you take.
- 197 • Regulatory takings are more common. Must compensate for use of property in  
198 proportion with the conditions.

199  
200 Emails:

- 201 • Plaintiff can request all business and personal use emails in legal proceedings or  
202 GRAMA requests. Be careful what you put in your emails/text. They will be evidence in  
203 a lawsuit.

204  
205  
206 **6. Consider Changes to Permitted and Conditional Uses in Title 17, Residential Zones.**

207  
208 Ben White stated that this request to add references to Home Occupations for Kennels and Child  
209 Daycare and Nursery's in our residential zones is a stop gap approach to clarify a use that we  
210 may not want to approve while we decide what we do and don't want. Child Care and Kennels  
211 are the two that have been identified as urgent at this time.

212  
213 Chairman Hopkinson stated that we as communities have the right to choose what we want. The  
214 State has made some laws that need to be incorporated into our ordinances and laws. There will  
215 continue to be language as to how to mitigate conditional use permits. Ben White gave an  
216 example of how we have changed our codes in the past to create what we as a City want in our  
217 ordinances. Definitions need to be in place to help mitigate land uses.

218  
219 Ben White noted that fixing these issues will continue to be a work in process. He reiterated that  
220 today's request is just a stop gap solution to get us to the next step. Some discussion took place  
221 regarding this issue.

222  
223 Commissioner Comments:

224  
225 **Commissioner Sweat and Vest** agreed that this is a good place to start.

226  
227 **Laura Charchenko** would like to have further discussion regarding the idea of allowing  
228 employees if needed. She is okay with approving this stop gap solution if there will continue  
229 to be discussion later regarding this matter. Some discussion took place in this regard.

230  
231 **Alan Malan** agreed that the issue should be addressed regarding Day Cares and allowing  
232 employees. Cathy Brightwell stated that the Home Occupation language would need to be  
233 changed to include allowance for employees. Chairman Hopkinson noted that change could  
234 be made later after further thought and discussion. Some discussion took place in these  
235 regards.

236  
237 **Cathy Brightwell** expressed her concern that if the language is left as is, commercial  
238 businesses could come into residential areas and there would not be anything we could do to  
239 stop them. This stop gap measure will protect the city as we take more time to develop better  
240 language.

241  
242 **ACTION TAKEN:**

243  
244 *Corey Sweat moved to approve and forward to city council the new language proposed by*  
245 *Staff for Chapter 17 for Childcare/Nursery without the inclusion of G. Kennels under*  
246 *17.16.030. Alan Malan seconded the motion and voting was unanimous in favor.*

247  
248  
249 **7. Discuss Proposed Language Regarding Secondary Water Requirements for**  
250 **Subdivisions**

251  
252 Commissioners received a Memorandum from Ben White dated, April 5, 2018 regarding  
253 Secondary Water Requirements for Subdivisions. The memorandum included the following  
254 information:

- 255 • City recently imposed a six-month moratorium on new subdivision application while  
256 they take time to review the requirement for new developments to provide secondary  
257 water for irrigation purposes.
- 258
- 259 • A second draft for proposed language to be inserted in municipal code 16.20.020 Public  
260 Improvements was included in the memorandum.
- 261
- 262 • In addition, Inspection Fees were addressed since a Public Hearing has to be scheduled  
263 for the Secondary Water Language. Staff would like the opportunity to consider some  
264 housekeeping changes for 16.08.050D.

265  
266 Ben White proposed some language changes for secondary water as a consideration for the  
267 Commission.

268  
269 Dee Vest asked about small lot subdivisions and why they are treated the same as large  
270 subdivisions. Ben White explained that the city council has the authority to defer the  
271 requirement for small lot subdivisions if they believe it is appropriate.

272  
273 Chairman Hopkinson stated that this does not need to be done this evening. Legal Council needs  
274 to review it still.

275  
276 Some discussion took place suggesting some language changes. Staff took note of the  
277 suggestions and will make the necessary changes to the draft.

278  
279 **Ben White** noted that inspection fees need to be reviewed and changes included in the fee  
280 changes. These fees are to cover staff time spent inspecting developments and should not result  
281 in any profit to the city. The next agenda item will cover this issue.

282

283

#### 284 **8. Discuss Land Use Fee Schedule**

285

286 Commissioners received a Memorandum from Ben White dated April 5, 2018 regarding Fee  
287 Schedule updates with an accompanying fee schedule. The memorandum included the following  
288 information:

289

290 • State law requires cities to approve their construction standards by ordinance and adopt a  
291 land use fee schedule. Admin fees, business licenses, utility bills, golf course fees are all  
292 non-land use fees. Impact fees and land use fees are land use fees. Building permits and  
293 some conditional use permits could be argued either way.

294

295 • Staff provided the entire fee schedule to the Commission in their packet but the only  
296 proposed changes from staff are for the Inspection fee calculation found on the last page  
297 of the document.

298

299 • A public hearing will need to be scheduled for this update.

300

301 A brief discussion took place regarding the items listed in the memorandum. The current 3% fee  
302 has worked well for small subdivisions but now that we are seeing larger developments, the fee  
303 is too high. Mr. White discussed staff's proposal for a graduated fee based on the total amount of  
304 the Improvement Bond. He gave the example of when we use Staff it may cost \$75/hour but the  
305 billing rate for a consultant could be \$200/hour and billed by full hours with travel added. If  
306 workload permits, the City prefers to use inhouse staff and does not want to make money for  
307 these services. Corey Sweat asked how we protect the City vs the Citizen. Ben White believes  
308 his proposed numbers will fix the problem but they may need to be tweaked as we get more  
309 information. Further discussion took place regarding other fees that are imposed upon builders  
310 (ex: impact fees). Commissioner Sweat does not want to have any fees other than what it cost to  
311 do the work and feels that we should not make a profit on any fees we charge.

312

313 **Alan Malan** asked if building permit fees are impacted by this proposal. Ben White answered  
314 that the building permit cost is calculated by a scheduled formula and is a separate charge based  
315 on inspections of the actual construction, not the public improvements.

316

317 **Council member Kelly Enquist** asked for comparisons to other cities schedules.  
318  
319 Staff will bring more information to the Commission on this matter, and informed the  
320 Commission that a public hearing for the Secondary Water and Fee Schedules needs to be set.  
321

322  
323 **9. Staff Report**

324  
325 Ben White: No Report

326  
327 Cathy Brightwell: No Report  
328

329  
330 **10. Consider Approval of Minutes from March 27, 2018.**

331  
332 **ACTION TAKEN:**

333 *Laura Charchenko moved to approve of the minutes of the March 27, 2018 meeting as*  
334 *presented. Corey Sweat seconded the motion and voting was unanimous in favor.*  
335

336  
337 **11. Adjournment**

338  
339 **ACTION TAKEN:**

340 *Alan Malan moved to adjourn the regular session of the Planning Commission meeting at*  
341 *9:57pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.*  
342

343  
344 .....

345  
346 *The foregoing was approved by the West Bountiful City Planning Commission on April 24, 2018*  
347 *by unanimous vote of all members present.*  
348

349 \_\_\_\_\_  
350 *Cathy Brightwell – City Recorder*  
351

352

353