



3200 W 300 N, West Point, UT 84015
801.776.0970

**WEST POINT CITY COUNCIL
MEETING NOTICE & AGENDA
October 19th, 2021
WEST POINT CITY HALL**

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

THIS PUBLIC MEETING WILL BE HELD IN-PERSON AT WEST POINT CITY HALL AND ALSO ELECTRONICALLY.

The Public may attend the meeting electronically and comment when appropriate by:

- Join Zoom Meeting at: <https://us02web.zoom.us/j/83000893973> or
- Connect via Telephone: Dial 1(669) 900-6833 and enter Meeting ID: 830 0089 3973

The public may attend this meeting in-person at West Point City Hall under the following Guidelines:

- Use of face coverings is required for all those not fully vaccinated
- Avoid entering if they have a fever of 100.4° or above, cough, trouble breathing, sore throat, muscle aches and pains, sudden changes in smell or taste, or feel generally unwell
- Maintain 6-foot physical distancing & avoid physical contact
- Sneeze/cough into cloth, tissue, elbow or sleeve (not hands)
- Wash hands often, and for at least 20 seconds

The public may also participate in the Citizen Comment and Public Hearing Items prior to the meeting via email:

Comments must be received prior to the 7PM City Council Meeting

- Email: carnold@westpointcity.org
- Subject Line: Must be designated as "Citizen Comment – October 19, 2021 City Council Meeting"
- Email Body: Must include First & Last Name and Address and a succinct statement of your comment.

ADMINISTRATIVE SESSION

6:00 PM – OPEN TO THE PUBLIC

1. Discussion Regarding Park Strips – Mr. Boyd Davis [pg. 4](#)
2. Discussion Regarding the Legacy Storage Subdivision Located at Appx. 4200 W 1800 N – Mrs. Bryn MacDonald [pg. 17](#)
3. Discussion Regarding the General Plan Amendment Application Fee – Mrs. Bryn MacDonald [pg. 19](#)
4. Discussion Regarding a Cooperative Procurement Contract for ARPA Resource Consultants – Mr. Kyle Laws [pg. 21](#)
5. Discussion Regarding the Sewer System Master Plan and Impact Fee – Mr. Boyd Davis [pg. 25](#)
6. Other Items

GENERAL SESSION

7:00 PM – OPEN TO THE PUBLIC

1. Call to Order
2. Pledge of Allegiance
3. Prayer (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
4. Communications and Disclosures from City Council and Mayor
5. Communications from Staff
6. Citizen Comment (*Emailed comments received prior to the meeting using the instructions above will be read to the Council at this time*)
 - Please clearly state your name and address prior to commenting and keep comments to a maximum of 2 ½ minutes
 - Do not repeat positions already stated; public comment is a time for the Council to receive new information and perspectives
 - If attending the meeting in-person, please approach the podium
 - If attending the meeting electronically, use the "raise hand" icon if on a computer or dial *9 on the phone to indicate that you would like to make a comment; when it is your turn, the meeting host will unmute you.
7. Presentation from Rick Smith of the Davis and Weber Counties Canal Company
8. Consideration of Approval of the Minutes from the August 3, 2021 West Point City Council Meeting [pg. 65](#)
9. Consideration of Final Plat Approval of Phases 1a and 1b of the Bluff View Subdivision – Mrs. Bryn MacDonald [pg. 79](#)
10. Consideration of Approval to Place the Westlake Estates Subdivision Phase 1 on One-Year Warranty – Mr. Boyd Davis [pg. 85](#)
11. Consideration of Approval of Trail Maintenance Contract with Andersen Asphalt – Mr. Paul Rochell [pg. 86](#)
12. Consideration of Approval of Resolution No. 10-19-2021A, Adopting a General Plan Amendment Application Fee – Mrs. Bryn MacDonald [pg. 19](#)
13. Consideration of Approval of Resolution No. 10-19-2021B, Authorizing a Cooperative Procurement Contract with Resource Consultants– Mr. Kyle Laws [pg. 21](#)
14. Motion to Adjourn the General Session

Posted this 13th Day of October, 2021

Amended and Posted this 18th Day of October, 2021

Casey Arnold

CASEY ARNOLD, CITY RECORDER

TENTATIVE UPCOMING ITEMS

Date: **11/02/2021**
CANCELLED – ELECTION DAY

Date: **11/16/2021**
Administrative Session – 6:00 pm

1. Discussion Regarding the 2022 West Point City Council Meeting Schedule – Ms. Casey Arnold
2. Discussion Regarding the Final Plat of the Wildfire Estates Subdivision Phase 4 – Mrs. Bryn MacDonald
3. Discussion Regarding Final Plat Approval of Phase 2 of the Westlake Subdivision – Mrs. Bryn MacDonald

General Session – 7:00 pm

1. Consideration of Approval of Ordinance No. 11-16-2021A, Approving the 2022 Meeting Schedule of the West Point City Council – Ms. Casey Arnold
2. Approval of the 2021 General Election Canvass – Ms. Casey Arnold
3. Consideration of Approval of the Final Plat for Phase 2 of the Westlake Estates Subdivision – Mrs. Bryn MacDonald
4. Consideration of Approval of the Final Plat for the Legacy Storage Subdivision (Located at Approximately 4200 W 1800 N) – Mrs. Bryn MacDonald
5. Consideration of Approval of Ordinance No. 11-16-2021B, Adopting a Water Efficient Landscape Ordinance
 - a. Public Hearing
 - b. Action
6. Consideration of Approval of Ordinance No. 11-16-2021C, Adopting an Impact Fee Facilities Plan & Impact Fee Enactment for the Sanitary Sewer System – Mr. Boyd Davis
 - a. Public Hearing
 - b. Action

Date: **12/07/2021**
Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Youth Council Update
 2. Consideration of Final Plat Approval of Phase 2 of the Westlake Estates Subdivision – Mrs. Bryn MacDonald
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Date: **12/21/2021**
Administrative Session – 6:00 pm

General Session – 7:00 pm

Date: **TBD**
CITY COUNCIL VISIONING SESSION

Date: **01/04/2022**
Administrative Session – 6:00 pm

General Session – 7:00 pm

Date: **01/18/2022**
Administrative Session – 6:00 pm

General Session – 7:00 pm



WEST POINT CITY 2021 CALENDAR

2021

IMPORTANT DATES

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JULY

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JANUARY

1	New Year's Day - CLOSED
5	City Council - 6 PM
11	Senior Lunch - CANCELED
14	Planning Commission - 6 PM
18	MLK Jr. Day - CLOSED
19	City Council - 6 PM
28	Planning Commission - 6 PM
TBD	City Council Planning & Visioning Session

JULY

2-3	PARTY AT THE POINT EVENTS
5	Independence Holiday - CLOSED
6	City Council - 6 PM
8	Planning Commission - 6 PM
12	Senior Lunch - CANCELED
20	City Council - 6 PM
22	Planning Commission - 6 PM
23	Pioneer Day Holiday - CLOSED

FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
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21	22	23	24	25	26	27
28						

AUGUST

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

2	City Council - 6 PM
8	Senior Lunch - CANCELED
11	Planning Commission - 6 PM
15	President's Day - CLOSED
16	City Council - 6 PM
25	Planning Commission - 6 PM

AUGUST

3	City Council - 6 PM
12	Planning Commission - 6 PM
17	City Council - 6 PM
18	Summer Party 5:30 - 7 PM
20	Senior Dinner - 5:30 PM
24	Special City Council Meeting - 7
26	Planning Commission - 6 PM

MARCH

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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5	6	7	8	9	10	11
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26	27	28	29	30		

MARCH

2	City Council - 6 PM
11	Planning Commission - 6 PM
15	Senior Lunch - CANCELED
16	City Council - 6 PM
25	Planning Commission - 6 PM

SEPTEMBER

6	Labor Day - CLOSED
7	City Council - 6 PM
9	Planning Commission - 6 PM
13	Senior Lunch - 11:30 AM
21	City Council - 6 PM
23	Planning Commission - 6 PM

APRIL

SUN	MON	TUE	WED	THU	FRI	SAT
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OCTOBER

SUN	MON	TUE	WED	THU	FRI	SAT
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

APRIL

TBD	EASTER EGG HUNT - 10 AM
6	City Council - 6 PM
8	Planning Commission - 6 PM
12	Senior Lunch - CANCELED
20	City Council - 6 PM
22	Planning Commission - 6 PM

OCTOBER

4	Senior Lunch - 11:30 AM
5	City Council - 6 PM
7	CEMETERY CLEANING
11	Employee Training - CLOSED
14	Planning Commission - 6 PM
15	HALLOWEEN CARNIVAL - 7 PM
19	City Council - 6 PM
20	Council/Staff Lunch - 11:30 AM
22-23	ANNUAL FALL CLEAN-UP
28	Planning Commission - 6 PM

MAY

SUN	MON	TUE	WED	THU	FRI	SAT
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY

TBD	TAKE PRIDE IN WEST POINT
4	City Council - 6 PM
6	CEMETERY CLEANING
13	Planning Commission - 6 PM
17	Senior Lunch - CANCELED
18	City Council - 6 PM
27	Planning Commission - 6 PM
31	Memorial Day - CLOSED

NOVEMBER

2	ELECTION DAY
6	FLAGS ON VETERANS' GRAVES
11	Veterans Day - CLOSED
15	Senior Lunch - 11:30 AM
16	City Council - 6 PM
25-26	Thanksgiving - CLOSED
29	CITY HALL LIGHTING - 6 PM

JUNE

SUN	MON	TUE	WED	THU	FRI	SAT
Colum	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE

TBD	MISS WEST POINT PAGEANT
1	City Council - 6 PM
10	Planning Commission - 6 PM
14	Senior Lunch - CANCELED
15	City Council - 6 PM
24	Planning Commission - 6 PM

DECEMBER

3	Christmas Party - 7 PM
6	CHILD REMEMBRANCE - 7 PM
7	City Council - 6 PM
9	Planning Commission - 6 PM
13	Senior Lunch - 11:30 AM
17	CEMETERY LUMINARY - 4 PM
21	City Council - 6 PM
23	Planning Commission - 6 PM
24-27	Christmas Holiday - CLOSED
31	New Year's Holiday - CLOSED

City Council Staff Report

Subject: Park Strips
Author: Boyd Davis
Department: Engineering
Date: October 19, 2021



Background

The City Council and Planning Commission recently attended a tour at the Weber Basin Demonstration Garden to learn about the requirements for the potential “Flip Your Strip” program and to learn about innovative ways to landscape park strips and yards to reduce water use.

In addition, the Council was recently approached by residents that live along 800 North that will have had new park strips installed in front of their homes. They requested the Council consider allowing them options other than sod for their park strips.

Analysis

The 800 North widening project is nearly complete, and one of the last items is to install the landscaping in the park strips. Early on a decision was made to install grass and trees in all park strips to maintain uniformity, at least on the south side which is in West Point City. On the north side Clinton City has allowed the residents to choose between grass or landscape rocks. There are approximately 5 residents on the West Point side that would like to have the option to choose the type of landscaping in their park strips.

Their request is somewhat timely considering the effects of the current drought and the encouragement from Weber Basin, and other water providers to join the “Flip Your Strip” program. This is a rebate program where current resident could be paid to remove sod from their park strip and replace it with water-wise landscaping. Before resident can take advantage of the program, one of the requirements is that the City adopt an ordinance that requires water-wise landscaping. Weber Basin has given us a sample ordinance and a list of items that will be required to be in the ordinance to qualify for the program. Some of the significant requirements are as follows:

- No lawn in park strips or areas that are less than 8 ft. wide for all new construction.
- No more than 35% lawn on residential properties.
- No more that 15% lawn on commercial properties.
- Drip irrigation systems required for any areas outside of lawn, i.e. planter strips, flower beds, park strips.
- A WaterSense labeled timer is required.
- WaterSense labeled plumbing fixtures on the inside of homes and commercial buildings.

Recommendation

The Council needs to make a decision on the 800 North project. Should residents be allowed to choose the type of landscaping in the park strips?

No action needed on the “Flip Your Strip” program, but if the Council is interested in pursuing the program then it should be forwarded to the Planning Commission to prepare a recommendation on the ordinance.

Significant Impacts

None

Attachments

Sample Ordinance

WATER EFFICIENT LANDSCAPE ORDINANCE
ORDINANCE NUMBER <CITY ORDINANCE NUMBER>

Section 1. Preamble

- A. Whereas, water is an increasingly scarce resource, of limited supply, and are subject to ever increasing demands;
- B. Whereas, it is the policy of <CITY NAME> to promote the conservation and efficient use of water and to prevent waste of this valuable resource;
- C. Whereas, <CITY NAME> recognizes that landscapes provide areas for active and passive recreation;
- D. Whereas; landscape design, installation, maintenance and management can and should be water efficient;
- E. Whereas, <CITY NAME> desires to promote the design, installation and maintenance of landscapes that are both attractive and water efficient;
- F. Whereas, <CITY NAME> can accomplish these goals by adopting this ordinance; and,
- G. Whereas, <CITY NAME> has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so.

Section 2. Ordaining Clause

Be it ordained by the <CITY NAME>, that the Water Efficient Landscape Ordinance, Number <CITY ORDINANCE NUMBER>.

Section 3. Title, Water Efficient Landscape Requirements

- A. An ordinance amending the Zoning Code of the City of <CITY NAME> so as to add a Water Efficient Landscape Ordinance of minimum landscape requirements. This ordinance shall be referred to as "<CITY NAME> City Water Efficient Landscape Ordinance".

Section 4. Purpose

The City Council has found that it is in the public interest to conserve the public's water resources and to promote water efficient landscaping. The purpose of this ordinance is to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water in the community's landscapes, reduce water waste and establish a structure for designing, installing and maintaining water efficient landscapes throughout the City.

Section 5. Definitions

The following definitions shall apply to this ordinance:

Applied Water: The portion of water supplied by the irrigation system to the landscape.

Bubbler: An irrigation head that delivers water to the root zone by “flooding” the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.

Check Valve: A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination or the water supply due to the reverse flow of water from the secondary irrigation system.

Drip Emitter: Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.

Effective Precipitation: The portion of total precipitation which becomes available for plant growth.

Established Landscape: The point at which plants in the landscape have developed significant root growth into the soil.

Establishment Period: the first year after installing the plant in the landscape.

Evapotranspiration (ET): The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time, expressed in inches per day, month or year.

Grading Plan: The Grading Plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.

Ground Cover: Material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.

Hardscape: Patios, decks and paths. Does not include driveways and sidewalks.

Irrigation System Audit: an in-depth evaluation of the performance of an irrigation system that includes, but is not limited to, inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

Irrigation Landscaped Area: All portions of a development site to be improved with plantings and irrigation. Natural open space areas shall not be included in the irrigated landscape area.

Irrigation Efficiency: the measurement of the amount of water beneficially applied, divided by the total amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system hardware characteristics and management practices.

Irrigation Plan: The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.

Landscape Architect: A person who holds a certificate to practice landscape architecture in the state of Utah. Only a Landscape Architect can legally create commercial landscape plans.

Landscape Designer: A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.

Landscape Education Package: A package that is intended to inform and educate water users in the City about water efficient landscapes. This package should include a listing of water conserving plants, certified landscape designers, landscape architects, certified irrigation designers, and certified irrigation contractors. Information regarding the City's water rates, billing format for water use and commitment to water conservation may also be included.

Landscape Plan Documentation Package: The preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as

plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this ordinance. The Landscape Plan Documentation Package shall include a project data sheet, a Planting Plan, an Irrigation Plan, and a Grading Plan.

Landscape Zone: A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.

Landscaping: Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.

Localscapes®: A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).

Maximum Applied Water Allowance (MAWA): the upper limit of annual applied water for the established landscaped area as specified in Section 8. It is based upon the area's reference evapotranspiration, a plant adjustment factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the MAWA.

Microclimate: The climate of a very small restricted area that is different from the surrounding area. These areas include shade areas, sun areas, and areas protected by surrounding structures.

Mulch: Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Plant Adjustment Factor: A reference evapotranspiration factor, also referred to as a crop coefficient which is a value to indicate water needs of various plant types for optimum growth or yield. It is a factor to provide acceptable appearance and function of the plant.

Planting Plan: A Planting Plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.

Pop-up Spray Head: A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

Precipitation Rate: The depth of water applied to a given area, usually measured in inches per hour.

Pressure Compensating: A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

Rehabilitated Landscaping: Altering, repairing, or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance, etc.

Rotor Spray Head: A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.

Runoff: Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

Smart Automatic Irrigation Controller: An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart Automatic Irrigation Controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.

Special Landscape Area: (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

Spray Sprinkler: An irrigation head that sprays water through a nozzle.

Stream Sprinkler: An irrigation head that projects water through a gear rotor in single or multiple streams.

Turf: A surface layer of earth containing grass species with full root structures that are maintained as mowed grass.

Waste of Water: shall include, but not necessarily limited to:

1. The use of water for any purpose, including outdoor irrigation, that consumes, or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharges into the sewer system, or is allowed to run into the gutter or street.
2. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except to alleviate immediate health or safety hazards.

Water-Conserving Plant: A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.

Section 6. Applicability of Water Efficient Landscape Ordinance

The provisions of this ordinance shall apply to all new and rehabilitated landscaping for public agency projects, private commercial and industrial development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings.

Section 7. Landscape Design Standards

A. Plant Selection.

1. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible.
2. Areas with slopes greater than 25% shall be landscaped with deep-rooting, water- conserving plants for erosion control and soil stabilization.
3. Park strips and other landscaped areas less than eight (8) feet wide shall be landscaped with water-conserving plants, that do not a mass planting of any type of plant material requiring uniform overhead spray irrigation.

Note: Please see Exhibit A for a list of recommended plants for various landscape situations and conditions (not a comprehensive list).

- B. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
- C. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soil conditions.
- D. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:
 1. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
 2. Low-growing trees shall be selected for spaces under utility wires;
 3. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;
 4. Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
 5. Street trees shall be planted within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles; and
 6. Trees less than a two-inch caliper shall be double-staked until the trees mature to a two-inch caliper.

Section 8. Irrigation Design Standards

- A. Smart Automatic Irrigation Controller. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All

controllers shall be equipped with automatic rain delay or rain shut-off capabilities and shall be setup to operate in “smart” mode.

- B. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.
- C. Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the City due to the limited number of trees on the project site.
- D. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas. Pop-up spray heads shall be at a minimum of four (4) inches in height to avoid blockage from lawn foliage.
- E. Sprinklers shall have matched precipitation rates with each control valve circuit.
- F. Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.
- G. Check valves shall be required where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.
- H. Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30 mesh screen and shall be cleaned and maintained by the property owner on a regular basis.
- I. Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200 mesh and end flush valves are required as necessary for drip irrigation lines.
- J. Valves with spray or stream sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss from wind, evaporation or other environmental conditions not suitable for irrigation.
- K. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.
- L. Meter Installation: Meters shall be specified by the <CITY NAME> for the particular installation and shall report instantaneous flow in gallons per minute (gpm) and totalized flow in gallons via encoded register output. <DEFINE INSTALLATION REQUIREMENTS INCLUDING METER MANUFACTURER AND ENCLOSURE DEPTHS ETC>
- M. AMR Transmitters: Each meter shall be fitted with an AMR transmitter with integral connector. <DEFINE AMR TRANSMITTER AND INSTALLATION REQUIREMENTS>

Each new development or rehabilitated landscape that uses primary potable water for landscape irrigation must provide a water budget calculation to demonstrate a Maximum Applied Water Allowance (MAWA) for the new landscape or development. For parcels using secondary water,

the MAWA is determined by the secondary water provider based on parcel size and is referred to as an allocation.

The Maximum Applied Water Allowance shall be calculated using the following equation:

$$\text{MAWA} = (\text{ETo}) (0.62)(1.15)[(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year) as calculated from weather data at the closest available weather station.

0.62 = Conversion Factor (to gallons)

1.15 = Delivery Inefficiency Factor (sprinkler system uniformity etc.)

0.8 = ET Adjustment Factor (ETAF), plant factor or crop coefficient (.8 standard for cool season turf)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

ETo values can be obtained directly from the USU Climate Center where a data base of weather data from local stations is collected, analyzed, and stored. If you cannot find the ET data you need, please contact the City.

Additional details and examples of calculations are found in Appendix A

Section 9. Landscapes in New Single-family Residential Developments

- A. Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall provide water-efficient landscaping to prospective home buyers, such as the Locascapes design style when the landscape is installed by the homebuilder/developer. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 35% of the total landscaped area.
- B. Homebuilders and/or developers who construct model homes for a designated subdivision shall install water-efficient landscaping, such as the Locascapes design style. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 35% of the total landscaped area.
- C. New Construction homes shall have landscaping and irrigation plans approved by the City Planning Department prior to issuance of building permits, for which no variance may be granted, and which meet the aforementioned requirements.
- D. Model homes shall include an informational brochure on water-efficient landscaping or Locascapes. Locascapes brochures can be obtained from the City Planning Department.
- E. When buyers or owners are installing their own landscaping on new home construction, a time frame for landscaping to be completed shall be 18 months from the time of occupancy to complete the front yard and no more than three years to complete the total landscape.

Section 10. Prohibition on Restrictive Covenants Requiring Uniform Plant Material Irrigated with Spray Irrigation

- A. Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:
 - 1. Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than 8 feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 40% of the landscaped area; or
 - 2. Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or
 - 3. Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.

Section 11. Landscapes in Commercial, Industrial, and Institutional Developments

- A. Commercial, industrial and institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 15% of the total landscaped area, outside of active recreation areas.

