

WEST BOUNTIFUL CITY

ORDINANCE #489-23

AN ORDINANCE AMENDING THE WEST BOUNTIFUL MUNICIPAL CODE TO WAIVE ROADWAY FACILITIES IMPACT FEES RELATED TO MODERATE INCOME HOUSING

WHEREAS, in 2022, the legislature required that by October 1, 2022, the city amended its general plan to recognize the legislature's determination that municipalities facilitate a reasonable opportunity for a variety of housing, including moderate income housing; and

WHEREAS, the city was required to include a recommendation to implement a minimum of three moderate income housing strategies as described in UCA 10-9a-403(b) i; and

WHEREAS, the West Bountiful City Council, through an amendment to the general plan, adopted the goal to reduce, waive, or eliminate impact fees related to moderate income housing; and

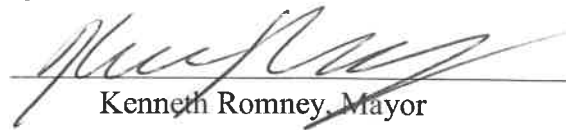
WHEREAS, a public hearing on this subject was held on June 18, 2024.

NOW THEREFORE BE IT ORDAINED by the city council of West Bountiful City that the West Bountiful Municipal Code be modified as shown in exhibit A.

This ordinance will become effective upon signing and posting.

Adopted this 18th day of June, 2024.

By:


Kenneth Romney, Mayor

Voting by the City Council:	<u>AYE</u>	<u>NAY</u>
Councilmember Ahlstrom	☒	☐
Councilmember Butterfield	☒	☐
Councilmember Enquist	☒	☐
Councilmember Nielsen	☒	☐
Councilmember Preece	☒	☐

ATTEST


Remington Whiting, City Recorder



3.22.060 Fee Exceptions, Deferrals, And Adjustments

- A. Exemption for Moderate Income Housing. Any development activity attributable to moderate income housing shall be exempt from [1. the parks and recreation impact fee](#) [and 2. the roadway facilities impact fee](#) under Section 3.22.050.
- B. Exemption for “Public Purpose.” Notwithstanding Subsection A, the City Council may authorize, on a project-by-project basis and subject to the Act, an exemption from or adjustments to the impact fees under Section 3.22.050 for development activity the City Council determines to be of such benefit to the community as a whole to justify the exemption or adjustment. Such development activity may be attributable to tax-supported agencies, moderate income housing, or facilities of a temporary nature.
- C. Deferral for Insignificant Use of Water. The City Council may authorize, on a project-by-project basis and subject to the Act, deferral of the payment of a culinary water impact fee when the applicant shows: (1) the property will not be used for anything other than non-commercial agricultural purposes, (2) the property will receive the majority of its water from secondary or other sources, and (3) the applicant will not use more than 24,000 gallons a year of water from the City’s culinary water system. To receive a deferral, the applicant must record against the property an agreement with the City stating that all required water impact fees shall be paid upon any further development activity or when any of the three listed criteria ceases to apply. When the fees are paid, they will be based on the fees at that time, and not on the fees in place at the time the deferral is granted.
- D. Procedure. Applications for deferrals, exemptions, or adjustments are to be filed with the City at the time the applicant first requests the extension of service to the applicant’s development or property.

**CERTIFICATE OF PASSAGE
AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 489-24 was duly
passed and posted on the Utah Public Notice Website, the City Website,
and at West Bountiful City Hall on June 21st, 2024.*


Remington Whiting, City Recorder

DATE: 06/21/24