Section 12. Documentation for Commercial, Industrial, and Institutional Projects

Landscape Plan Documentation Package. A copy of a Landscape Plan Documentation Package shall be submitted to and approved by the City prior to the issue of any permit. A copy of the approved Landscape Plan Documentation Package shall be provided to the property owner or site manager and to the local retail water purveyor. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect and shall consist of the following items:

- A. Project Data Sheet. The Project Data Sheet shall contain the following:
 - 1. Project name and address;
 - 2. Applicant or applicant agent's name, address, phone number, and email address;
 - 3. Landscape architect's name, address, phone number, and email address; and
 - 4. Landscape contractor's name, address, phone number and email address, if available at this time.
- B. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:
 - 1. Location of all plant materials, a legend with botanical and common names, and size of plant materials;
 - 2. Property lines and street names;

3. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
 4. Existing trees and plant materials to be removed or retained;
 5. Scale: graphic and written;
 6. Date of Design;
 7. Designation of a landscape zone, and
 8. Details and specifications for tree staking, soil preparation, and other planting work.
- C. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
1. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
 2. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
 3. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers, and
 4. Installation details for irrigation components.
- D. Grading Plan. A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
1. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements, and
 2. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.

Section 13. Plan Review, Construction Inspection, and Post-Construction Monitoring for Commercial, Industrial, and Institutional Projects

- A. As part of the Building Permit approval process, a copy of the Landscape Plan Documentation Package shall be submitted to the City for review and approval before construction begins.
- B. All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
- C. During construction, site inspection of the landscaping may be performed by the City Building Inspection Department.
- D. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the Building Inspection Department to verify compliance with the approved landscape plans. The Certificate of Substantial Completion shall be completed by the property owner, contractor or landscape architect and submitted to the City.

- E. The City reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.

Section 14. Prohibited Watering Practices

Regardless of the age of a development (commercial, industrial, office, or residential), water shall be properly used. Waste of water is prohibited.

Section 15. Enforcement, Penalty for Violations

The Public Utilities Director and other employees of the Public Utilities Department are authorized to enforce all provisions of this Ordinance.

Any consumer who violates any provisions of this Ordinance shall be issued a written notice of violation. This notice shall be affixed to the property where the violation occurred. The notice will describe the violation and order that it be corrected, cured or abated immediately or within times specified by the City. Failure to receive a notice shall not invalidate further actions by the City. If the order is not complied with, the City may terminate water service to the customer and/or issue a citation.

Section 16. Effective Date

This ordinance shall be effective as of <EFFECTIVE DATE>.

Dated: _____	<u><CITY NAME></u>
	By: _____
	Its: _____ Mayor
[Municipal Recorder Attestation and Seal]	

Appendix A

The Maximum Applied Water Allowance shall be calculated using the equation:

$$\text{MAWA} = (\text{ETo}) (0.62) (1.15) [(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are examples only but are real ETo values from Weber Basin's weather station and should be substituted for

actual ETo values for your specific city. For actual irrigation scheduling, automatic smart irrigation controllers are required and shall use current reference evapotranspiration data (most of which is part of each controller company's supporting weather network) or soil moisture sensor data.

(1) Example MAWA calculation: a hypothetical landscape project in Layton Utah with an irrigated landscape area of 20,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, or recreational areas). To calculate MAWA, the annual reference evapotranspiration value for Layton is 32.8 inches as documented from the Weber Basin weather station data.

$$\text{MAWA} = (\text{ETo}) (0.62) (1.15) [(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

1.15= Delivery Inefficiency Factor (sprinkler system uniformity etc.)

0.8 = ET Adjustment Factor (ETAF) typical for cool season turf

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

$$\text{MAWA} = (32.8 \text{ inches}) (0.62) (1.15) [(0.8 \times 20,000 \text{ square feet}) + (0.3 \times 0)] = \mathbf{374,182 \text{ gallons per year}}$$

(or 1.15 AF/yr)

(2) In this next hypothetical example, the landscape project in Ogden Utah has the same ETo value of 32.8 inches and a total landscape area of 15,000 square feet. Within the 15,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.

$$\text{MAWA} = (\text{ETo}) (0.62) (1.15) [(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

$$\begin{aligned} \text{MAWA} &= (32.8 \text{ inches}) (0.62) (1.15) [(0.8 \times 15,000 \text{ square feet}) + (0.3 \times 2,000 \text{ square feet})] \\ &= 20.34 \times [12,000 + 600] \text{ gallons per year} = \mathbf{280,696.8 \text{ gallons per year}} \text{ (or .86 AF/year)} \end{aligned}$$

Planning Commission Staff Report

Subject: Final Plat – Legacy Storage Subdivision
Author: Bryn MacDonald
Department: Community Development
Date: October 19, 2021



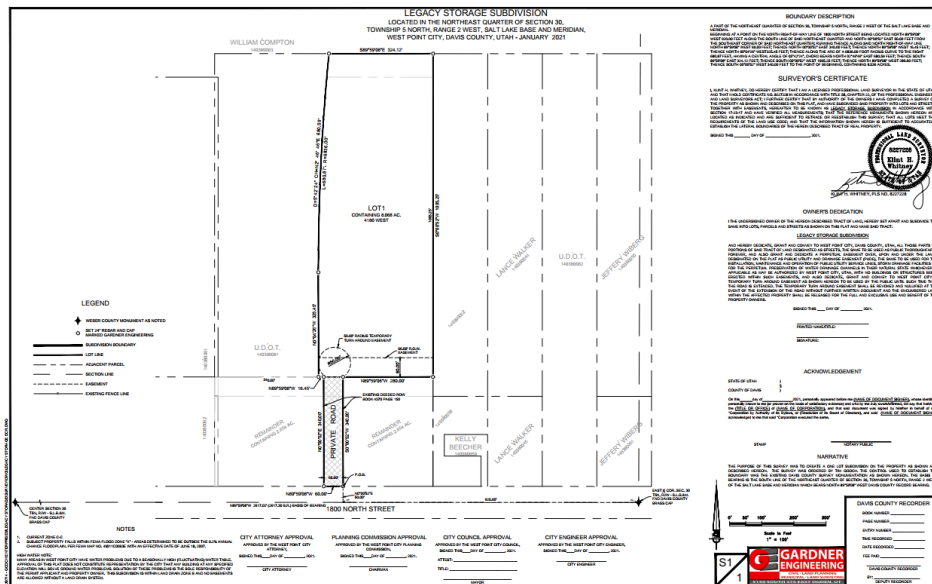
Background

The applicant, Tim Gooch, is seeking final plat approval for the Legacy Storage Subdivision, located at approximately 4300 West 1800 North.

The City Council rezoned this property to R/I-P (Industrial) in March of 2019. The development consists of 8 acres of land with 1 proposed lot. The development will be a mix of storage units and outdoor RV storage. After the plat has been approved the applicant will need to come back for a site plan review and approval from the Planning Commission and City Council on site specific improvements.

The Planning Commission approved the preliminary plat for the subdivision September 23, 2021.

Analysis



Staff has reviewed the plans submitted and has provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed.

Recommendation

This item is on for discussion only. No decision is required at this time.

Attachments

A. Plans

City Council Staff Report

Subject: General Plan Amendment Application fee
Author: Bryn MacDonald
Department: Community Development
Date: October 19, 2021



Background

The City Council adopted the new Title 17, Land Use and Development, in September 2021. A significant change in the ordinance was adopting a process to amend the General Plan. Applications for amendments to the General Plan are allowed to be submitted in April and October. In order for staff to accept a complete application, the City needs to determine if a fee will be assessed for a General Plan amendment application, and if so, what the fee should be.

Analysis

An amendment to the General Plan requires significant time for review by staff, the Planning Commission, and the City Council. All other development applications require a fee, including subdivisions and rezones. The following fees are currently charged by the City:

Application	Fee
Rezone	\$250
Preliminary Subdivision Plat	\$300 + \$25 per lot
Final Subdivision Plat	\$600 + \$50 per lot
Conditional Use Permit	\$75

Staff reviewed several other cities to determine what they charge for a General Plan amendment. Below is a list of what other cities are currently charging:

City	General Plan Amendment Fee
North Salt Lake	\$275 (\$200 application and \$75 public hearing fee)
Murray	\$500
Taylorsville	\$300 + \$50 per acre
Draper	\$2,000 + \$25 per acre
Springville	\$660
Provo	\$560
Roy	\$450
Syracuse	\$450 application fee + \$100 noticing fee
Ogden	\$625

Recommendation

Staff recommends adopting a fee of \$500 for a General Plan amendment application.

RESOLUTION NO. 10-19-2021B

**A RESOLUTION AUTHORIZING A COOPERATIVE
PROCUREMENT CONTRACT WITH RESOURCE CONSULTANTS**

WHEREAS, the West Point City Council has determined that America Rescue Plan Act (ARPA) money should be used to install sewer infrastructure; and

WHEREAS, Davis County has determined through their procurement process to contract with Resource Consultants to assist them with the reporting requirements attached to the ARPA funding; and

WHEREAS, West Point City expects to receive ARPA funding from Davis County to assist with the sewer infrastructure project; and

WHEREAS, the West Point City Purchasing Procedures allows for Cooperative Procurement (WPCC 3.25.050(C)); and

WHEREAS, the West Point City Council finds that using the same consultant as Davis County will provide economies of scale and other significant benefits that are in the City's best interest;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED, by the City Council of West Point City that the City Manager is authorized to enter into a contract with Resource Consultants, through the same price structure as Davis County (attached), to assist and guide the City through the requirements attached to the spending and tracking of ARPA funding.

PASSED AND ADOPTED this 19th day of October, 2021.

WEST POINT CITY,
A Municipal Corporation

By: _____
Erik Craythorne, Mayor

ATTEST:

Casey Arnold, City Recorder

City Council Staff Report

Subject: Cooperative Procurement Contract
Author: Kyle Laws
Department: Executive
Date: October 19, 2021



Background

West Point City, Davis County, and the State of Utah have all received America Rescue Plan Act (ARPA) funding. These federal dollars have strings attached in the sense that there are specific projects and criteria in which they can be used for, as well as very strict reporting and tracking requirements. West Point City has recently completed a study of sewer infrastructure options for the future annexation area north of the City. Together with Davis County, we have determined that the installation of sewer infrastructure to this area is a good use of ARPA funding.

Analysis

As Staff has learned more about the spending of ARPA money, it has become very clear that we do not have adequate staffing to adequately track and report the use of these funds. Through communications with Curtis Koch, Davis County Clerk/Auditor, we have decided that it is in our best interest to hire a consultant to assist us with these funds. Davis County has procured, through their internal process, a group called Resource Consultants to assist them. Davis County has used this group in the past with the CDBG funds tracking and reporting. Both CDBG and ARPA are federally funded and have similar requirements. It makes sense for West Point City to use this same consultant, since we anticipate receiving millions of dollars from Davis County to assist with our sewer infrastructure project.

West Point City Code 3.25 outlines our Purchasing Procedures. Section 3.25.050(C) allows the City to take advantage of previously arranged contracts, so long as the City Council authorizes it through passage of a Resolution. The City Code states:

“Cooperative Procurement. The city may join with other units of federal, state, or local government...as the city council may by resolution direct, in purchasing goods and services.”

Felshaw King, City Attorney, agrees that this section of the Purchasing Procedures allows us to “piggy back” on the agreement that Davis County entered into. Resource Consultants has agreed to provide us with the same rate structure as the County, agreeing not to double charge for any work that may span both entities. We believe this relationship will provide for some economies of scale and other benefits that could arise from following the same dollars from the County through the City.

Recommendation

Staff recommends the City Council approve Resolution No. 10-19-2021B, Authorizing a Cooperative Procurement Contract with Resource Consultants.

Significant Impacts

There are no significant impacts identified at this time. Although this cooperative procurement contract could save money by using the same consultant as the County.

Attachments

Resolution No. 10-19-2021B
Resource Consultants Rate Card

RESOLUTION NO. 10-19-2021B

**A RESOLUTION AUTHORIZING A COOPERATIVE
PROCUREMENT CONTRACT WITH RESOURCE CONSULTANTS**

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PASSED AND ADOPTED this 19th day of October, 2021.

WEST POINT CITY,
A Municipal Corporation

By: _____
Erik Craythorne, Mayor

ATTEST:

Casey Arnold, City Recorder

Staffing Rate Card

West Point and Davis County Utah receive the same staff rates. Travel billed at cost and federal daily meal/incidental per diem rate.

Name	Title	Hourly Rate
Elizabeth McNannay	Member/Owner / Project Lead	\$125.00
Heather Laird	Senior Project Manager	\$110.00
Rhiannon Avery	Senior Project Manager	\$95.00
Nell Stamper	Outreach Specialist / Project Assistant	\$85.00
	Admin/Research/Project Assistant	\$65.00

Work Plan:

Balance of 2021 – 2024/2026 (construction timeline and completion date dependent), dates to be confirmed

Dates	Description	Deliverable
11/8/2021	Kick-off to review timeline and deliverables	Meeting – discuss proposed project, current documents, key contacts, timeline and deliverables
11/22/2021 – 12/31/2022 Continue (less frequently?) until project closeout	Check-ins 2x/month Ongoing frequency TBD	RC and West Point staff May include Davis County staff, as needed
11/8/2021 – 3/31/2022	One-on-one phone calls and in person, project specific, meetings with key stakeholders, city/county officials, and other interested parties, as necessary	Monthly updates on outreach undertaken and results for proposed project
11/6/2021 – 11/13/2021	On the ground one-on-one meetings	Monthly updates on outreach undertaken and results for each potential project
12/4/2021 – 12/11/2021	On the ground one-on-one meetings	Monthly updates on outreach undertaken and results for each potential project
12/31/2021 - End	Reporting requirements, procurement and agreement compliance, file set-up and maintenance, prevailing wage documentation and monitoring/closeout assistance.	Monthly status updates. Verbal during check-ins and/or written when requested.

City Council Staff Report

Subject: Impact Fee – Sewer
Author: Boyd Davis
Department: Engineering
Date: October 19, 2021



Background

During the past several months we have been in the process of preparing an impact fee facilities plan (IFFP) for the proposed sewer system in the annexation area on the northwest corner of the City. We have also been preparing the impact fee analysis for the proposed sewer system. We have worked closely with Bowen Collin's Engineers, a consulting firm, to complete the impact fee analysis. They will be at the City Council meeting to answer any questions that you may have.

Analysis

The service area for the proposed sewer system will be a new service area that has never had an impact fee. This new service area will be separate from the current service area of the City and will have its own fee that will be unique to that area. We expect the fee in this area to be much higher than the impact fee for other areas of the City because this will be a brand new system and nearly 100% of the costs will be borne by new growth. It should also be noted that the service area is currently outside of the City boundaries. The City will not be able to impose the impact fee until the area is annexed into the City.

The purpose of the impact fee facilities plan is to identify new projects that will be required to meet the future needs. It also provides an estimated cost of the improvements and possible financing sources. The Executive Summary for the storm drain Impact Fee Analysis states the following:

A fair impact fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from the unused capacity. Only the capacity that is needed to serve the projected growth within in the next ten years is included in the fee. Costs used in the calculation of impact fees include:

- New facilities required to maintain (but not exceed) the proposed level of service in the system; only those expected to be built within ten years are considered in the final calculations of the impact fee.
- Historic costs of existing facilities that will serve new development
- Cost of professional services for engineering, planning, and preparation of the Impact Fee Facilities Plan and impact fee analysis

Costs not used in the impact fee calculation

- Operational and maintenance costs
- Cost of facilities constructed beyond 10 years
- Cost associated with capacity not expected to be used within 10 years
- Cost of facilities funded by grants, developer contributions, or other funds which West Point City is not required to repay
- Cost of renovating or reconstructing facilities which do not provide new capacity or needed enhancement of services to serve future development

IMPACT FEE CALCULATION

Impact fees for this analysis were calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years based on ERUs. This is done for all of the needed gravity collection, lift station, and force main facilities within the study area. Calculated impact fees by component are summarized in Table ES-1.

Table ES-1
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	\$ 15,784,110	24.5%	\$ 3,870,251	1049	\$ 3,689
10-Year Project Interest Costs	\$ 6,760,806	24.5%	\$ 1,657,744	1049	\$ 1,580
Credit for User Fees Paid Toward Existing					\$ (128.96)
Subtotal	\$ 22,544,916		\$ 5,527,995		\$ 5,141
Studies					
All Studies	\$ 65,300	96.3%	\$ 62,867	1049	\$ 59.93
TOTAL	\$ 22,610,216		\$ 5,590,862		\$ 5,201

Before enacting the impact fee ordinance, the State Code requirements must be followed as outlined below:

1. Publish a notice of a public hearing on the State Website.

2. Make a copy of the report available to the public.
3. Obtain a written certification from the consultant.
4. Make a copy of the ordinance available to the public.
5. Hold a public hearing.
6. Adopt the impact fee ordinance.

Following the public hearing, the Council will consider adopting the new fee. If adopted, the fee will go into effect 90 days after the date the ordinance is passed.

Recommendation

No action required; this is for discussion only. Staff recommends that a public hearing be set for October 5th.

Significant Impacts

A new impact fee of \$5,201 will be charged to all new residents in the service area

Attachments

Draft Impact Fee Analysis
Draft Capital Facilities Plan



PREPARED FOR:



PREPARED BY:



WEST POINT CITY SEWER IMPACT FEE FACILITIES PLAN and IMPACT FEE ANALYSIS

SEPTEMBER 2021

SEWER IMPACT FEE FACILITIES PLAN

SEPTEMBER 2021

Prepared for:



Prepared by:



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EXECUTIVE SUMMARY

SEWER IMPACT FEE FACILITIES PLAN

The purpose of an Impact Fee Facilities Plan (IFFP) is to identify demands placed upon West Point City facilities by future development within the city and future annexation areas and to evaluate how these demands will be met by West Point City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

WHY IS AN IFFP NEEDED

The IFFP provides a technical basis for assessing updated impact fees throughout West Point City. This document addresses the future infrastructure needed to serve the study area within West Point City, see Figure 1. The existing and future capital projects documented in this IFFP will ensure that level of service standards is maintained for all existing and future residents who reside within the service area. Local governments must pay strict attention to the required elements of the Impact Fee Facilities Plan which are enumerated in the Impact Fees Act.

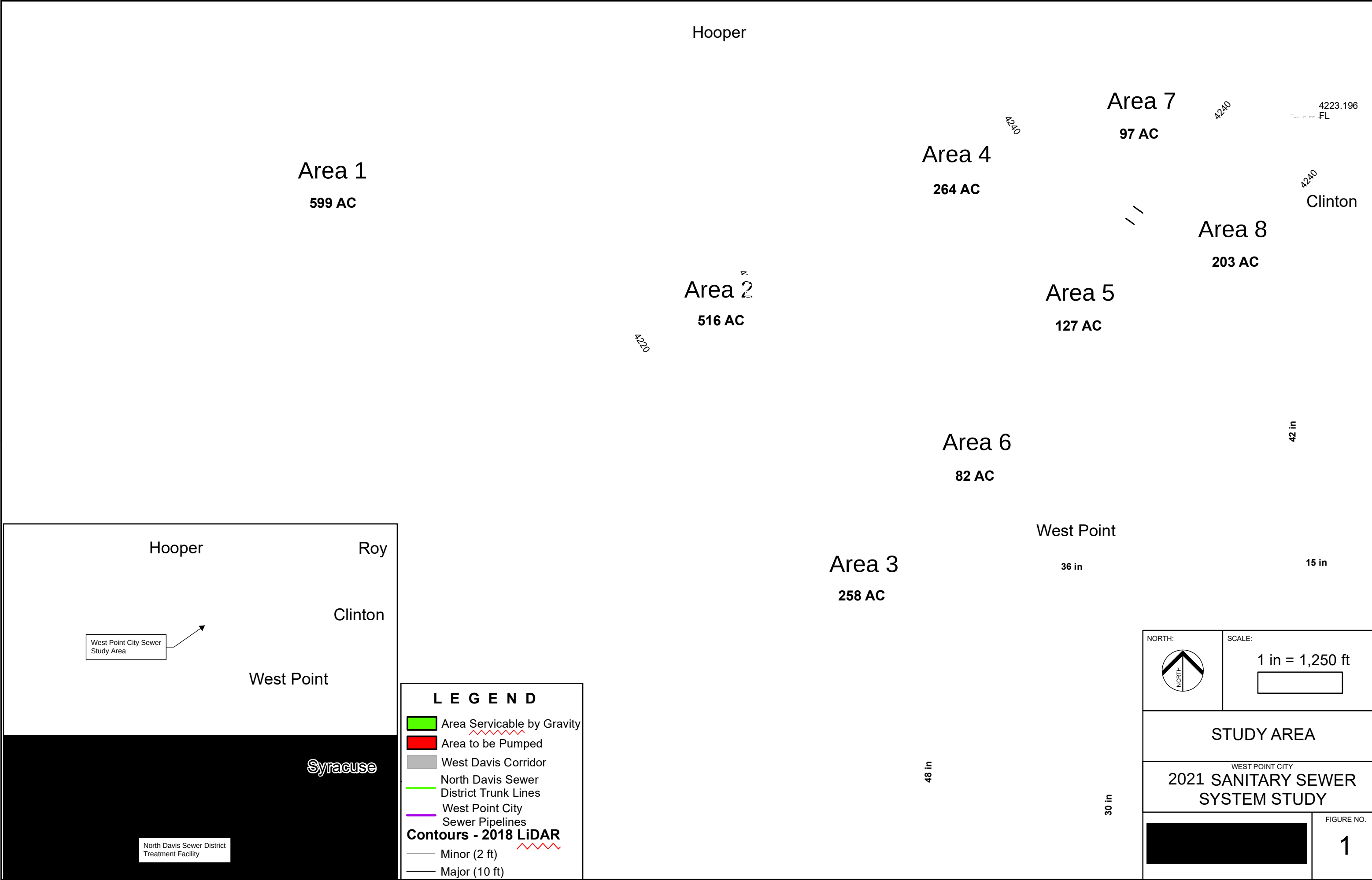
PROJECTED FUTURE GROWTH

Before evaluating system capacity, it is first necessary to calculate the demand associated with existing development and projected growth. Using available information for existing development and growth projections from City Officials it was determined that 104.9 ERUs would be developed each year. Projected growth in system demand is summarized in Table ES-1 in terms of Equivalent Residential Units (ERUs).

Table ES-1
West Point Service Area Projections

Year	Connected Service Area ERUs	Estimated Dry Weather Sewer Flows (MGD)
2021	0	0.00
2031	1,049	0.27
2041	2,098	0.53
2051	3,147	0.80
2061	4,196	1.07
2066	4,721	1.20

An ERU represents the demand that a typical single-family residence places on the system. Service Area ERUs shows the existing ERUs within the study area. The basis of an ERU for historical flow rates is summarized in Table ES-2.



**Table ES-2
Service Area Historic Flows**

Item	Value for Existing Conditions ¹	Value for 10-Year Growth	Total 10-Year Conditions
Equivalent Residential Connections (ERUs)	n/a	1,049	1,049
Domestic Wastewater Production (mgd)	n/a	0.23	0.23
Infiltration, Maximum Month (mgd)	n/a	0.04	0.04
Average Day, Maximum Month Flow (mgd)	n/a	0.27	0.27
Peak Hour Flow (mgd)	n/a	0.84	0.84
Flows per ERU			
Domestic Wastewater Production (gpd/ERU)	220	220	220
Average Day, Maximum Month Flow (gpd/ERU)	255	255	255
Peak Hour Flow (gpd/ERU)	800.7	800.7	800.7

¹There is no existing regional sewer collection system within the study area. All existing residents are serviced by individual septic systems or temporary lift stations. Residents are anticipated to connect to a regional sewer system as it becomes available.

LEVEL OF SERVICE

Level of service is defined in the Impact Fees Act as “the defined performance standard or unit of demand for each capital component of a public facility within a service area”. Summary values for both existing and proposed levels of service are contained in Table ES-3.

**Table ES-3
Sanitary Sewer Level of Service**

	Existing Level of Service ²	Proposed Level of Service
Gravity Lines - Maximum Ratio of Flow ¹ to Pipeline Capacity/Percent of Collection System that Meets the Standard	n/a	0.75/100%
Force Mains - Maximum Velocity (ft/s)/Percent of Collection System that Meets the Standard	n/a	7/100%
Lift Station - Maximum Ratio of Peak Flow to Pumping Capacity/Percent of Collection System that Meets the Standard	n/a	0.85/100%
Design Flow - Average Day, Peak Month Flow (gpd per ERU)	n/a	255

¹ Peak hour, dry weather flow

²No existing level of service within study area because there is no existing sewer collection system. The level of service was determined based on industry standards, other existing sewer collection within West Point City (outside of the study area) and input from West Point City.

EXISTING CAPACITY AVAILABLE TO SERVE FUTURE GROWTH

There is currently no existing system capacity in the area. Projected future growth will be met through construction of additional system level capacity through new facilities.

REQUIRED SYSTEM IMPROVEMENTS

Additional improvements required to serve new growth are summarized in Table ES-4. To satisfy the requirements of state law, Table ES-4 provides a breakdown of the percentage of the project costs attributed to future users of the system. For future use, capacity has been divided into capacity to be used by growth within the 10-year planning horizon of this IFFP and capacity that will be available for growth beyond the 10-year horizon. These project components' locations are displayed in Figure 2. The order of the projects shown in Table ES-4 are non-consequential and do not represent a chronological order of when projects would be needed. Project order will most likely be determined by specific growth demands and needs of the City. If projects change significantly from what is shown, the IFFP and IFA will need to be updated to reflect these changes.

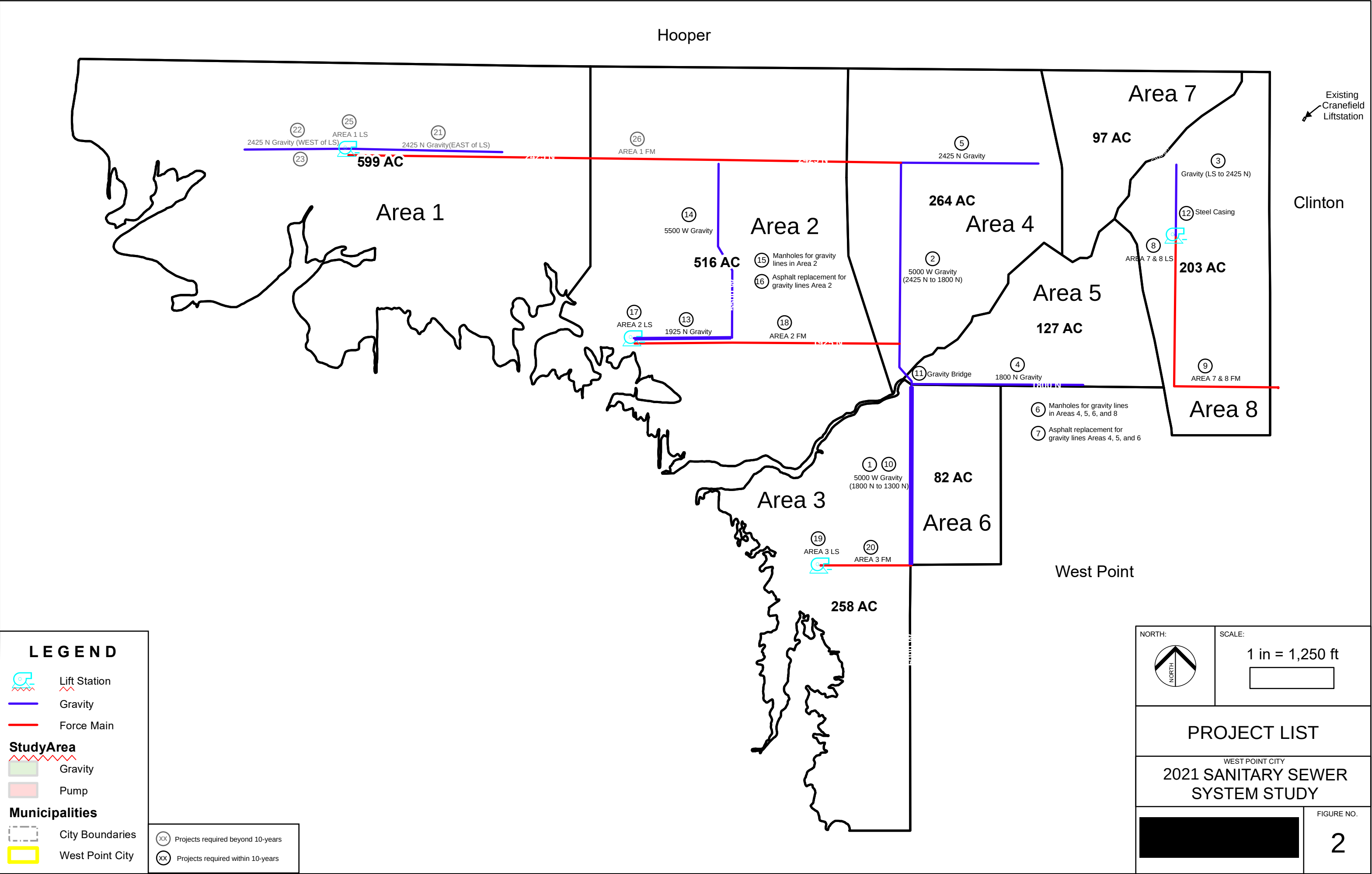


Table ES-4
Project Costs Allocated to Projected Development, 10 Year Planning Horizon

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to Existing	Percent to 10 Year Growth	Percent to Growth 2031 through Buildout	Cost to Existing	Cost to 10 Year Growth	Cost to Growth 2031 through Buildout
Gravity Line Projects											
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	\$ 1,480,275	2.8%	17.9%	79.3%	\$ 41,448	\$ 264,969	\$ 1,173,858
2	2021	4	1, 2 & 4	5000 W: 24-inch PVC Sewer Pipeline	\$ 1,560,600	2.4%	15.5%	82.1%	\$ 37,454	\$ 241,893	\$ 1,281,253
3	2021	8	7 & 8	Clinton Drain Crossing: 12-inch PVC Sewer Pipeline(deeper excavation)	\$ 461,700	5.0%	33.2%	61.8%	\$ 23,085	\$ 153,284	\$ 285,331
4	2021	5	5	1800 N: 12-inch PVC Sewer Pipeline	\$ 719,550	7.9%	32.2%	59.9%	\$ 56,844	\$ 231,696	\$ 431,010
5	2021	4	4	2425 N: 10-inch PVC Sewer Pipeline	\$ 518,805	2.9%	34.0%	63.1%	\$ 15,045	\$ 176,394	\$ 327,366
6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	\$ 388,800	3.1%	20.3%	76.6%	\$ 12,053	\$ 78,926	\$ 297,821
7	2021	4,5, & 6	1, 2, 4, 5 & 6	Asphalt Replacement for Gravity Sewer Pipelines in Areas 4, 5, and 6 only	\$ 1,076,040	2.8%	17.9%	79.3%	\$ 30,129	\$ 192,611	\$ 853,300
11	2021	4 & 5	1, 2 & 4	24-inch Pipe Bridge (80' bridge)	\$ 337,500	2.4%	15.5%	82.1%	\$ 8,100	\$ 52,313	\$ 277,088
12	2021	7 & 8	7 & 8	Steel Casing (Clinton Drain)	\$ 119,475	5.0%	33.2%	61.8%	\$ 5,974	\$ 39,665	\$ 73,836
13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	\$ 668,250	2.9%	24.3%	72.8%	\$ 19,379	\$ 162,385	\$ 486,486
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	\$ 1,205,820	2.9%	24.3%	72.8%	\$ 34,969	\$ 293,014	\$ 877,837
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	\$ 388,080	2.9%	24.3%	72.8%	\$ 11,254	\$ 94,304	\$ 282,522
16	2026	2	2	Sewer Manholes(assumed standard 5-foot diameter) Area 2 Only	\$ 142,560	2.9%	24.3%	72.8%	\$ 4,134	\$ 34,642	\$ 103,784
				Subtotal	\$ 9,067,455.0				\$ 299,868	\$ 2,016,096	\$ 6,751,492
Lift Stations & Force Mains Projects											
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	\$ 1,559,250	5.0%	33.2%	61.8%	\$ 77,962	\$ 517,671	\$ 963,617
9	2021	7 & 8	7 & 8	FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 583,200	5.0%	33.2%	61.8%	\$ 29,160	\$ 193,622	\$ 360,418
17	2026	2	2	Area 2 Lift Station (1.0 MGD)	\$ 2,338,875	2.9%	24.3%	72.8%	\$ 67,827	\$ 567,721	\$ 1,703,327
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 672,030	2.9%	24.3%	72.8%	\$ 19,489	\$ 163,123	\$ 489,418
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	\$ 1,336,500	6.0%	26.4%	67.6%	\$ 80,190	\$ 352,243	\$ 904,067
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 226,800	6.0%	26.4%	67.6%	\$ 13,608	\$ 59,775	\$ 153,417
				Subtotal	\$ 6,716,655				\$ 288,236	\$ 1,854,155	\$ 4,574,264
				Total	\$ 15,784,110				\$ 588,104	\$ 3,870,251	\$ 11,325,756

IMPACT FEE FACILITIES PLAN (SEWER)

INTRODUCTION

West Point City has retained Bowen Collins & Associates (BC&A) to prepare an Impact Fee Facilities Plan (IFFP) for sewer collection services provided by the City. The purpose of an IFFP is to identify demands placed upon the City's facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

Much of the analysis forming the basis of this IFFP has been taken from the City's 2021 Sewer Study conducted by BC&A. The reader should refer to this document for additional discussion of planning and evaluation methodology beyond what is contained in this report.

SERVICE AREA

The service area for the IFFP and subsequent IFA is defined as the same study area as the 2021 Sewer Study. The current study area includes areas not served by the sewer system currently within West Point City and nearby unincorporated areas of Davis County that may potentially be annexed by West Point City in the future. Generally, the service area is defined on the west by the Great Salt Lake floodplain boundary (officially the 4,217 contour), on the north by the Weber/Davis County line, on the east by the proposed West Davis Corridor, and the south does not extend further south than 500 N (see Figure 1). This study area will be treated as a single service area for the calculation of the Impact Fee. The remainder of the City will not be impacted by this new Impact Fee Study.

IMPACT FEE FACILITY PLAN COMPONENTS

Requirements for the preparation of an IFFP are outlined in Title 11, Chapter 36a of the Utah Code Annotated (the Impact Fees Act). Under these requirements, an IFFP shall accomplish the following for each facility:

1. Identify the existing level of service
2. Establish a proposed level of service
3. Identify excess capacity to accommodate future growth at the proposed level of service
4. Identify demands placed upon existing public facilities by new development
5. Identify the means by which demands from new development will be met
6. Consider the following additional issues:
 - a. revenue sources to finance required system improvements
 - b. necessity of improvements to maintain the proposed level of service
 - c. need for facilities relative to planned locations of schools

The following sections of this report have been organized to address each of these requirements.

EXISTING LEVEL OF SERVICE – Utah Code Annotated 11-36a-302(1)(a)(i)

Level of service is defined in the Impact Fees Act as “the defined performance standard or unit of demand for each capital component of a public facility within a service area”. This section discusses the level of service being currently provided to existing users.

Unit of Demand

For the purposes of this analysis, it is useful to define these various demands in terms of Equivalent Residential Units (ERUs). An ERU represents the demand that a typical single-family residence places on the system. Historic water consumption and sewer flow data gathered as part of the ongoing North Davis Sewer District (NDS) Impact Fee Study was used to estimate average sewer flows for the study area, including allowance for inflow and infiltration (I&I). Based on this data an assumed 220 gpd/ERU (domestic wastewater production) + 55 gpd/ERU (I&I) = 255 gpm/ERU was used as the average day, maximum month domestic wastewater flow. This is summarized in Table 1.

Table 1
Service Area Historic Flows and Definition of an ERU

Item	Value for Existing Connections ¹	Value for 10-Year Growth (connected to system)	Total 10-Year Conditions
Equivalent Residential Connections (ERUs)	n/a	1,049	1,049
Domestic Wastewater Production (mgd)	n/a	0.23	0.23
Infiltration, Maximum Month (mgd)	n/a	0.04	0.04
Average Day, Maximum Month Flow (mgd)	n/a	0.27	0.27
Peak Hour Flow (mgd)	n/a	0.84	0.84
Flows per ERU			
Domestic Wastewater Production (gpd/ERU)	220	220	220
Average Day, Maximum Month Flow (gpd/ERU)	255	255	255
Peak Hour Flow (gpd/ERU)	800.7	800.7	800.7

¹There is no existing system level sewer collection system in the study area.

Included in the table is the flow per ERU in terms of both average and peak flows. Conveyance pipelines, lift stations, and force mains must be designed based on peak hour flow (function of daily flow and diurnal flow variation).

Performance Standard

Performance standards are those standards that are used to design and evaluate the performance of facilities. This section discusses the existing performance standards for the study area.

1. **Peak Design Flows** – Peaking factors used are based on the State of Utah Peak Instantaneous Demand equation (refer to Utah Code R309-105-9). Peaking factors were adjusted based on the contributing area size. Peaking factors ranged from 2.3 to 4.0 depending on the

contributing area size. Gravity pipelines, force mains and lift stations were designed based on these peaking factors.

2. **Gravity Pipeline Capacity** – City standards require that all gravity driven sewer mains be designed such that the peak flow in the pipe is less than or equal to 75 percent of the pipe's full capacity using a manning's roughness factor of 0.013.
3. **Gravity Pipeline Slopes** – Due to the flat terrain and shallow existing sewer, the City's standards require that all system level gravity trunk lines and most project level sewer pipelines be installed at minimum slopes as defined by the State of Utah [R317-3-2.3(D)(4)]. If pipelines are installed at greater slopes, the serviceable area by gravity will be reduced. Some sewer pipes were upsized to minimize the required slope and maximize the area serviceable by gravity. These upsized pipes can potentially create additional operation and maintenance (O&M) costs for the City. These potential increases in O&M were discussed with City officials and were determined to be an economical solution to service the study area.
4. **Force main capacity** - City standards require that all force mains be designed such that the maximum flow velocity is no greater than 7 feet per second.
5. **Lift stations** - City standards require that all lift stations be designed such that the maximum ratio of the peak flow to pumping capacity is no greater than 0.85.

These design standards were used as the level of service for the system evaluation.

Existing Level of Service Summary

Currently, there is no existing system level sewer service in the City's study area. The level of service was determined based on industry standards, other existing sewer collection within West Point City (outside of the study area) and input from City personnel. The majority of the existing residents in the study area rely on septic systems for the disposal and treatment of their wastewater. There is a small subdivision (Sunview Estates) within the study area that has a temporary lift station, that will eventually be replaced by a regional lift station, that conveys wastewater to an existing gravity line. As the development is not currently complete (as of this study), it was assumed that 15 out of the 30 possible units would be existing for the purposes of the Impact Fee calculations.

PROPOSED LEVEL OF SERVICE - Utah Code Annotated 11-36a-302(1)(a)(ii)

The proposed level of service is the performance standard used to evaluate system needs in the future. The Impact Fee Act indicates that the proposed level of service may:

1. diminish or equal the existing level of service; or
2. exceed the existing level of service if, independent of the use of impact fees, the City implements and maintains the means to increase the level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.

In the case of this IFFP, no changes are proposed to the existing level of service for design standards. Thus, future growth will essentially be evaluated based on the same design standards level of service as identified for existing.

Proposed Level of Service Summary

The resulting proposed level of service for the City is summarized in Table 2.

Table 2
Proposed Sanitary Sewer Level of Service

	Existing Level of Service ²	Proposed Level of Service
Gravity Lines - Maximum Ratio of Flow ¹ to Pipeline Capacity/Percent of Collection System that Meets the Standard	n/a	0.75/100%
Force Mains - Maximum Velocity (ft/s)/Percent of Collection System that Meets the Standard	n/a	7/100%
Lift Station - Maximum Ratio of Peak Flow to Pumping Capacity	n/a	0.85/100%
Design Flow - Average Day, Peak Month Flow (gpd per ERU)	n/a	255

¹Peak hour, dry weather flow

²No existing system level City sewer within the study area.

EXCESS CAPACITY TO ACCOMMODATE FUTURE GROWTH - Utah Code Annotated 11-36a-302(1)(a)(iii)

There is no existing system level sewer service in the study area. As such, there is no excess capacity in the current system to accommodate for future growth. All future growth capacity will be accommodated by the future system level sewer system.

DEMANDS PLACED ON FACILITIES BY NEW DEVELOPMENT - Utah Code Annotated 11-36a-302(a)(iv)

Growth within the City's study area, and projections of sewer flows resulting from said growth is discussed in detail in the City's Sewer Study. Growth in terms of both Equivalent Residential Units and corresponding sewer flows is summarized in Table 3.

Table 3
West Point Projections of Growth

Year	Total Area ERUs ¹	Connected ERUs ²	Domestic Wastewater (MGD)	Max Month Infiltration (MGD)	Total Max Month, Average Day Flow (MGD)	Peak Hour Flows - City Area (MGD)
2021	164	0	0.00	0.00	0.00	0.00
2031	1,158	1,049	0.23	0.04	0.27	0.84
2041	2,176	2,098	0.46	0.07	0.53	1.68
2051	3,194	3,147	0.69	0.11	0.80	2.52
2061	4,211	4,196	0.92	0.15	1.07	3.36
2066	4,721	4,721	1.04	0.17	1.20	3.78

¹Total area ERUs are the total number of ERUs within the study area. There are approximately 164 existing ERUs that will connect to the system as the system is built out. For this study, it was assumed that 15 out of the 30 total units of the Sunview Estates Subdivision were considered existing.

²This column represents the assumed total ERUs connected to the City's sewer system within the study area.

It is important to track the existing ERUs connecting to the system as the City has not yet fully decided whether existing residents will be required to pay impact fees. However, for the purposes of this analysis, it has been assumed that existing residents will not be required to pay the sewer impact fee. This will result in a slightly lower impact fee for all users than if they were included in the impact fee calculation. If the City does want to collect impact fees from existing residents within the study area, the impact fee would need to be updated to reflect this change.

INFRASTRUCTURE REQUIRED TO MEET DEMANDS OF NEW DEVELOPMENT – Utah Code Annotated 11-36a-302(1)(a)(v)

To satisfy the requirements of state law, demands placed upon existing system facilities by future development was projected using the process outlined below. Each of the steps were completed as part of this plan's development:

1. **Existing Demand** – There is no existing demand that will be placed on the City's system level sewer system. The existing ERUs in the study area will connect to the system as it becomes available but is currently being served by individual septic systems or a temporary lift station.
2. **Existing Capacity** – There is no existing system level capacity, as the City currently has no existing system level collection system facilities within the study area.
3. **Existing Deficiencies** – There is no existing deficiencies, as the existing ERUs are serviced by individual septic tanks or a temporary lift station.
4. **Future Demand** - The demand future development will place on the system was estimated based on development projections (See the 2021 Sewer Study).
5. **Future Deficiencies** – There will be no future deficiencies within the study area because the sewer system will be initially built for build-out conditions.
6. **Recommended Improvements** – Needed system improvements were identified to meet demands associated with future development.

The steps listed above “identify demands placed upon existing public facilities by new development activity at the proposed level of service; and... the means by which the political subdivision or private entity will meet those growth demands” (Section 11-36a-302(1)(a) of the Utah Code Annotated).

10 Year Improvement Plan

In the City's 2021 Sewer Study, capital facility projects needed to provide service to customers of the study area were identified. Some of the projects identified in the study will not be needed within the next 10 years. Only infrastructure to be constructed within a 10-year horizon will be considered in the calculation of impact fees to avoid uncertainty surrounding improvements further into the future. Table 4 summarizes the components of projects identified in the sewer study that will need to be constructed within the next ten years. These project components' locations are displayed in Figure 2.

Table 4
Project Costs Allocated to Projected Development, 10 Year Planning Horizon

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to Existing	Percent to 10 Year Growth	Percent to Growth 2031 through Buildout	Cost to Existing	Cost to 10 Year Growth	Cost to Growth 2031 through Buildout
Gravity Line Projects											
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	\$ 1,480,275	2.8%	17.9%	79.3%	\$ 41,448	\$ 264,969	\$ 1,173,858
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6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	\$ 388,800	3.1%	20.3%	76.6%	\$ 12,053	\$ 78,926	\$ 297,821
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13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	\$ 668,250	2.9%	24.3%	72.8%	\$ 19,379	\$ 162,385	\$ 486,486
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	\$ 1,205,820	2.9%	24.3%	72.8%	\$ 34,969	\$ 293,014	\$ 877,837
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	\$ 388,080	2.9%	24.3%	72.8%	\$ 11,254	\$ 94,304	\$ 282,522
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				Subtotal	\$ 9,067,455.0				\$ 299,868	\$ 2,016,096	\$ 6,751,492
Lift Stations & Force Mains Projects											
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	\$ 1,559,250	5.0%	33.2%	61.8%	\$ 77,962	\$ 517,671	\$ 963,617
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17	2026	2	2	Area 2 Lift Station (1.0 MGD)	\$ 2,338,875	2.9%	24.3%	72.8%	\$ 67,827	\$ 567,721	\$ 1,703,327
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 672,030	2.9%	24.3%	72.8%	\$ 19,489	\$ 163,123	\$ 489,418
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	\$ 1,336,500	6.0%	26.4%	67.6%	\$ 80,190	\$ 352,243	\$ 904,067
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 226,800	6.0%	26.4%	67.6%	\$ 13,608	\$ 59,775	\$ 153,417
				Subtotal	\$ 6,716,655				\$ 288,236	\$ 1,854,155	\$ 4,574,264
				Total	\$ 15,784,110				\$ 588,104	\$ 3,870,251	\$ 11,325,756

Project Cost Attributable to Future Growth

To satisfy the requirements of state law, Table 4 provides a breakdown of the capital facility projects and the percentage of the project costs attributed to existing and future users. As defined in Utah Code Annotated 11-36a-102(15), the Impact Fee Facilities Plan should only include the proportionate share of “the cost of public facilities that are roughly proportionate and reasonably related to the service demands and needs of any development activity.” Some projects identified in the table are required solely to meet future growth, but some projects also provide a benefit to existing users. Projects that benefit existing users include those projects addressing existing capacity needs and maintenance related projects.

All projects within the City’s study area needed to service existing residents and new growth, costs have been divided proportionally between existing and future users based on their use of the facility. A few additional notes regarding specific projects are as follows:

Project Cost Attributable to 10 Year Growth

Included in Table 4 is a breakdown of capacity use associated with growth both through the next 10 years and for growth beyond 10 years. A challenge of sewer infrastructure is that it is not cost effective to add capacity in small increments. Once a pipeline is being built, it needs to be built to satisfy long term capacity needs. As a result, the improvements proposed in the Impact Fee Facility Plan will include capacity for growth beyond the 10-year planning window. To most accurately evaluate the cost of providing service for growth during the next ten years, added consideration has been given to evaluating how much of each improvement will be used in the next 10 years. This has been done following the same methodology as described above.

Basis of Construction Cost Estimates

The costs of construction for projects to be completed within ten years have been estimated based on past BC&A experiences with projects of a similar nature. Pipeline project costs are based on average per foot costs for pipes of a similar nature. Lift Station project costs include consideration of other components of the sanitary sewer system including manholes and surface restoration as appropriate for each project. Details of the cost estimates can be found in the City’s 2021 Sewer Study.

ADDITIONAL CONSIDERATIONS

MANNER OF FINANCING – Utah Code Annotated 11-36a-302(2)

The City may fund the infrastructure identified in this IFFP through a combination of different revenue sources.

Federal and State Grants and Donations

West Point City is pursuing grant donations but have not secured any at this time. Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Grants and donations are not currently contemplated in this analysis. If grants become available for constructing facilities, impact fees will need to be recalculated and an appropriate credit given.

Bonds

None of the costs contained in this IFFP include the cost of bonding. The cost of bonding required to finance impact fee eligible improvements identified in the IFFP may be added to the calculation of the impact fee. This will be considered in the impact fee analysis.

User Rate Revenue

Because infrastructure must generally be built ahead of growth, there often arises situations in which projects must be funded ahead of expected impact fee revenues. In some cases, the solution to this issue will be bonding. In others, funds from existing user rate revenue will be used to complete initial construction of impact fee eligible projects and will be reimbursed later as impact fees are received. Consideration of potential use of user rate revenue to pay for impact fee eligible expenditures will be included in the impact fee analysis and should also be considered in subsequent accounting of impact fee expenditures.

Impact Fees

It is recommended that impact fees be used to fund growth-related capital projects as they help to maintain the proposed level of service and prevent existing users from subsidizing the capital needs for new growth. Based on this IFFP, an impact fee analysis will be able to calculate a fair and legal fee that new growth should pay to fund the portion of the existing and new facilities that will benefit new development.

Developer Dedications and Exactions

Developer exactions are not the same as grants. Developer exactions may be considered in the inventory of current and future infrastructure. If a developer constructs facilities or dedicates land within the development for the construction of facilities identified in this IFFP, the value of the dedication is credited against that particular developer's impact fee liability.

If the value of the dedication/exaction is less than the development's impact fee liability, the developer will owe the balance of the liability to the City. If the value of the improvements dedicated is worth more than the development's impact fee liability, the City must reimburse the difference to the developer from impact fee revenues collected from other developments.

It should be emphasized that the concept of impact fee credits pertains to system level improvements only. For project level improvement (i.e. projects not identified in the Impact Fee Facility Plan),

developers will be responsible for the construction of the improvements without credit against the impact fee.

NECESSITY OF IMPROVEMENTS TO MAINTAIN LEVEL OF SERVICE - Utah Code Annotated 11-36a-302(3)

According to State statute, impact fees cannot be used to correct deficiencies in the City's system and must be necessary to maintain the proposed level of service established for all users. Only those facilities or portions of facilities that are required to maintain the proposed level of service for future growth have been included in this IFFP. This will result in an equitable fee as future users will not be expected to fund any portion of the facilities that will benefit existing residents.

SCHOOL RELATED INFRASTRUCTURE - Utah Code Annotated 11-36a-302(2)

As part of the noticing and data collection process for this plan, information was gathered regarding future school District and charter school development. The locations of schools are unknown; however, the study did account for 3 schools within the study area. Where the City is aware of the planned location of a school, required public facilities to serve the school have been included in the Impact Fee Facility Plan.

NOTICING AND ADOPTION REQUIREMENTS - Utah Code Annotated 11-36a-502

The Impact Fees Act requires that entities must publish a notice of intent to prepare or modify any IFFP. If an entity prepares an independent IFFP rather than include a capital facilities element in the general plan, the actual IFFP must be adopted by enactment. Before the IFFP can be adopted, a reasonable notice of the public hearing must be published in a local newspaper at least 10 days before the actual hearing. A copy of the proposed IFFP must be made available in each public library within the City during the 10-day noticing period for public review and inspection. Utah Code requires that the City must post a copy of the ordinance in at least three places or on the City's website. These places may include the City offices and the public libraries within the City's jurisdiction. Following the 10-day noticing period, a public hearing will be held, after which the City may adopt, amend and adopt, or reject the proposed IFFP.

IMPACT FEE CERTIFICATION - Utah Code Annotated 11-36a-306(1)

This IFFP has been prepared in accordance with Utah Code Annotated Title 11, Chapter 36a (the "Impact Fees Act"), which prescribes the laws pertaining to the imposition of impact fees in Utah. The accuracy of this IFFP relies in part upon planning, engineering, and other source data, provided by the City and its designees.

In accordance with Utah Code Annotated, 11-36a-306(1), Bowen Collins & Associates makes the following certification:

I certify that the attached Impact Fee Facilities Plan:

1. Includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. cost for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.



Keith Larson, P.E.

SEWER IMPACT FEE ANALYSIS

SEPTEMBER 2021

Prepared for:



Prepared by:



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EXECUTIVE SUMMARY

SEWER IMPACT FEE ANALYSIS

The purpose of the impact fee analysis (IFA) is to calculate the allowable impact fee that may be assessed to new development in accordance with Utah Code.

WHY ASSESS AN IMPACT FEE?

Until development utilizes the full capacity of existing facilities, West Point City can assess an impact fee to recover its cost of latent capacity available to serve future development. The general impact fee methodology divides the available capacity of existing and future capital projects between the number of existing and future users. Capacity is measured in terms of Equivalent Residential Units, or ERUs, which represents the demand that a typical single-family residence places on the system.

HOW ARE IMPACT FEES CALCULATED?

A fair impact fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from the unused capacity. Only the capacity that is needed to serve the projected growth within in the next ten years is included in the fee. Costs used in the calculation of impact fees include:

- New facilities required to maintain (but not exceed) the proposed level of service in the system; only those expected to be built within ten years are considered in the final calculations of the impact fee.
- Historic costs of existing facilities that will serve new development
- Cost of professional services for engineering, planning, and preparation of the Impact Fee Facilities Plan and impact fee analysis

Costs not used in the impact fee calculation

- Operational and maintenance costs
- Cost of facilities constructed beyond 10 years
- Cost associated with capacity not expected to be used within 10 years
- Cost of facilities funded by grants, developer contributions, or other funds which West Point City is not required to repay
- Cost of renovating or reconstructing facilities which do not provide new capacity or needed enhancement of services to serve future development

IMPACT FEE CALCULATION

Impact fees for this analysis were calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years based on ERUs. This is done for all of the needed gravity collection, lift station, and force main facilities within the study area. Calculated impact fees by component are summarized in Table ES-1.

Table ES-1
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	\$ 15,784,110	24.5%	\$ 3,870,251	1049	\$ 3,689
10-Year Project Interest Costs	\$ 6,760,806	24.5%	\$ 1,657,744	1049	\$ 1,580
Credit for User Fees Paid Toward Existing					\$ (128.96)
Subtotal	\$ 22,544,916		\$ 5,527,995		\$ 5,141
Studies					
All Studies	\$ 65,300	96.3%	\$ 62,867	1049	\$ 59.93
TOTAL	\$ 22,610,216		\$ 5,590,862		\$ 5,201

RECOMMENDED IMPACT FEE

The total calculated impact fees are summarized in Table ES-2. Included in this table is the appropriate user fee credit and corresponding overall fee. The calculated user fee credit associated with the impact fees will decrease over time. As a result, the allowable impact fee will increase over time as shown in the table. This is the legal maximum amount that may be charged as an impact fee. A lower amount may be adopted if desired, but a higher fee is not allowable under the requirements of Utah Code.

Table ES-2
Recommended Per ERU Impact Fee – West Point City Service Area

Maximum Allowable Impact Fee (Per ERU, by year)						
	2021	2022	2023	2024	2025	2026
Base Impact Fee (includes study costs)	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71
User Fee Credit	\$ (128.96)	\$ (122.73)	\$ (116.80)	\$ (111.16)	\$ (105.78)	\$ (100.67)
Total Overall Fee	\$ 5,200.74	\$ 5,206.97	\$ 5,212.90	\$ 5,218.55	\$ 5,223.92	\$ 5,229.04

IMPACT FEE ANALYSIS (SEWER)

INTRODUCTION

West Point City has retained Bowen Collins & Associates (BC&A) to prepare an impact fee analysis (IFA) for its sewer system based on a recently completed impact fee facilities plan. An impact fee is a one-time fee, not a tax, imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. The purpose of an IFA is to calculate the allowable impact fee that may be assessed to new development in accordance with Utah Code.

Service Areas

The service area for the IFA is defined as the same study area as the IFFP and the 2021 Sewer Study. The current study area includes areas not served by the sewer system currently within West Point City and nearby unincorporated areas of Davis County that may potentially be annexed by West Point City in the future. Generally, the service area is defined on the west by the Great Salt Lake floodplain boundary (officially the 4,217 contour), on the north by the Weber/Davis County line, on the east by the proposed West Davis Corridor, and the south does not extend further south than 500 N (see Figure 1). This study area will be treated as a single service area for the calculation of the Impact Fee. The remainder of the City will not be impacted by this new Impact Fee Study.

Requirements

Requirements for the preparation of an IFA are outlined in Title 11, Chapter 36a of the Utah Code (the Impact Fees Act). Under these requirements, an IFA shall accomplish the following for each facility:

1. Identify the impact of anticipated development activity on existing capacity
2. Identify the impact of anticipated development activity on system improvements required to maintain the established level of service
3. Demonstrate how the impacts are reasonably related to anticipated development activity
4. Estimate the proportionate share of:
 - a. Costs of existing capacity that will be recouped
 - b. Costs of impacts on system improvements that are reasonably related to the new development activity
5. Identify how the impact fee was calculated
6. Consider the following additional issues
 - a. Manner of financing improvements
 - b. Dedication of system improvements
 - c. Extraordinary costs in servicing newly developed properties
 - d. Time-price differential

The following sections of this report have been organized to address each of these requirements.

IMPACT ON SYSTEM - 11-36A-304(1)(A)(B)

Growth within West Point City's service area, and projections of sewer flows resulting from said growth is discussed in detail in the City's Impact Fee Facilities Plan. For the purposes of impact fee calculation, growth in the system has been expressed in terms of equivalent residential units (ERUs). An ERU represents the demand that a typical single-family residence places on the system. Growth in ERUs projected for the service area is summarized in Table 1.

Table 1
Projected West Point Water Sewer System Growth – Flow ERUs

Year	Connected Service Area ERUs	Estimated Dry Weather Sewer Flows (MGD)
2021	0	0.00
2031	1,049	0.27
2041	2,098	0.53
2051	3,147	0.80
2061	4,196	1.07
2066	4,721	1.20

As indicated in the table, projected growth for the 10-year planning window of this impact fee analysis is 1,049 ERUs or about 105 ERUs per year. New facilities will be constructed to increase capacity to meet the needs of future projected growth. These required system improvements are detailed in the Impact Fee Facilities Plan.

RELATION OF IMPACTS TO ANTICIPATED DEVELOPMENT - 11-36A-304(1)(C)

To satisfy the requirements of state law, it is necessary to show that all impacts identified in the impact fee analysis are reasonably related to the anticipated development activity. This has been documented in detail in the Impact Fee Facilities Plan. In short, only that capacity directly associated with demand placed upon existing system facilities by future development has been identified as an impact of the development. The steps completed to identify the impacts of anticipated development are as follows.

1. **Existing Demand** – There is no existing demand that will be placed on the City's system level sewer system. The existing ERUs in the study area will connect to the system as it becomes available but is largely currently being served by individual septic systems. There is one small subdivision (Sunview Estates) within the study area this is currently being constructed and will be serviced by a temporary lift station, that will eventually be replaced by a regional lift station. As this development is not currently complete (as of this study), it was assumed that 15 out of the 30 possible units would be existing for the purposes of the Impact Fee calculations.
2. **Existing Capacity** – There is no existing system level capacity, as the City currently has no existing system level collection system facilities within the study area.
3. **Existing Deficiencies** – There is no existing deficiencies, as the existing ERUs are serviced by individual septic tanks or a temporary lift station.
4. **Future Demand** - The demand future development will place on the system was estimated based on development projections as discussed in the Impact Fee Facilities Plan.

5. **Future Deficiencies** – There will be no future deficiencies within the study area because the sewer system will be initially built for build-out conditions.
6. **Recommended Improvements** – Needed system improvements were identified to meet demands associated with future development.

Proportionate Share Analysis – 11 – 36A-304(D)

A comprehensive proportionate share analysis associated with anticipated future development and its impact on the system was completed as part of the Impact Fee Facilities Plan. A summary of that analysis is contained here with additional discussion of the costs of facilities impacted by growth.

Excess Capacity to Accommodate Future Growth

There is no existing sewer collection service within the West Point City study area. This means that there is no excess capacity in the current system to accommodate for future growth. The residents in the area rely on septic systems for the disposal of wastewater. The needs of projected future growth will be met solely through construction of additional capacity in new facilities.

Existing System Infrastructure Costs

West Point City currently has no existing infrastructure costs; the city currently has no existing sewer collection system in the study area.

Reimbursement Agreements

There are no current reimbursement agreements existing within West Point City's system that have not already been accounted for in the existing infrastructure analysis.

Future Improvements

All demand within the study area associated with projected future development will be met through the construction of additional capacity in new facilities. A primary focus of the Impact Fee Facilities Plan was the identification of projects required to serve new development. The results of the Impact Fee Facilities Plan are summarized in Table 2. Included in the table are the costs of each required project and the portion of costs associated with development for the 10-year planning window. All cost estimates contained in this IFA have been taken directly from the IFFP. The basis of these estimates is documented in the IFFP.

Table 2
Impact Fee Eligible Capital Projects

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to 10-Year Growth	Cost to 10-Year Growth
Gravity Line Projects							
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	\$ 1,480,275	17.9%	\$ 264,969
2	2021	4	1, 2 & 4	5000 W: 24-inch PVC Sewer Pipeline	\$ 1,560,600	15.5%	\$ 241,893
3	2021	8	7 & 8	Clinton Drain Crossing: 12-inch PVC Sewer Pipeline(deeper excavation)	\$ 461,700	33.2%	\$ 153,284
4	2021	5	5	1800 N: 12-inch PVC Sewer Pipeline	\$ 719,550	32.2%	\$ 231,696
5	2021	4	4	2425 N: 10-inch PVC Sewer Pipeline	\$ 518,805	34.0%	\$ 176,394
6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	\$ 388,800	20.3%	\$ 78,926
7	2021	4,5, & 6	1, 2, 4, 5 & 6	Asphalt Replacement for Gravity Sewer Pipelines in Areas 4, 5, and 6 only	\$ 1,076,040	17.9%	\$ 192,611
11	2021	4 & 5	1, 2 & 4	24-inch Pipe Bridge (80' bridge)	\$ 337,500	15.5%	\$ 52,313
12	2021	7 & 8	7 & 8	Steel Casing (Clinton Drain)	\$ 119,475	33.2%	\$ 39,665
13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	\$ 668,250	24.3%	\$ 162,385
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	\$ 1,205,820	24.3%	\$ 293,014
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	\$ 388,080	24.3%	\$ 94,304
16	2026	2	2	Sewer Manholes(assumed standard 5-foot diameter) Area 2 Only	\$ 142,560	24.3%	\$ 34,642
				Subtotal	\$ 9,067,455		\$ 2,016,096
Lift Stations & Force Mains Projects							
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	\$ 1,559,250	33.2%	\$ 517,671
9	2021	7 & 8	7 & 8	FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 583,200	33.2%	\$ 193,622
17	2026	2	2	Area 2 Lift Station (1.0 MGD)	\$ 2,338,875	24.3%	\$ 567,721
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 672,030	24.3%	\$ 163,123
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	\$ 1,336,500	26.4%	\$ 352,243
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	\$ 226,800	26.4%	\$ 59,775
				Subtotal	\$ 6,716,655		\$ 1,854,155
				Total	\$ 15,784,110		\$ 3,870,251

Planning and Impact Fee Studies

Utah Code allows for the cost of planning and engineering associated with impact fee calculations to be recovered as part of an impact fee. The final impact fee will include the cost of this study and recommended planning projects in the next ten years as summarized in Table 3.

Table 3
Impact Fee Costs Associated with Studies per ERU

System Components	Total Cost of Component	% Serving 10-Year Growth	Cost Serving 10-Year Growth	10-Year ERUs Served	Cost Per ERU
2021 Sewer Impact Fee Facility Plan & Sewer Study	\$ 54,000	96.3%	\$ 51,988	1,049	\$ 49.56
2021 Impact Fee Analysis	\$ 11,300	96.3%	\$ 10,879	1,049	\$ 10.37
Subtotal	\$ 65,300		\$ 62,867		\$ 59.93

IMPACT FEE CALCULATION - 11-36A-304(1)(E)

Using the information contained in the previous sections, impact fees can be calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years. Calculated impact fees by component are summarized in Table 4 for West Point City.

Table 4
Impact Fee Calculation per ERU - West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	\$ 15,784,110	24.5%	\$ 3,870,251	1049	\$ 3,689
10-Year Project Interest Costs	\$ 6,760,806	24.5%	\$ 1,657,744	1049	\$ 1,580
Credit for User Fees Paid Toward Existing					\$ (128.96)
Subtotal	\$ 22,544,916		\$ 5,527,995		\$ 5,141
Studies					
All Studies	\$ 65,300	96.3%	\$ 62,867	1049	\$ 59.93
TOTAL	\$ 22,610,216		\$ 5,590,862		\$ 5,201

Bonding Interest Costs

In addition to construction costs, Table 4 includes the cost of bond interest expense where applicable. This includes both historic interest costs on existing facilities where new growth will benefit from excess capacity (does not apply to this specific IFA) and future interest costs for bonds required to build projects needed for growth as identified in the Impact Fee Facilities Plan. Similar to project construction costs, only that portion of interest expense associated with capacity for growth is

included in the impact fee calculation. In the case of West Point City's wastewater system, the following bonds were included in the study

- **Future 2021 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Areas 4, 5, 6, 7 and 8. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2021 or 2022 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to \$12,576,723. This was included in the table above and impact fee calculation.
- **Future 2026 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Area 2. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2026 or 2027 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to \$7,735,285. This was included in the table above and impact fee calculation.
- **Future 2031 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Areas 3. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2031 or 2032 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to \$2,232,908. This was included in the table above and impact fee calculation.

This equates to a total bond payment of \$22,544,916.

Credit for User Fees

As currently structured, future users will pay for their portion of capacity via impact fees. They cannot also be expected to pay through user rates the portion of future bonds that will be used to build capacity for existing users. This creates the need for a credit for future users. Calculation of this credit is summarized in Table 5. These tables include the following information:

- **Existing Portion of Loan Paid Through User Fees** – This represents the total amount paid each year by West Point City toward the portion of any loans used to build capacity for existing users.
- **Cost Per ERU** – This column takes the total amount paid and divides it by the number of ERUs projected for each year. This represents the amount paid in each year by each ERU.
- **Present Value Cost per ERU** – This column takes into account the time value of money assuming a rate of return of 2 percent annually.
- **Total User Fee Credit** – At the bottom of the table, the present value costs for all future years are added together to develop the total user fee credit.

It will be noted that, because the user fee credit is the summation of user fees paid toward existing deficiencies in each year, a new user who joins the system in five or ten years will pay less in total user fees than someone who joins the system next year. Thus, the user fee credit will decrease over time. The appropriate user fee can be calculated by adding the present value cost for all years subsequent to a new user's connection to the system.

Table 5
Credit for User Fees Paid Toward Existing – West Point City Collection System

Year	West Point ERUs	Existing Capacity Portion of Loans Paid Through User Fees	Cost Per ERU	Present Value Cost Per ERU
2021	3579	n/a	n/a	n/a
2022	3687	\$ 23,430	\$ 6.36	\$ 6.23
2023	3797	\$ 23,430	\$ 6.17	\$ 5.93
2024	3911	\$ 23,430	\$ 5.99	\$ 5.65
2025	4028	\$ 23,430	\$ 5.82	\$ 5.37
2026	4149	\$ 23,430	\$ 5.65	\$ 5.11
2027	4274	\$ 37,841	\$ 8.85	\$ 7.86
2028	4402	\$ 37,841	\$ 8.60	\$ 7.48
2029	4534	\$ 37,841	\$ 8.35	\$ 7.12
2030	4670	\$ 37,841	\$ 8.10	\$ 6.78
2031	4810	\$ 37,841	\$ 7.87	\$ 6.45
2032	4955	\$ 42,000	\$ 8.48	\$ 6.82
2033	5103	\$ 42,000	\$ 8.23	\$ 6.49
2034	5256	\$ 42,000	\$ 7.99	\$ 6.18
2035	5414	\$ 42,000	\$ 7.76	\$ 5.88
2036	5576	\$ 42,000	\$ 7.53	\$ 5.60
2037	5744	\$ 42,000	\$ 7.31	\$ 5.33
2038	5916	\$ 42,000	\$ 7.10	\$ 5.07
2039	6093	\$ 42,000	\$ 6.89	\$ 4.83
2040	6276	\$ 42,000	\$ 6.69	\$ 4.59
2041	6465	\$ 42,000	\$ 6.50	\$ 4.37
2042	6658	\$ 18,570	\$ 2.79	\$ 1.84
2043	6858	\$ 18,570	\$ 2.71	\$ 1.75
2044	7064	\$ 18,570	\$ 2.63	\$ 1.67
2045	7276	\$ 18,570	\$ 2.55	\$ 1.59
2046	7494	\$ 18,570	\$ 2.48	\$ 1.51
2047	7719	\$ 4,160	\$ 0.54	\$ 0.32
2048	7951	\$ 4,160	\$ 0.52	\$ 0.31
2049	8189	\$ 4,160	\$ 0.51	\$ 0.29
2050	8435	\$ 4,160	\$ 0.49	\$ 0.28
2051	8688	\$ 4,160	\$ 0.48	\$ 0.26
Total User Fee Credit			\$ 161.92	\$ 128.96

Recommended Impact Fee

The total calculated impact fees are summarized in Table 6. Included in this table is the appropriate user fee credit and corresponding overall fee. This is the legal maximum amount that may be charged as an impact fee. A lower amount may be adopted if desired, but a higher fee is not allowable under the requirements of Utah Code.

Table 6
Recommended Per ERU Impact Fee – West Point City Service Area

Maximum Allowable Impact Fee (Per ERU, by year)						
	2022	2023	2024	2025	2026	2027
Base Impact Fee (includes study costs)	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71	\$ 5,329.71
User Fee Credit	\$ (128.96)	\$ (122.73)	\$ (116.80)	\$ (111.16)	\$ (105.78)	\$ (100.67)
Total Overall Fee	\$ 5,200.74	\$ 5,206.97	\$ 5,212.90	\$ 5,218.55	\$ 5,223.92	\$ 5,229.04

As discussed previously, the calculated user fee credit associated with the impact fees will decrease over time. As a result, the allowable impact fee will increase over time as shown in the table. Impact fees beyond 2026 can be calculated by reducing the user fee credit by the amount shown for each successive year in Table 5.

Calculation of Non-Standard Impact Fees

The calculations above have been based on an ERU. The Impact Fee Enactment should include a provision that allows for calculation of a fee for customers other than typical residential connections. Consistent with the level of service standards established in the Impact Fee Facilities Plan, the following formula may be used to calculate an impact fee for a non-standard user based on the calculated daily indoor water use for an average residential connection¹.

$$\frac{\text{Estimated Indoor Water Use}}{220 \text{ gallons per day}} \times \text{Impact Fee per ERU} = \text{Impact Fee}$$

Calculation all non-standard impact fees should be completed by City personnel using the formula above based on information regarding water use as provided for each non-standard use. This approach will be used for all commercial and industrial development.

¹ Based on average annual domestic water usage of 220 gpd/ERU and an average day maximum month flow of 240 gpd/ERU, this equates to a domestic wastewater production of 220 gpd/ERU. With an additional 35 gpd/ERU for I&I, total domestic wastewater flow is equal to 255 gpd/ERU, consistent with previous calculations.

ADDITIONAL CONSIDERATIONS - 11-36A-304(2)**MANNER OF FINANCING - 11-36A-304(2)(A-E)**

As part of this impact fee analysis, it is important to consider how each facility has been or will be paid for. Potential infrastructure funding includes a combination of different revenue sources.

User Charges

Because infrastructure must generally be built ahead of growth, there often arises situations in which projects must be funded ahead of expected impact fee revenues. In some cases, the solution to this issue will be bonding. In others, funds from existing user rate revenue will be loaned to the impact fee fund to complete initial construction of the project and will be reimbursed later as impact fees are received. Interfund loans should be considered in subsequent accounting of impact fee expenditures.

Special Assessments

Where special assessments exist, the impact fee calculation must take into account funds contributed. No special assessments currently exist in the West Point City wastewater system.

Pioneering Agreements

Where pioneering agreements exist, the impact fee calculation must take into account payback requirements under each pioneering agreement. West Point City currently does not have any pioneering agreements.

Bonds

Where West Point City financial plans identify bonding will be required to finance impact fee eligible improvements, the portion of bond cost and interest expense attributable to future growth has been added to the calculation of the impact fee.

General Taxes

If taxes are used to pay for infrastructure, they should be accounted for in the impact fee calculation. Specifically, any contribution made by property owners through taxes should be credited toward their available capacity in the system. In this case, no taxes are proposed for the construction of infrastructure.

Federal and State Grants and Donations

West Point City is pursuing grant donations but have not secured any at this time. Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Grants and donations are not currently contemplated in this analysis. If grants become available for constructing facilities, impact fees will need to be recalculated and an appropriate credit given.

DEDICATION OF SYSTEM IMPROVEMENTS - 11-36A-304(2)(F)

Developer exactions are not the same as grants. If a developer constructs a system improvement or dedicates land for a system improvement identified in this IFFP or dedicates a public facility that is recognized to reduce the need for a system improvement, the developer may be entitled to an

appropriate credit against that particular developer's impact fee liability or a proportionate reimbursement.

If the value of the credit is less than the development's impact fee liability, the developer will owe the balance of the liability to West Point City. If the recognized value of the improvements/land dedicated is more than the development's impact fee liability, West Point City may be required to reimburse the difference to the developer.

It should be emphasized that the concept of impact fee credits pertains to system level improvements only. Developers will be responsible for the construction of project improvements (i.e. improvements not identified in the Impact Fee Facilities Plan) without credit against the impact fee.

EXTRAORDINARY COSTS - 11-36A-304(2)(G)

The Impact Fees Act indicates the analysis should include consideration of any extraordinary costs of servicing newly developed properties. In cases where one area of potential growth may cost significantly more to service than other growth, a separate service area may be warranted. No areas with extraordinary costs have been identified as part of this analysis.

TIME-PRICE DIFFERENTIAL - 11-36A-304(2)(H)

Utah Code allows consideration of time-price differential in order to create fairness for amounts paid at different times. To address time-price differential, this analysis includes a conversion to present value cost for future expenditures. In the case of future construction costs, it has been assumed that the return rate on investment will be roughly equivalent to construction inflation and current construction estimates have been used in the calculation of impact fees. Per the requirements of the Code, existing infrastructure cost is based on actual historical costs without adjustment.

IMPACT FEE CERTIFICATION - 11-36A-306(2)

This report has been prepared in accordance with Utah Code Title 11, Chapter 36a (the "Impact Fees Act"), which prescribes the laws pertaining to the imposition of impact fees in Utah. The accuracy of this IFFP relies in part upon planning, engineering, and other source data, provided by West Point City and its designees.

In accordance with Utah Code Annotated, 11-36a-306(2), Bowen Collins & Associates makes the following certification:

I certify that the attached impact fee analysis:

1. Includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs of qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.



Keith J. Larson, P.E.

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WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL August 3rd, 2021

Mayor

Erik Craythorne

City Council

Gary Petersen, Mayor Pro Tem

Jerry Chatterton

Andy Dawson

R. Kent Henderson

Annette Judd

City Manager

Kyle Laws

Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session held at West Point City Hall on August 3, 2021 at 6:00 PM with Mayor Pro Tem Petersen presiding. This meeting was also available via electronic Zoom Meeting and was accessible to attendees by entering Meeting ID #819 1035 5712 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Annette Judd, Council Member Kent Henderson, Council Member Andy Dawson and Council Member Jerry Chatterton

EXCUSED: Mayor Erik Craythorne

CITY EMPLOYEES PRESENT: Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

EXCUSED: Kyle Laws, City Manager

VISITORS PRESENT: Brian Vincent, Bruce Jeppsen, and Jed Hamblin
No sign-in required for online attendees.

1. Discussion Regarding the FY2022 Final Budget and 2021 Property Tax Rate – Mr. Ryan Harvey

Mr. Harvey reviewed the progress of this year's budget process, explaining that the City Council chose to go through the Truth in Taxation process at the June 1st meeting, and so the 2021 Property Tax Rate and Final Budget for Fiscal Year 2022 will be approved by the Council during a Special Budget Meeting on August 17th following public hearings for both items. Davis County has set the Certified Tax Rate for 2021 at .000792. This is lower than the 2020 rate adopted by the Council of .000910. Mr. Harvey displayed the following graph showing the Certified and Adopted Property Tax Rates since 2006; the highlighted years are the years that the Council adopted a rate different than the Certified Tax Rate set by the County:

YEAR	CERTIFIED RATE	ADOPTED RATE	REVENUE
2021	0.000792	TBD	TBD
2020	0.000877	0.000910	\$544,484
2019	0.000859	0.000917	\$509,283
2018	0.000881	0.000917	\$459,924
2017	0.000902	0.000945	\$434,260
2016	0.000984	0.000984	\$400,443
2015	0.001005	0.001036	\$376,649
2014	0.000996	0.001036	\$356,700
2013	0.001041	0.001111	\$337,970
2012	0.001111	0.001111	\$313,495
2011	0.001008	0.001008	\$308,326
2010	0.000910	0.000936	\$302,867
2009	0.000876	0.000876	\$281,926
2008	0.000773	0.000895	\$281,925
2007	0.000834	0.000834	\$228,710
2006	0.000909	0.000909	\$199,212

Mr. Harvey explained that if the Council adopted this year's Certified Rate of .000792, it would be the lowest property tax rate for West Point since 2006 (when the North Davis Fire District was created). Although sales tax revenues have increased over the past few years, Mr. Harvey stated that it is not best practice to rely too heavily on that revenue due to fluctuations in the market.

In response to Council Member Dawson, Mr. Harvey stated that the contract with the Davis County Sheriff's Office for law enforcement services is only increasing by 5% this year, however it is unknown what the contract fee will be in the future once the logistics surrounding paramedic services are worked through and a multi-year contract is negotiated.

Mayor Pro Tem Petersen asked the Council to consider the property tax rate between now and the next meeting, and ask Staff any questions they may have so that they are prepared to discuss and approve the rate for this year at the August 17th meeting.

In regards to the Final Budget for FY2022, Mr. Harvey stated that Staff proposes the following items be added, which were not included in the Tentative Budget that the Council approved in June, and noted that there may be additional items before the budget is approved on August 17th:

- **Soccer Goals (+\$8,000)** - The two sets of soccer goals that the City uses for 3rd/4th grade need to be replaced, as the quality is not good enough to withstand the abuse they get from being in the park. We also need to replace the goals that we use for the 5th/6th grade league. They have been fixed many times but are now at a point where they can't be repaired.
- **Pitching Machines (+\$3,200)** – The City is in need of 2 new pitching machines, one for Baseball (\$2,200), and one for Softball (\$1,000). The current pitching machines are getting old and have to be repaired regularly, and if they went down it would shut down the program until it could be replaced.

Mayor Pro Tem Petersen thanked Mr. Harvey for the information presented and the Council had no further discussion at this time. The Council will approve the Property Tax Rate and FY2022 Final Budget at the Special Budget Meeting on August 17th after holding public hearings for both items.

2. **Party at The Point Celebration Wrap-Up – Mrs. Shelby Sargent**

Mrs. Sargent stated that although there were quite a few modifications to this year's celebration in light of the COVID-19 pandemic, she has received great feedback about the event from residents and also from Staff, Committee Members, and volunteers. In regards to participation, Mrs. Sargent provided the following statistics:

- Golf Tournament: 120 entries
- 3v3 Basketball Tournament: 48 entries
- Parade: 50+ entries and many spectators
- 5K/2-Mile Walk: approximately 400 participants
- Baby Contest: 30 participants
- Stage Games: Played over 30 games
- Kids Bingo: 300+ participants
- Adult Bingo: 550+ participants
- Horseshoe Tournament: 18 teams
- Art Contest: 10 entries
- Vendors: 25
- Community Sponsorships: 20+ local business donations
- Volunteers: 200+
- Staff Members: 25+
- Planning Committee Members: 10 Members
- Activity Revenue: appx. \$12,000
- Budget:
 - Budget - \$60,000
 - Expenditures - \$58,826

Mrs. Sargent then provided a brief summary of some of the changes or additions that were made to this year's event:

- Dinner was not provided to residents.
 - The decision to remove dinner from the schedule was done due to COVID-19 concerns. As a replacement, we increased the presence of food trucks options available to residents. The food options included: kettle corn, shaved ice, cotton candy, Filipino food, Mexican food, Cajun food, American food fried foods, corn dogs, and mixed sodas. Mrs. Sargent noted that all of the food vendors were consistently busy throughout the day and were each pleased with their sales numbers.
- Online Registration for 5k/ 2 Mile Walk and shirt pickups the week before.
 - To eliminate gathering in City Hall and hopes to move registration primarily online in the future, we opened registration up on June 1st to residents at www.westpointcity.org. Race shirts were available to be picked up at City

Hall from June 28th – July 2nd. This change helped slow down the traffic into City Hall and is a very common practice in running events. We had great feedback from staff and residents with this change.

- Stage power
 - We rented an additional generator solely for the stage and sound use. This eliminated the power problems we have every year and allowed for other areas like the vendors and kids bingo to use power freely.
- Miss West Point Royalty did not perform talents
 - This decision was made last year because it was very difficult for the girls to perform their talents, help on the stage and conduct the baby contest. The new royalty had a great presence on stage all day with their other involvement.
- Kids Bingo layout
 - We expanded the layout of kid's bingo to allow for more space. In the past use bowery #4 but extended to also use bowery #3 and the space in-between. This created a larger area for participants to enjoy kid's bingo with more space between each other.
- Golf Tournament Raffle
 - We usually offer a raffle after the tournament that is held in a room at the golf tournament. Instead, we gave each golfer a 9-hole golf pass to the course. This was done to give each golfer a prize but eliminate any gatherings.
- Postcards to the Troops
 - We had a booth available in Kids Corner for kids to write thank you letters and draw pictures for deployed troops from the 75th Logistics Readiness Squadron from Hill AFB. These letters were sent out to troop in Kuwait, Qatar, Africa and Jordan via Official Mail.

Council Member Chatterton thanked Mrs. Sargent, Staff, and all the volunteers for a great event. He stated that the Horseshoe Contest is always a well-liked event and he had received comments about adding a Cornhole Tournament as well. Mrs. Sargent stated that she also had received that suggestion and it is "at the top of her list" to look into for the future. Council Member Chatterton offered his assistance in organizing and putting on the event if it is added in the future.

Council Member Henderson expressed his appreciation to Mrs. Sargent for the great job that she did overseeing this event; there was a great crowd and everything from the parade to the fireworks was a success.

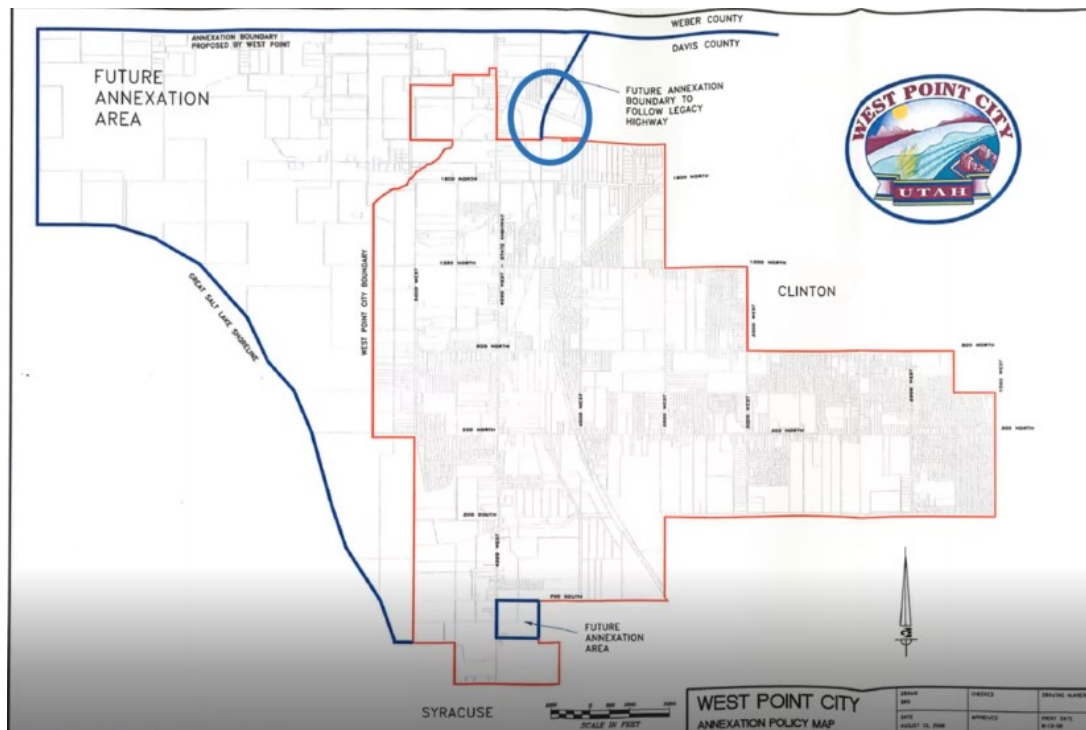
Council Member Judd also expressed her appreciation to Mrs. Sargent, the Committee, Staff, and all the volunteers for a fantastic celebration. She stated that everyone she saw working or volunteering at the event looked like they were having a great time. She added that Mrs. Sargent and the Committee had some innovative ideas that made the best of the current situation and everyone did a great job.

In regards to the resident dinner that was not provided this year, Mayor Pro Tem Petersen inquired as to the Council's thoughts on whether it should be permanently discontinued or resume as usual next year. Council Member Dawson stated that the dinner is a lot of extra work for Staff and not only does it also cost a lot of money, there has been a myriad of issues throughout the years, such as not having enough food or having too much food leftover, or when the vendor provided bad chicken and gave residents food poisoning. His suggestion is that the City provide some sort of free, pre-packaged treat (like ice cream sandwiches) rather than a full dinner. Council Member Chatterton agreed with this suggestion, especially because of the burden the dinner places on the Public Works Departments in getting it delivered, unloaded, garbage cleaned-up, keeping lines moving, etc. Council Member Henderson also agreed, adding that the Council and Planning Commission would still get the same face-to-face interaction with residents when handing out an ice cream sandwich as they did when serving the dinner. Council Member Judd also agreed and felt that it would be appreciated by residents.

Mrs. Sargent thanked the Council for the discussion and stated that next year's celebration will be on Monday, July 4th, with the Golf Tournament being held on Friday, July 1st and the 3v3 Basketball Tournament on Saturday, July 2nd.

3. Discussion Regarding a Boundary Line Adjustment with Clinton City – Mrs. Bryn MacDonald

Mrs. MacDonald stated that the City has received a request from a developer to do a boundary line adjustment with Clinton City. The applicant originally planned to submit a petition to annex all of this property, but has withdrawn the application and is requesting a boundary line adjustment for the portion of the property that is in Clinton City. The City's General Plan shows the boundary of the future annexation area following the West Davis Corridor, which location has since shifted to the east into Clinton City from the time the future annexation area was adopted over 10 years ago, leaving about 25 acres on West Point's side of the highway. This adjustment would move that area into West Point rather than remain in Clinton City. Below is a map of the adjustment area (circled in blue):



Mrs. MacDonald stated that the boundary line adjustment process is much simpler than the annexation process, even with some of the property in this case being owned by UDOT; State Statute requires an extra time requirement to provide notice to all publicly-owned property. She outlined the process for the Council as follows:

1. Adopt a resolution indicating the intent to adjust a common boundary.
2. Hold a public hearing on the proposed adjustment NO LESS THAN 60 days after adoption of the resolution of intent.
3. Post public notice at least 3 weeks before the public hearing.
4. Provide notice at least 50 days before the public hearing to UDOT.
5. After holding a public hearing, the City Council may adopt an ordinance approving the adjustment of the common boundary, unless a protest is received at or before the hearing.

The Council must also apply a zoning designation to the property, which could be a “holding zone” such as an A-5 or A-40 until the developer goes through the rezoning process, or could be zoned with the density the Council would like to see for the area concurrently with the boundary adjustment.

Mrs. MacDonald confirmed for the Council that besides UDOT, the only owner whose property is in Clinton that would be affected by the boundary adjustment is the actual developer. She also confirmed that in her conversations with Clinton City officials, they are in agreement that with the adjusted route of the West Davis Corridor, the boundary line should also be adjusted as they recognize that the highway was informally agreed upon many years ago by the Boundary Annexation Commission to be the separation between the two cities.

The Council will consider approval of the resolution noticing the intent to adjust the boundary line at the next meeting and will continue the discussion at that time.

4. Discussion Regarding the Revised Land Use and Development Code – Mrs. Bryn MacDonald

Mrs. MacDonald noted that there is a public hearing scheduled for tonight’s General Session regarding the final draft of proposed revisions to the City’s land use and development code. She explained that this project began over a year ago, and the primary purpose of revising these parts of the City’s code is to make sure that it is in conformity with State Code and also to consolidate standards in other titles, streamline approval processes, and address and update standards on specific topics. During the process, there has also been some formatting and clarification revisions. Mrs. MacDonald stated that she would review the proposed amendments before tonight’s public hearing, but there were a few items in regards to the general plan amendment process that arose during the Council’s last discussion that she would like to review at this time.

During the last discussion, the Council indicated that they would like to place a restriction on when amendment applications would be accepted; while the Planning Commission had also discussed this, they ultimately voted not to include a designated application

period in the proposed code they approved for recommendation to the Council. However, after discussion, the Council felt that it would be beneficial to do so. With that direction, Staff proposes the following language be included in the final draft:

- *The City Council shall only accept applications to amend the General Plan twice a year, during the months of April and October. This section shall not limit the City Council, Planning Commission, or authorized City staff from imitating a general plan amendment at any time.*

The Council also discussed and was in favor of placing a time limit on how soon a new application for the same property could be submitted after being denied. Mrs. MacDonald proposed the following language to meet that intent:

- *Effect of Disapproval: City Council denial of an application to amend the General Plan shall preclude a person from filing another application covering substantially the same subject or property, or any portion thereof, for one-year from the date of disapproval. This section shall not limit the City Council, Planning Commission, or authorized City staff from imitating a general plan amendment at any time.*

The Council was in favor of these restrictions as proposed, agreeing that the process can always be amended if needed.

Mrs. MacDonald reiterated that she will review all of the amendments before tonight's public hearing and the Council had no further discussion at this time.

5. Other Items

No other items were discussed.

The Administrative Session adjourned.



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES West Point City Hall August 3rd, 2021

Mayor
Erik Craythorne
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session held at West Point City Hall on August 3, 2021 at 7:00 PM with Mayor Pro Tem Gary Petersen presiding. This meeting was also available via electronic Zoom Meeting and was accessible to attendees by entering Meeting ID #819 1035 5712 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Annette Judd (electronically), Council Member Kent Henderson, Council Member Andy Dawson and Council Member Jerry Chatterton

EXCUSED: Mayor Erik Craythorne

CITY EMPLOYEES PRESENT: Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: Kyle Laws, City Manager

VISITORS PRESENT: Brian Vincent, Bruce Jepps, Dennis & Ralene Montgomery, Jeremy Durman, Jed Hamblin, Dee Manning, Laura Richins, Ryan Forsgren, Donna Payne, Emily Hamblin, Jaren Smith, Sharon Cammack, Jason Cammack, Mark & Mary Montgomery, Scott & Thomas Wolford, Melissa & Logan Payne, Deana & Emma Griffin, McCarrey Family, Lola Ward, Marge Hawkes, and Douglas Hawkes. No sign-in required for online attendees.

1. **Call to Order** – Mayor Pro Tem Petersen welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer** – Given by Council Member Henderson
4. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – none

Council Member Dawson – none

Council Member Henderson – none

Council Member Judd – none

Mayor Pro Tem Petersen – None

5. **Communications from Staff**

Ms. Arnold reminded the Council that a Special Meeting will be held on August 24th in order to approve the Primary Election Canvass. The meeting will begin with the General Session at 7 PM (there will not be an Administrative Session) and approval of the canvass will be the only action item on the agenda. This will be a public meeting that is available to attend either in-person at City Hall or via Zoom. Mayor Pro Tem Petersen encouraged residents to research the candidates running for election and cast their ballots by the Primary Election Date of August 10th.

6. **Citizen Comment**

Jason Cammack – 4177 W 300 N: Mr. Cammack stated that the comments he would like to make are cynical in nature, beginning with the fact that he only has “150 seconds to talk about a 164-page proposal that is most likely already decided on anyways” (*referring to the proposed land use code*). He stated that when he attended the public hearing held by the Planning Commission, Commissioner Jake Shepherd made the comment that residents rarely come to meetings, but if they (residents) want to know what is going on, they need to actually go to the meetings. Mr. Cammack stated that even if they go to the meetings, residents are not “actually going to be listened to anyways.” He further stated that a “city usually represents their residents – they don’t sue them, but that seems to be the ‘go-to’ in West Point these days. We have multiple families now getting sued either by developers or the City. In fact, we have Planning Commissioners telling & encouraging developers to sue residents.” He continued to comment on the proposed land use code, stating that “one of the first things is talking about eminent domain” because West Point “loves property rights so much that we’re going to take the property from the people and hold on to it ourselves for the developers because that is how we progress.” He referenced large cities like Los Angeles, Philadelphia, and Salt Lake as being very progressive cities that have a lot of problems, but West Point still wants to progress the same way and make sure “the developers get theirs, because those millionaires need a few more million.” He stated that he had an exam he should be studying for tonight, but thought he would come to the meeting instead to make [Commissioner] Shepherd “happy” and to tell the City that they should be worrying about citizens and not developers, as “developers make money and money makes monsters out of men.” He referenced Edmund Burke, quoting him as saying that “all it takes, all that is necessary for evil to triumph is for good men to do nothing.” He ended his comment by saying that when [the Council] is “deciding on these things, suing people, taking people’s land, encouraging developers to sue people, maybe you should go home and think – am I the evil or am I the good?”

- Mayor Pro Tem Petersen thanked him for his comments and his “manner of teaching our youth here how to be sarcastic in public.”

Melissa Payne – 1200 S 4500 W: In regards to the proposed land use code, noting that it is a lot of paperwork to review, Mrs. Payne stated that there is new language being proposed that she believes means that city staff can now approve conditional land use permits and bypass having to go through the Planning Commission. Noting that she is sure the Council is already going to approve the language, she would still like to express her opinion that the Planning Commission is supposed to act as the advisory board to the City Council and although she is not “the number one fan” of the Planning Commission, this change allows city staff to “basically fast track anything they think is good” and although city staff is likely very qualified, passing this type of decision along to “someone that is hired, who I have not chosen to represent me, that doesn’t necessarily represent my beliefs or my plans and hopes for the future of West Point is stepping over citizens and going straight to what can be a personal agenda...and that is not okay.” She feels that the elected officials are supposed to be representing the residents and be the decision-making body.

Joelle Caruso – 457 N 3650 W: Ms. Caruso stated that she would like to echo the previous comments that have been made, and also further comment that the General Plan needs to be what the Planning Commission and the City Council work through and deem to be what is best for West Point. She doesn’t feel that developers should have “the right to try and amend it to give us some pretty picture of what they see and for us to just be okay with that.” She would also like to comment on the West Davis Corridor, stating that the intent of the highway was to take traffic off of I-15, but what is actually happening is that because it is coming through the City, “we feel it necessary to increase our numbers and developers are looking at it as a great time to jump in and put in as much density as they can, because now we have this highway that is giving them access that wasn’t there before.” She continued to comment that care needs to be taken before adding all of this density to consider environmental concerns because of how close the west side of the City is to the Great Salt Lake and Antelope Island, feeling that environmental studies need to be done because of the flooding and soil problems this creates. Ms. Caruso stated that she noticed on the General Plan that there is retail and high-density zoning right off of Antelope Drive and 4500 W, which she feels is a “horrible idea considering its close proximity to the park.” She is also concerned (in regards to more density) about the dark sky ordinance the City is supposed to be adhering to and all of the water these new homes are going to need. She summarized her comments by saying, “I feel like we just really need to slow down and be more thoughtful about how we proceed and how we build the City as we move forward.”

Jed Hamblin – 467 N 4000 W: Mr. Hamblin stated that there are a lot of youth attending tonight’s meeting to be sworn into this year’s Youth Council, and he would like Mayor Pro Tem Petersen to clarify what he referenced as being “sarcastic” in Mr. Cammack’s earlier comments. As the comments referred to the City suing and/or encouraging developers to sue residents, he would like to have it clarified for the youth what parts were and were not sarcastic so that they have a better understanding of what the City is or is not actually doing.

- Mayor Pro Tem Petersen stated that his reference to sarcasm was only acknowledging Mr. Cammack’s use of it in his comments to make his point; he stated that he “can vouch” that Mr. Cammack’s representation of what the City is doing is not accurate, but was not obligated to provide any further response to a citizen comment during the meeting.

7. Swearing-In of the 2021-2022 West Point City Youth Council – Mayor Pro Tem Petersen

Mayor Pro Tem Petersen stated that he is excited to preside over this meeting in the Mayor’s absence particularly because of this item. He expressed his appreciation to the youth and their families for their involvement with the City’s Youth Council and wanted to especially thank Brenda Pehrson as the Youth Council Advisor for the service she is willing to give to the group and to our community.

Mayor Pro Tem Petersen announced the name of each member, calling him or her to the front of the podium to be sworn-in as a 2021-2022 West Point City Youth Council Member:

Youth Council Officers

Mayor - Emily McCarrey
Mayor Pro-Tem - Jacob Orton
City Manager - Angelina Orton
City Recorder - Lydia Merrill
City Treasure - Brooklyn Hamblin
City Historian - Matt Bodiker

Youth Council Advisor

Brenda Pehrson

Youth Council Service Members

Lexi Alberts
Rylee Baptist
Lucia Dorman
Emma Griffin,
Emma Hamblin
Lillia Hamblin
Matthew McCarrey
Cooper Merrill
Blake Miles
Carson Miles
Sydney Oliver
Isaac Pehrson

Madi Pehrson
Brinlee Price
Karlee Price
Sariah Richins
Jaren Smith
Shailynn Spangler
Corban Tobler
Dallan Tobler
Kendall Visser
Lola Ward
Tommy Wolford

8. Consideration of Approval of the Amended Plat for the Sandy Meadows Subdivision – Mr. Boyd Davis

Mr. Davis stated that this item was actually approved by the Council at the previous meeting and is on tonight’s agenda in error. No action needs to be taken.

9. Consideration of Approval of Resolution No. 08-03-2021A, Approving the Real Estate Purchase Contract for Property Located at Approximately 2143 W 470 N – Mr. Boyd Davis

Mr. Davis stated that this item has been discussed by the Council in previous meetings and summarized that the property is currently owned by the City and located in the Sandy Meadows Subdivision at 2150 W 470 N. The property was originally

designated as a detention pond for the subdivision, however, that detention pond was no longer needed once the Bison Pointe Subdivision to the west was developed, and at that point, the lot was converted into use as a community garden lot. The community garden will no longer be in operation and the City would like to change the use of the parcel into a buildable lot, with the intent to sell the property to the Davis School District to use for the high school's home building program. To do so, the subdivision plat needed to be amended to designate the lot with the existing home as Lot 1 and the City's property as Lot 2 on the new "Sandy Bison West" plat map. The Council approved the amended plat at the previous meeting.

The Real Estate Purchase Contract has been prepared between the City and the School District for a purchase price of \$125,000. A copy of the REPC is attached to the Staff Report for this item and requires approval by the City Council through a resolution. Mr. Davis stated that Staff recommends approval of the resolution and purchase contract.

Council Member Chatterton stated that he had thought the Council discussed requiring the Davis School District to pay all of the closing costs, but that is not reflected on the REPC. Mayor Pro Tem Petersen stated that he does not remember having that discussion, and Mr. Davis commented that he did not recall it either, but would be happy to review the audio and/or meeting minutes to verify. There were no other comments in response or direction given to Staff on this issue.

The Council had no further discussion.

Council Member Dawson motioned to approve Resolution No. 08-03-2021A

Council Member Henderson seconded the motion

The Council unanimously agreed.

10. Consideration of Approval to Place the Craythorn Homestead Subdivision Phase 3 on One-Year Warranty – Mr. Boyd Davis

Mr. Davis stated that this subdivision is located at approximately 550 S 4250 W. All of the required improvements have been completed and inspected for Phase 3 and Staff recommends placing this phase on the one-year warranty period. Mr. Davis noted that during the one-year warranty period, the City holds 10% in escrow as a guarantee to complete any items that may need to be repaired.

Mayor Pro Tem Petersen inquired as to whether any of the properties in this subdivision have been allowed to delay landscaping of the lots due to the drought. Mr. Davis stated that this subdivision did not have the specific requirement (through a developer's agreement) that the developer landscape each lot, but those that do have that requirement have been told that the City is not holding them to that deadline this year because of the drought situation.

The Council had no further discussion.

Council Member Henderson motioned to approve

Council Member Dawson seconded the motion

The Council unanimously agreed.

11. Consideration of Approval of the Final Plat for the Craythorn Homestead Subdivision Phase 4 – Mrs. Bryn MacDonald

Mrs. MacDonald stated that with the completion of Phase 3, the developers would like to begin construction of Phase 4 of this subdivision and are seeking final plat approval. She stated that all of the approval letters have been received and the plat has been approved by the required City Staff and the Planning Commission. Staff recommends approval of the final plat.

In response to Council Member Dawson's inquiry, Mr. Davis stated that that the detention pond for the whole subdivision is actually part of Phase 5, however, Phase 4 will have a retention pond with no outlet until SR-193 is built by UDOT; once that storm drain is built, this phase will connect to that system and the retention pond will not be needed. He noted that this is only for the short-term, as SR-193 is expected to be built within the next three years.

In regards to subdivision warranties, Mr. Davis confirmed for Council Member Chatterton that sidewalks are not required to be installed until the end of the warranty period, which is done so that they do not get broken and damaged during the home building process, which requires heavy equipment traffic.

The Council had no further discussion.

Council Member Judd motioned to approve the final plat for Phase 4
 Council Member Chatterton seconded the motion
 The Council unanimously agreed.

12. Consideration of Approval to Place Phase 2 of the Murray Place Subdivision on One-Year Warranty – Mr. Boyd Davis

Mr. Davis stated that similar to a previous item, all of the required items needed to be placed on warranty have been completed and inspected, and the City will hold in escrow the 10% guarantee amount for that one-year period.

The Council had no further discussion.

Council Member Chatterton motioned to approve
 Council Member Henderson seconded the motion
 The Council unanimously agreed.

13. Public Hearing Regarding Amendments to West Point City Code: Title 15 – Buildings & Construction, Title 16 – Subdivisions, Title 17 – Zoning, and Title 18 – Land Use, and the Creation of Title 17 – Land Use and Development – Mrs. Bryn MacDonald

Mrs. MacDonald reviewed the purpose for this code revision project and the steps that have brought it to this point, explaining that the main purpose was to bring the City's land use codes into compliance with State Code. The City hired Land Use Consultants to help with the project, and Staff spent many months with them reviewing and working through how to best resolve all of the issues with the current Code. The main issues were brought to the City Council and Planning Commission at a joint meeting, and also many subsequent meetings, and more work was done by Staff to incorporate all that was discussed and the direction given. Staff presented a final draft to the Planning Commission in June of this year. The Planning Commission has had several discussions on the proposed revisions of the City's land use and development codes, having gone through the entire draft twice before holding a public hearing and approving a final draft for recommendation of approval to the City Council. The City Council has also had numerous discussions and made some amendments throughout its review, and the proposed code is now ready for a public hearing. She noted that this is only a public hearing and the Council is not being asked to take any action at this time. The following is a summary of the project timeline:



Mrs. MacDonald explained that this major code revision removes all sections of the current City Code regarding land use and development and replaces them with one new "Land Use and Development" title. The proposed changes can be placed in one of four categories and are summarized as follows (*the proposed draft is included in its entirety with the Staff Report for this item and is color-coded, with blue representing State Code changes, red representing policy changes, and green representing text/technical changes*):

1. **Compliance:** Several proposed changes/additions fall within this category. The current code does have language that is not in line with the current State Code. For example, the Conditional Use chapter allows for the City to "deny" an applicant, whereas State Code states that conditional uses are permitted and should be allowed as long as reasonable conditions are used. The following are specific areas where this category applies:
 - a. Temporary regulations, exactions, and vested rights
 - b. Noticing requirements for zoning amendments

- c. Appeal authority
- d. Conditional uses
- e. Cannabis production and pharmacy
- f. Manufactured homes
- g. Nonconforming use and noncomplying structures

2. Repeal and Replace: In the process of consolidating standards the following titles were affected and brought into the updated Title 17 Land Use and Development Code:

- a. Title 2.60 (Planning Commission) – Moved planning commission from Title 2.60 to Title 17
- b. Title 15 (Building and Construction Standards) – Residential construction (15.15) and commercial development standards (15.20) all moved to Title 17 while the rest stays
- c. Title 16 (Subdivision) – All moved to Title 17
- d. Title 18 (Land Use) – All moved to Title 17

3. Minor Text Changes: There are over 200 “minor text” changes in the proposed document. Some of those changes include adding “as adopted by the City” to the end of a sentence or adding “Community Development Director or designee” in place of “Zoning Administrator” to be consistent throughout the code and help clarify the text.

4. Policy Changes: The changes listed above in the other categories only add clarification and are not major policy changes. There are, however, several proposed policy changes throughout the code, including the following:

- a. Process for amendments to the Land Use code and/or General Plan (17.00.090)
- b. Addition of “Zoning Conditions” (17.00.090(J))
- c. Clarifying standards and approval procedures for Conditional Uses (17.20.030)
- d. Adding “administrative review/approval” for certain uses in the Table of Land Use Regulations (17.60.050)
- e. Addition of “Zoning Chapters” (17.60.060) Each zone will be represented by each chapter with individual standards and references to applicable regulations
- f. Deck and patio encroachment standards (17.70.020 (D))
- g. New setback standards for Accessory Buildings (17.70.030)
- h. Subdivision approving bodies (17.130.040)(17.130.050) Planning Commission will see all preliminary plats and will not see final plat. City Council will only see final plats

The following is a summary of these policy changes and where they are located in the proposed code:

Type	Current	Proposed	Proposed Code Reference
Amendments to the Land Use Code and/or General Plan	Amendments to the Land Use Code or General Plan are initiated by City Council, Planning Commission, or Staff.	Changes can be initiated with an application and supporting documentation by any person seeking an amendment to the code, map, or General Plan. Changes to the General Plan and Zoning Map can be done at the same time. Amendment applications will only be accepted in the months of April or October, and a new application cannot be submitted for the same piece of property for one year after being denied.	17.00.090 (page 2)
Zoning Conditions	Not allowed or defined	This will allow the Land Use Authority at the time of rezoning to set conditions on the property. Some of those conditions could be the type of use, density, building square footage, or height of structures. The Zoning Map will have a “ZC” showing those conditions.	17.00.090(J) (page 3)
Appeal Authority	Currently, the Board of Adjustment serves this role.	City Council will appoint a Hearing Officer that will serve for 2 years. That person will be law trained or significant experience with land use law.	17.20.040 (page 37)
Conditional Uses	Conditional Uses have been the “catch-all” for most land use items. The current code language violates State Code (however practice has been in line with State Code) that allows the Land Use Authority the right to deny any application.	This section uses State Code language like: “The applicant shall adequately demonstrate that the reasonably anticipated detrimental effects of the proposed use can be mitigated through the imposition of reasonable conditions based on standards in this chapter.”	17.40 (page 44)
Administrative Review (Staff)	Administrative review is done for items like minor home occupations, house plans, commercial licensing, fence permits, smaller accessory buildings, etc.	The proposed changes allow Administrative Review to include daycares, preschools, model homes, accessory buildings up to 1,500 square feet. The Table of Land Use Regulations was also updated to show these changes and clarify other uses.	17.60.050 (page 53-57)

Residential Encroachment Standards	Architectural features like porches, decks, and balconies are allowed to project into the rear yard. No minimum distance is defined to the rear property line.	The proposed changes allow the architectural features to project but not closer than 10' from the rear property line.	17.70.020(D) (page 100)
Accessory Building Setback Standards	Accessory buildings are allowed to a minimum distance of 1' from the property line including the drip line of the roof.	Accessory building setbacks are based on the size of the "wall height" of the structure as defined in the code. A sliding scale was created to push the structure further away based on the height of the wall adjacent to that property line.	17.70.030(A) (page 101)
Subdivision approving bodies	The Preliminary Plan is approved by Planning Commission. Final Plat is approved by Planning Commission and City Council.	Planning Commission will not see Final Plat. Only City Council will see the Final Plat for subdivisions	17.130 (page 140-142)

Mrs. MacDonald noted that in regards to conditional use permits, they are not "easily denied" due to State Statute because if a conditional use is allowed in the zone of a property, it has to be approved and cities can only place reasonable conditions to mitigate potential (reasonable) negative effects. Further, the standards upon which to base those conditions have to be included in a city's code – they cannot be discretionary. She noted that there was an earlier citizen comment expressing concern about Staff being able to approve some conditional uses, and wanted to clarify that it would be the City Council that approves the standards, and only those applications that meet those standards could be approved by Staff.

In regards to the subdivision approval process, Mrs. MacDonald stated that while the new code states that only the City Council will review and consider the final plat, a concept plan and attendance at a technical review meeting is first required for all developments. The concept plan would be distributed to the relevant staff departments, such as engineering and public works, and also go to the different utility and special services districts and agencies (i.e., fire district, sewer district, etc.) for thorough review before the meeting so that all issues can be addressed with the developer and resolved before a preliminary plat is submitted to the Planning Commission for approval. This technical, in-depth review step at the beginning of the subdivision approval process will help make sure that all standards and requirements have been met and any changes requested by the Planning Commission made before the Council is presented with an extensively reviewed final plat to approve.

Mrs. MacDonald stated that there was considerable discussion from both the Planning Commission and the City Council about residential encroachment standards in the rear yards of homes, and during the last meeting, the Council ultimately concluded to leave the Planning Commission's proposed setback requirement of 10' from the rear property line and revisit the item as a separate issue in the near future.

In response to Mayor Pro Tem Petersen's question, Mr. Davis stated that the land use consultants hired were Meg Ryan, current Senior Land Use Manager for the Utah League of Cities and Towns, and John Janson, Principal of Planning Solutions. Both have extensive resumes in land use planning for cities and communities and are highly qualified to work with the City on this project.

Mayor Pro Tem Petersen opened the item for public hearing.

Mary Montgomery – 696 S 4500 W: Mrs. Montgomery asked the Council why it is only the City that "gets to know what is going on" when a property is getting rezoned and the surrounding property owners are not notified. She stated that the community needs to know what is going on, and she has been watching the meetings electronically for a year now and listening to the comments made and "people don't care what we as residents say."

Melissa Payne – 1200 S 4500 W: Mrs. Payne thanked Mrs. MacDonald for her simple explanation of the changes in the proposed code as it helped her and others understand what the sometimes complicated language means. In regards to conditional use permits, she would like to know what the regulations are going to be for when staff can give approval or when it needs to go to a higher body, or if there is no limitation. Mrs. Payne also stated that there needs to be better communication with residents and access to information that is being considered because it isn't easy to find information or be aware of upcoming items.

- Mayor Pro Tem Petersen stated that there are specific limits stated in the Code in regards to approval of conditional use permits by staff.

Joelle Caruso – 457 N 3650 W: Ms. Caruso stated that one issue she is concerned about is the application process for developers to amend the City's General Plan; she feels that putting limitations on when applications will be accepted is a good step, but there may be such a high number of applications in those two months that the City could get overwhelmed. She is also concerned about the jump in density from the R-3 to the R-4 zone, which she knows both the Planning Commission and the City Council have discussed in previous meetings about the need for a middle zone, but would like for it to be addressed soon because it has already created an issue with a high-density development on 300 N being surrounding by large lots and

homes. She feels that the City's Code is supposed to be protecting the City from developments overwhelming the land, creating too much traffic, etc., that she still feels need to be fixed. Ms. Caruso also stated that when the Planning Commission is not in favor of a rezone application, they table the item and tell the developer to work with City Staff to "come up with a product that they can approve" rather than just denying it. She feels that this does not seem to be in the best interest of residents, but is rather for the benefit of the developers. Her concern is that this will also be the case with applications to amend the General Plan and she would prefer that there is a more "concrete" process of denial or approval, rather than giving the chance for the developer to make changes.

- Council Member Dawson stated that developers can currently apply for changes to the general plan at any time and so this will at least limit when applications can be accepted. Further, the revised code also gives the Council the authority to deny a rezone even if it is on the General Plan.
- Mayor Pro Tem Petersen added that the Council is in agreement that the difference in density between the R-3 and the R-4 zones is too high and this will be one of the next issues to be addressed because "we don't intend that much density."

Logan Payne – 1200 S 4500 W: Mr. Payne stated that he is strongly against "this density stuff" and has "already been affected by a high-density housing project and it is awful, absolutely awful, and goes against everything that [he] believes West Point is supposed to be." He continued to state that the road that was installed in front of his house as part of that project has a park strip covered in weeds and junk garbage that "the City had absolutely no plan to finish." He stated that he "does not like the idea of let's just cram as many houses into one acre as we can so that developers can make money." He added that he agrees with Mrs. Montgomery's comments that the rights of property owners that have been in the City a lot longer than developers need to be protected.

- Mayor Pro Tem Petersen wanted to quickly agree with Mr. Payne's comments about the development he referred to, and hopes that residents are aware of the "battle we went through to try to not get that subdivision" and wishes that it hadn't been built in the City.

Joelle Caruso – 457 N 3650 W: Ms. Caruso wished to also mention that although the State requires that cities have a certain percentage of affordable or high-density housing available, she wants to make sure that the City is aware of that percentage and does not exceed it so that West Point can keep its rural feel. She feels that once that requirement is met, no more high-density projects should be approved.

- Mayor Pro Tem Petersen stated that the City is not desirous to have more high-density housing just to meet a requirement from the State, but there *are* criteria that the City is obligated to meet. As Ms. Caruso stated, the City is currently meeting those requirements.

Tash Montgomery – 696 S 4500 W: Mr. Montgomery would like to know how the City can fix the issue of making surrounding property owners aware of when a property is going to be rezoned.

- Mayor Pro Tem Petersen stated that this is a valid conversation that needs to be had to make sure that the noticing requirements are appropriate and being met. He instructed Staff to have a discussion on this with the Council in a future meeting.

Council Member Chatterton motioned to close the Public Hearing
Council Member Henderson seconded the motion
The Council unanimously agreed.

14. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn the General Session
Council Member Henderson seconded the motion
The Council unanimously agreed

October 17th, 2021
ERIK R. CRAYTHORNE, MAYOR

CASEY ARNOLD, CITY RECORDER

October 17th, 2021

City Council Staff Report

Subject: Final Plat – Bluff View Subdivision Phases 1a and 1b (aka Bluff View Townhomes Phases 2 and 3)
Author: Bryn MacDonald
Department: Community Development
Date: October 19, 2021



Background

The applicant, NHM8, LLC, is seeking final plat approval for the Bluff View Subdivision phases 1a and 1b, located at approximately 3830 West 300 North. Based on comments from staff, the applicant has changed the name of the plat to Bluff View Townhomes Phases 2 and 3.

The City Council rezoned this property to R-4 (Residential- 8 units per acre). The Planning Commission granted preliminary approval for this project on August 13, 2020. The development consists of 27.5 acres of land with 202 units (7.3 units per acre) that are divided up into 6 phases. The development will be a mix of “patio” style homes (116) and traditional “townhomes” (86). The project will consist of private and public streets and will provide adequate off-street parking spaces. Phase 2 consists of 30 townhome units in 6 buildings. Phase 3 consist of 7 buildings with a total of 28 units.

Analysis

Staff has reviewed the plans submitted and has provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed including the required approval letters.

Final Plat applications used to receive a recommendation from Planning Commission prior to coming to City Council for approval. Since the new Land Use code was adopted last month, final plats no longer go to Planning Commission and only receive approval from the Council.

Recommendation

Staff recommends approval of the Final plat for Bluff View Townhomes Phases 2 and 3.

Attachments

A. Plans



CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK

NORTH QUARTER CORNER
SECTION 5
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN

ELEV = 4297.17'

BLUFF VIEW TOWNHOMES

PHASE 2 AND 3

3830 WEST 300 NORTH STREET
WEST POINT, UTAH

FOR REVIEW
NOT FOR CONSTRUCTION

DATE PRINTED
September 28, 2021

INDEX OF DRAWINGS

- 1 OF 2
- PHASE 2 SUBDIVISION PLAT
- 2 OF 2
- PHASE 2 SUBDIVISION PLAT
- 1 OF 2
- PHASE 3 SUBDIVISION PLAT
- 2 OF 2
- PHASE 3 SUBDIVISION PLAT
- C-001
- GENERAL NOTES
- C-100
- SITE PLAN
- C-200
- GRADING PLAN
- C-201
- DRAINAGE PLAN
- C-202
- STORM DRAIN CALCULATIONS
- C-300
- UTILITY PLAN
- C-400
- EROSION CONTROL PLAN
- PP-1
- 200 NORTH STREET PLAN AND PROFILE
- PP-2
- 250 NORTH STREET PLAN AND PROFILE
- PP-3
- 250 NORTH STREET PLAN AND PROFILE
- PP-4
- 3600 WEST STREET PLAN AND PROFILE
- PP-5
- 3600 WEST STREET PLAN AND PROFILE
- C-500
- DETAILS
- L-100
- LANDSCAPE PLAN

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

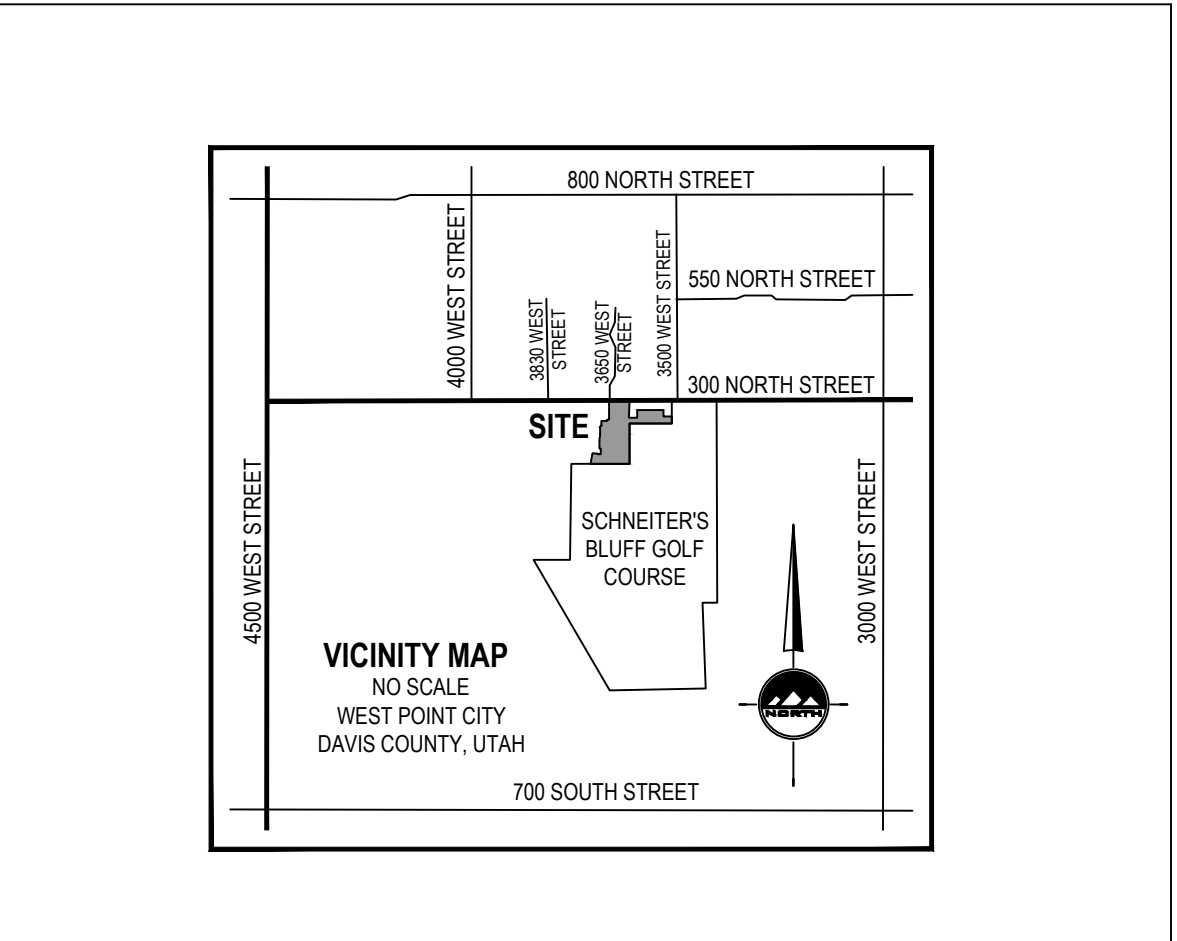
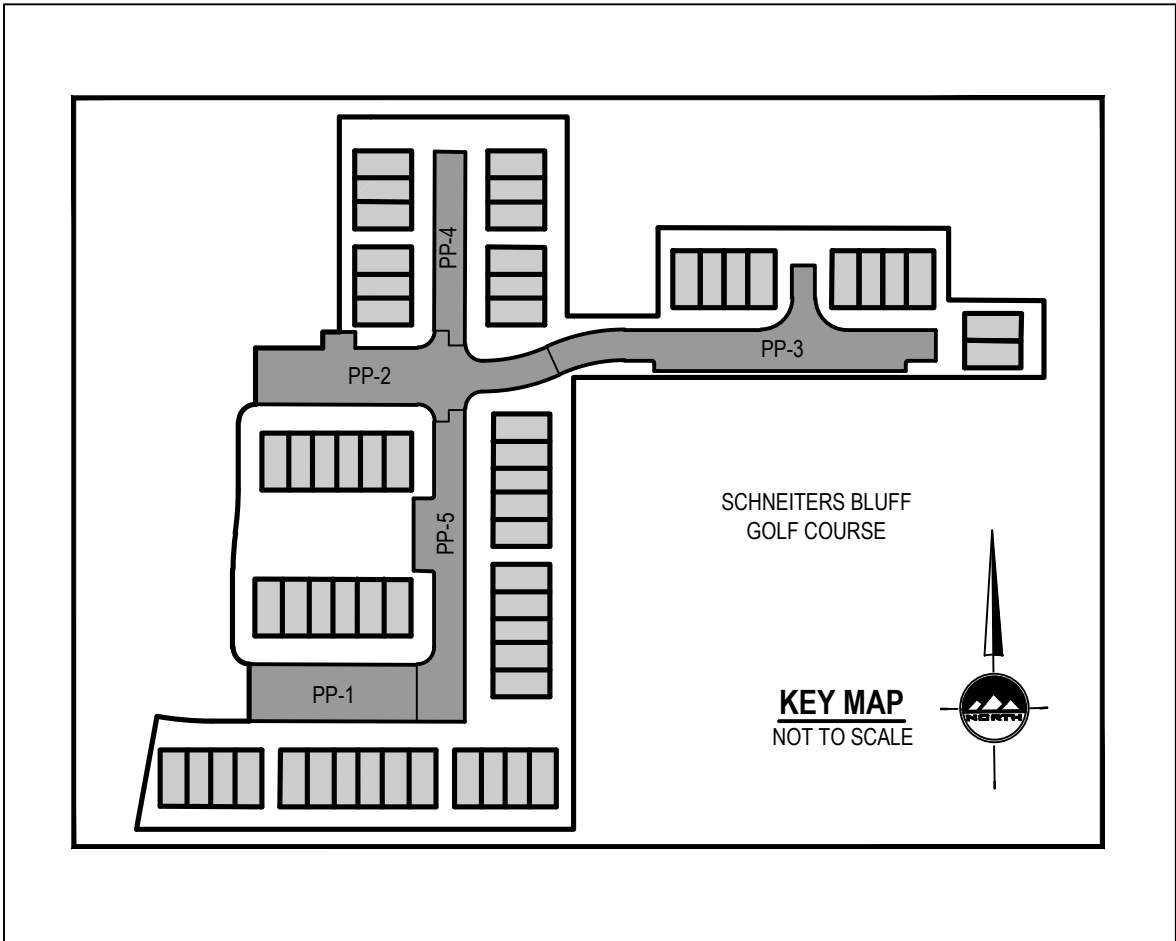
CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

NOTICE TO DEVELOPER/ CONTRACTOR

UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



GENERAL NOTES

1.
- ALL WORK SHALL CONFORM TO WEST POINT CITY STANDARDS & SPECIFICATIONS.
2.
- CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

APPROVED FOR CONSTRUCTION

BY: _____ DATE: _____
CITY ENGINEER



EN SIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.866.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
NHM8, LLC
P.O. BOX 2000
LAYTON, UTAH 84041

CONTACT:
BRYAN BAYLES
PHONE: 801-634-2129

BLUFF VIEW TOWNHOMES
PHASE 2 AND 3
3830 WEST 300 NORTH
WEST POINT, UTAH



NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

COVER

PROJECT NUMBER
7941A

PRINT DATE
9/28/21

DRAWN BY
J.MOSS

CHECKED BY
C. PRESTON

PROJECT MANAGER
C. PRESTON

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 5
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

**SCHNEITERS RIVERSIDE
GOLF CLUB**

S 0°03'13" W 405.11'

300 NORTH STREET (PUBLIC STREET)

250 NORTH STREET (PRIVATE STREET)

**FUTURE BLUFF
VIEW TOWNHOMES
PHASE 3**

3650 WEST STREET (PRIVATE STREET)

**BLUFF VIEW
SUBDIVISION
PHASE 1**

UNIT 113

UNIT 114

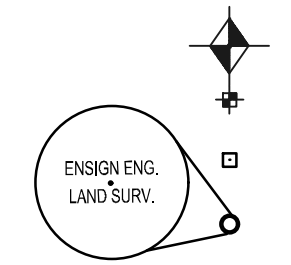
UNIT 115

UNIT 122

UNIT 121

UNIT 120

LEGEND



SECTION CORNER

EXISTING STREET MONUMENT

PROPOSED STREET MONUMENT

SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR
NAIL STAMPED "ENGIN ENG. & LAND SURV."

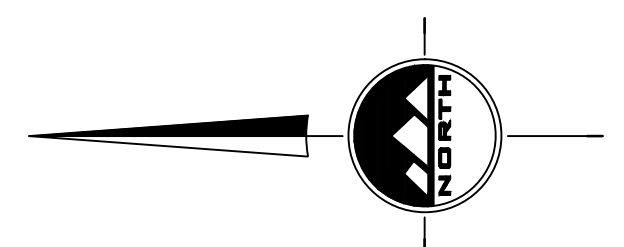
PUE= PUBLIC UTILITY EASEMENT

EASEMENTS

LIMITED COMMON AREA

COMMON AREA

PRIVATE AREA



HORIZONTAL GRAPHIC SCALE

(IN FEET)
HORZ: 1 inch = 30 ft.

BLUFF VIEW TOWNHOMES PHASE 2

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 5
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____, 20_____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE _____

DAVIS COUNTY RECORDER

BY _____
DEPUTY RECORDER

SHEET 2 OF 2

PROJECT NUMBER : 7941A

PROJECT NUMBER : 7941A

MANAGER : C.PRESTON

DRAWN BY : J.MOSS

CHECKED BY : T.WILLIAMS

DATE : 9/28/21

BLUFF VIEW TOWNHOMES PHASE 3

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 5
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

300 NORTH STREET (PUBLIC STREET)

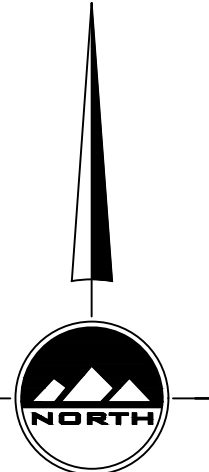
BASIS OF BEARINGS N 89°56'47" W 2656.16' (RECORD) 2656.35' (MEASURED)

NORTH
SECTION 5
T4N, R2W
SL&M
(FOUND)

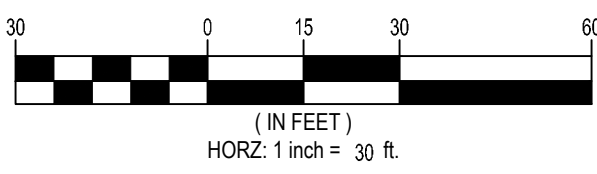
NORTHWEST
QUARTER CORNER
SECTION 5
T4N, R2W
SL&M
(FOUND)

LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR
NAIL STAMPED "ENSGN ENG. & LAND SURV."
- PUE
- PUE= PUBLIC UTILITY EASEMENT
- EASEMENTS
- LIMITED COMMON AREA
- COMMON AREA
- PRIVATE AREA



HORIZONTAL GRAPHIC SCALE



BLUFF VIEW TOWNHOMES PHASE 3

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 5
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS

SHEET 2 OF 2

PROJECT NUMBER : 7941A
MANAGER : C.PRESTON
DRAWN BY : J.MOSS
CHECKED BY : T.WILLIAMS
DATE : 9/28/21

DAVIS COUNTY RECORDER
BY _____
DEPUTY RECORDER

811

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK

NORTH QUARTER CORNER
SECTION 5
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN
ELEV = 4297.17'

GENERAL NOTES

1. ALL WORK TO COMPLY WITH WEST POINT CITY STANDARDS AND SPECIFICATIONS.

2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.

3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.

4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.

5. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.

6. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.

7. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER WEST POINT CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.

8. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.

9. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.

10. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.

11. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

12. ALL LOTS WILL BE GRADED TO DRAIN FRONT YARDS TO THE PUBLIC STREET AND SIDE/REAR YARDS TO THE YARD BOX AT THE BACK OF THE LOT.

13. ALL OPEN IRRIGATION DITCHES ON THE SITE ARE TO BE REMOVED OR ABANDONED.

14. INTERNATIONAL BUILDING CODE REQUIRES 8" VERTICAL SEPARATION BETWEEN FFE TO FG.

15. GRADE LANDSCAPE SWALES AT A MIN. 2.0% SLOPE, UNLESS NOTED OTHERWISE.

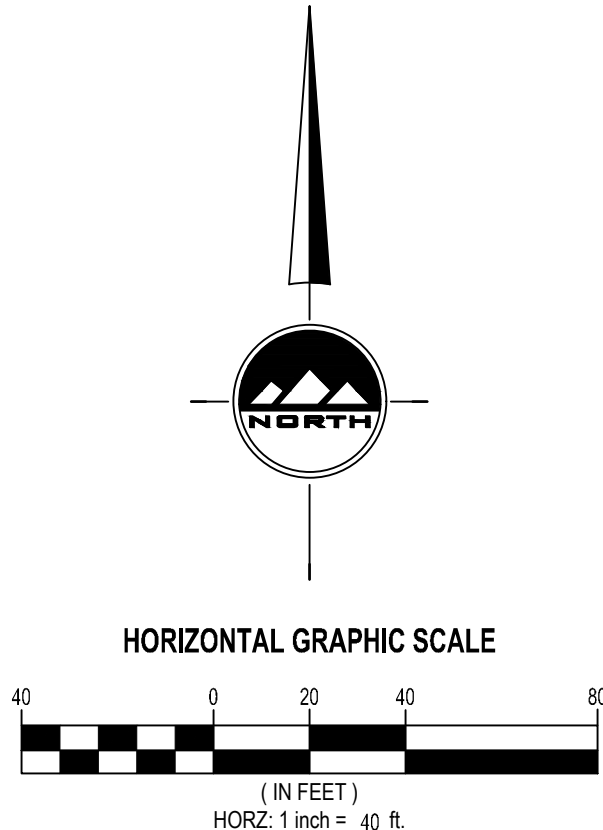
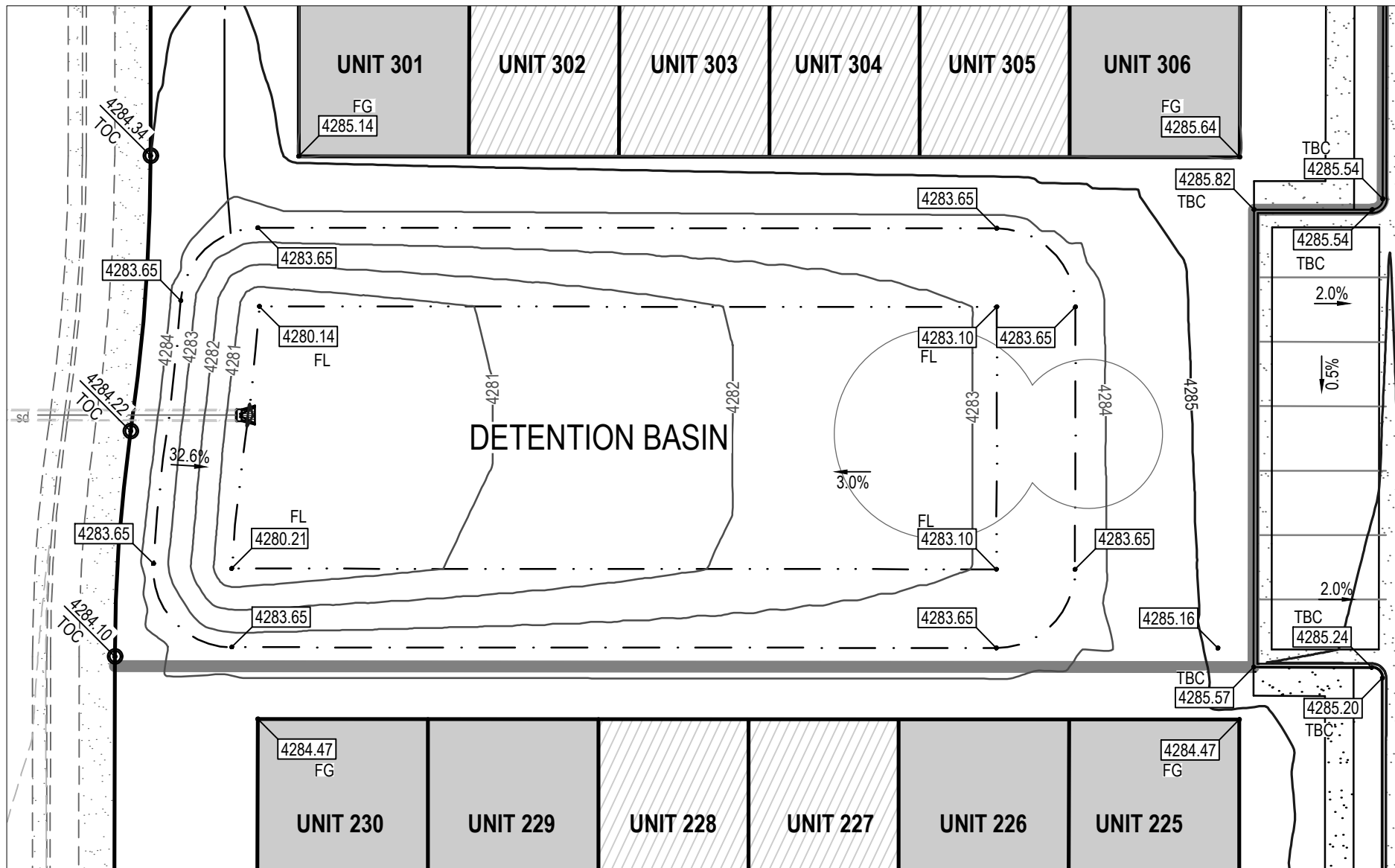
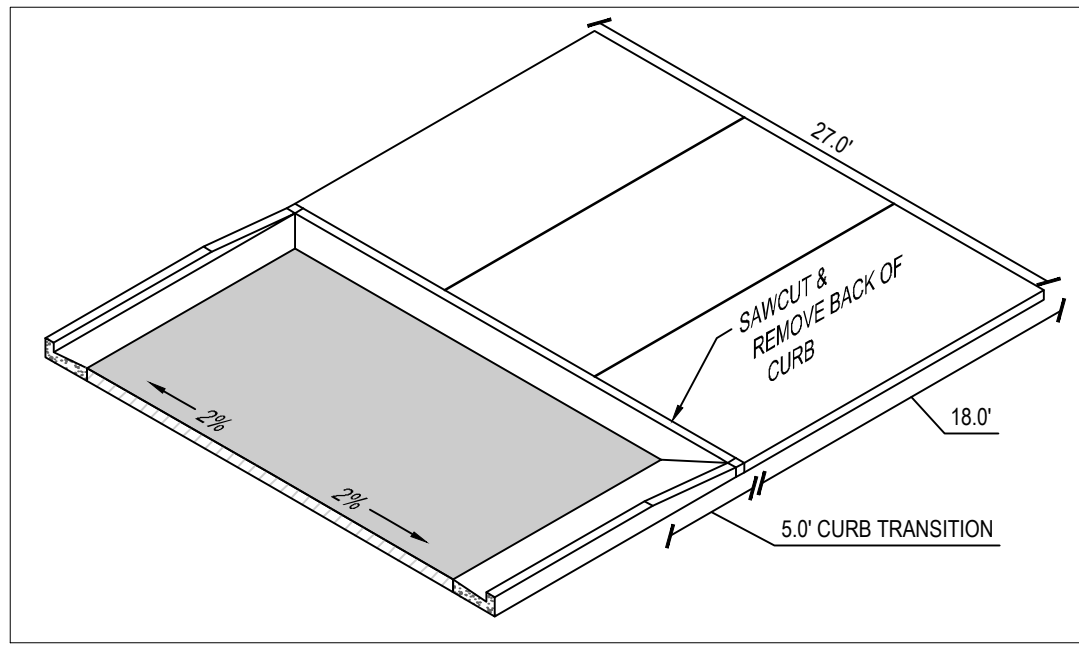
16. LANDSCAPE SLOPE SHALL NOT EXCEED 3H:1V.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS.

1

GRADE AND FORM LANDSCAPE SWALE TO DIRECT RUNOFF TO NEAREST YARD DRAIN AT MIN 2.0% GRADE UNLESS OTHERWISE NOTED



EN SIGN

THE STANDARD IN ENGINEERING

LAYTON

919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3590

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
NH&B, LLC
P.O. BOX 2000
LAYTON, UTAH 84041
CONTACT:
BRYAN BAYLES
PHONE: 801-634-2129

BLUFF VIEW TOWNHOMES

PHASE 2 AND 3

3830 WEST 300 NORTH

WEST POINT, UTAH

PROFESSIONAL ENGINEER

STATE OF UTAH

1-28-21

CHERRON HESS PRESTON

NO. DATE

1 10/28/21

2 10/28/21

3 10/28/21

4 10/28/21

5 10/28/21

6 10/28/21

7 10/28/21

8 10/28/21

FOR REVIEW

BY

GRADING PLAN

PROJECT NUMBER
7941A

PRINT DATE
9/28/21

DRAWN BY
J.MOSS

CHECKED BY
C. PRESTON

PROJECT MANAGER
C. PRESTON

C-200

West Point City Council

83

October 19, 2021

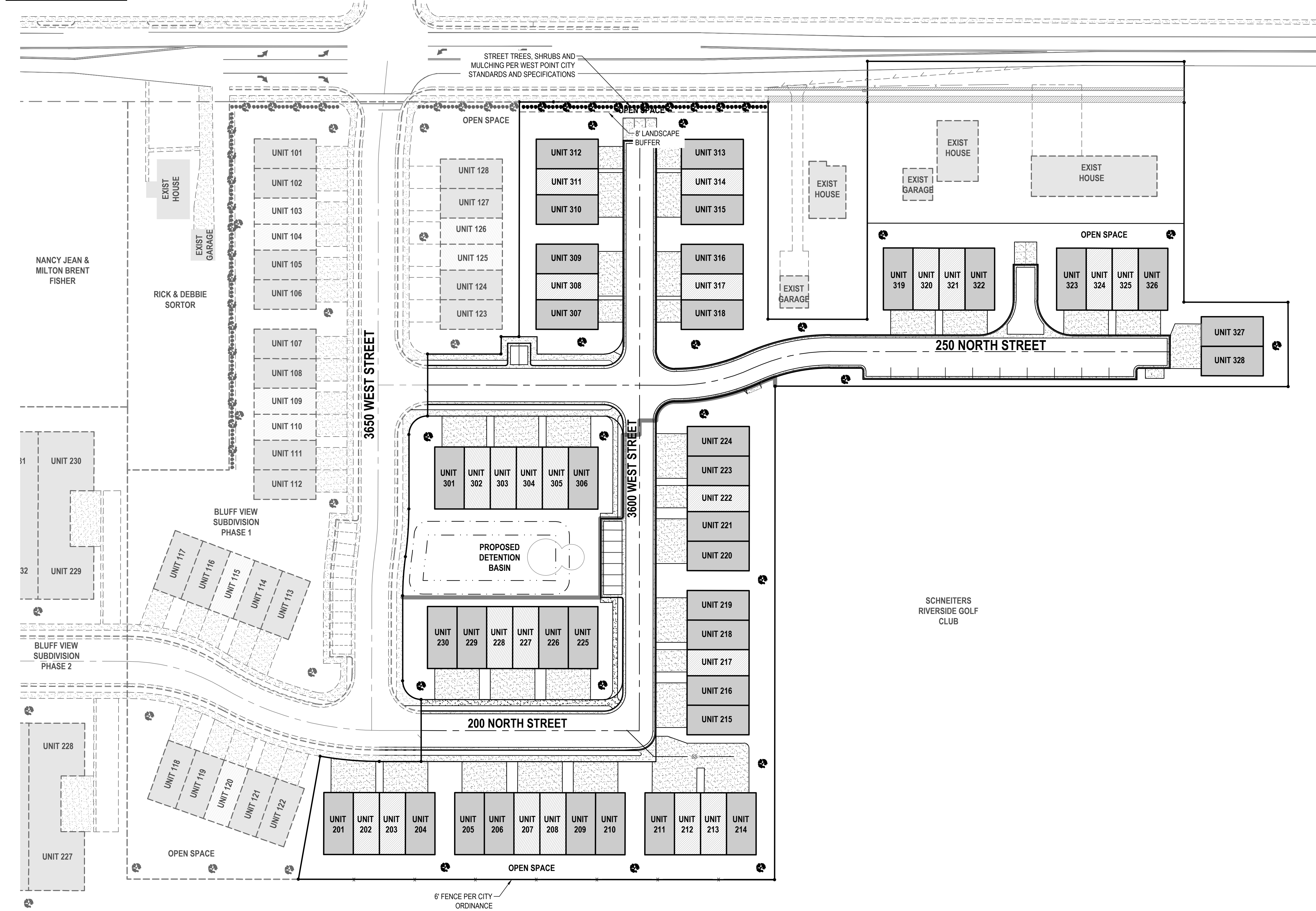


CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK

NORTH QUARTER CORNER
SECTION 5
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN

ELEV = 4297.17'



- NOTES**
1. OPEN SPACE LANDSCAPING: MINIMUM OF 30% OF TREES SHALL BE A MINIMUM 7' EVERGREEN TREE.
 2. LANDSCAPE BUFFER 'A': 5' LANDSCAPE BUFFER TO INCLUDE 1 LARGE EVERGREEN TREE OR DECIDUOUS, DENSE CANOPIED TREE EVERY 20' WITH A MAXIMUM MATURE HEIGHT OF 25'. OTHER SHRUBBERY AND PLANTINGS TO BE INCLUDED IN 5' LANDSCAPE BUFFER.
 3. ENSURE TREES ARE NOT LOCATED ON TOP OF SD PIPES OR STRUCTURES.



EN SIGN
THE STANDARD IN ENGINEERING

LAYTON
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FOR:
NH&B, LLC
P.O. BOX 2000
LAYTON, UTAH 84041
CONTACT:
BRYAN BAYLES
PHONE: 801-634-2129

**BLUFF VIEW TOWNHOMES
PHASE 2 AND 3
3830 WEST 300 NORTH
WEST POINT, UTAH**

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

LANDSCAPE PLAN

PROJECT NUMBER 7941A	PRINT DATE 9/28/21
DRAWN BY J. MOSS	CHECKED BY C. PRESTON
PROJECT MANAGER C. PRESTON	

L-100

City Council Staff Report

Subject: Subdivision Warranty – Westlake 1
Author: Boyd Davis
Department: Engineering
Date: October 19, 2021



Background

The Westlake Estates Subdivision Phase 1 is located at 1000 N 5000 W. The developer has completed all the required improvements, with exception of the sidewalk and slurry seal, and is now asking that the subdivision be placed on a one-year warranty.

Analysis

The subdivision has been inspected to ensure all the required improvements have been completed and are in good condition prior to beginning the warranty period. The subdivision will be placed on a one-year warranty as required by the State Code. The required guarantee amount will be retained in escrow for the duration of the warranty period.

Recommendation

It is recommended that the City Council place the Westlake Estates Subdivision Phase 1 on a one-year warranty.

Significant Impacts

None

Attachments

None

City Council Staff Report

Subject: City Trails Maintenance Contract
Author: Paul Rochell
Department: Public Works
Date: October 19, 2021



Background

The City recently received a bid for repairs to the Emigrant Trail and also areas of the walking paths in the City's Parks as significant cracks have developed that are creating safety hazards to those using them. In accordance with the City's Purchasing Policy, Council approval of the contract is required as the bid received for the project is \$30,000.

Analysis

A bid has been received from Andersen Asphalt for this project, which includes reparation of all City-owned trails and walking paths. There was only one bid received due to "Mastic B" being a sole source product of Andersen Asphalt. Mastic B is a product that allows for both expansion and contraction as the weather fluctuates between the hot and cold times of the year, and will be used to fill all cracks over 1 ½" wide or other depressed areas. Cracks with a width smaller than 1 ½" will be repaired by crack-seal. The bid received from Andersen Asphalt includes the following costs:

Crack-Seal Application	\$12,000
<u>Mastic B Application</u>	<u>\$18,000</u>
Total Cost:	\$30,000

Recommendation

Staff recommends approval of a contract with Andersen Asphalt in the amount of \$30,000.

Significant Impacts

Cracks and/or depressions in the trails and walking paths within the City will be repaired.

Attachments

Proposal

Andersen Asphalt

801-675-1555
admin@andersenam.com



Prepared For:
West Point City
3200 W 300 N
West Point, UT 84015

Attention:
West Point City

Project Address:
West Point Walking Trails
West Point, UT

Thank you for the opportunity to provide you with a proposal. Please review the proposal and feel free to call with any questions.

CRACK SEAL

\$12,000.00

Crack Seal transverse and lateral asphalt pavement cracking.

- This work is performed by cleaning debris and vegetation from transverse and lateral pavement cracks 1/8" to 1 1/2" with the use of wire wheels and heat lances.
- Cracks will be sealed with Nuvo CS B - A next generation hot applied, polymer modified crack and joint sealant. (Meets ASTM Specifications)
- Cracks near or under vehicles may not be treated if vehicle is not removed.
- Nuvo CS B with advanced performance intelibond technology is fast setting, extremely flexible at cold temperatures, and durable in the hot months.
- If additional crack seal over the above linear footage is requested, work will be completed at the same unit price per linear foot.
- This work can be completed with minimal inconvenience to traffic.

NUVO GAP B MASTIC

\$18,000.00

Install GAP - Mastic in wide cracks or depressed areas of pavement.

- This work is performed by cleaning debris and vegetation from lateral pavement cracks 1-1/2"+ or depressed areas with the use of wire wheels and compressed air heat lances.
- Cracks or gaps will be sealed with Gap Mastic B - A next generation hot applied, polymer modified mastic sealant with engineered aggregates and modifiers designed to fill wide cracks and defects to prevent water infiltration and restore ride quality.
- Cracks or gaps near cars or under cars and 'alligatored' pavement may not be treated if not specified.
- If additional mastic over the above linear footage is requested, work will be completed at the same unit price per linear foot.
- This work can be completed with minimal inconvenience to traffic.

PREPARED BY: Andersen Asphalt

PROPOSAL TOTAL: \$30,000.00

Notes:

- Additional quantities to be billed at the same rate.
- Power steering turning marks are normal and will fade away over time.
- The sealed surface will remain tender during the hot months of the year.
- Customer is responsible to ensure sprinklers are turned off 24 hrs prior and remain off for 24 hrs after project. Additional costs will be billed if contractor arrives to a wet surface.
- It is the responsibility of the customer to ensure all vehicles or other debris is clear from the maintenance area. All towing costs will be billed to the customer.
- Price based on 1 Mobilization; additional mobilizations will be charged extra.
- Purchaser is responsible to ensure all vehicles are removed (towing if required) from the affected areas no later than 7:00 a.m.
- Sprinkler systems are to be shut off 24 hours prior to treatment and 24 hours after completion.
- We are not responsible for damage to property from vehicular or foot traffic on wet sealcoat.

The Unit Rates applicable to the categories of work to be performed pursuant to this Agreement are based on the following material costs and published indexes:

Any adjustments to the original scope of work shall be committed and paid by purchaser as though a written change order were approved and signed by both parties.

Purchaser: _____ Title: _____

Printed Name: _____ Date: _____