

City Council Policy Session

April 25, 2023

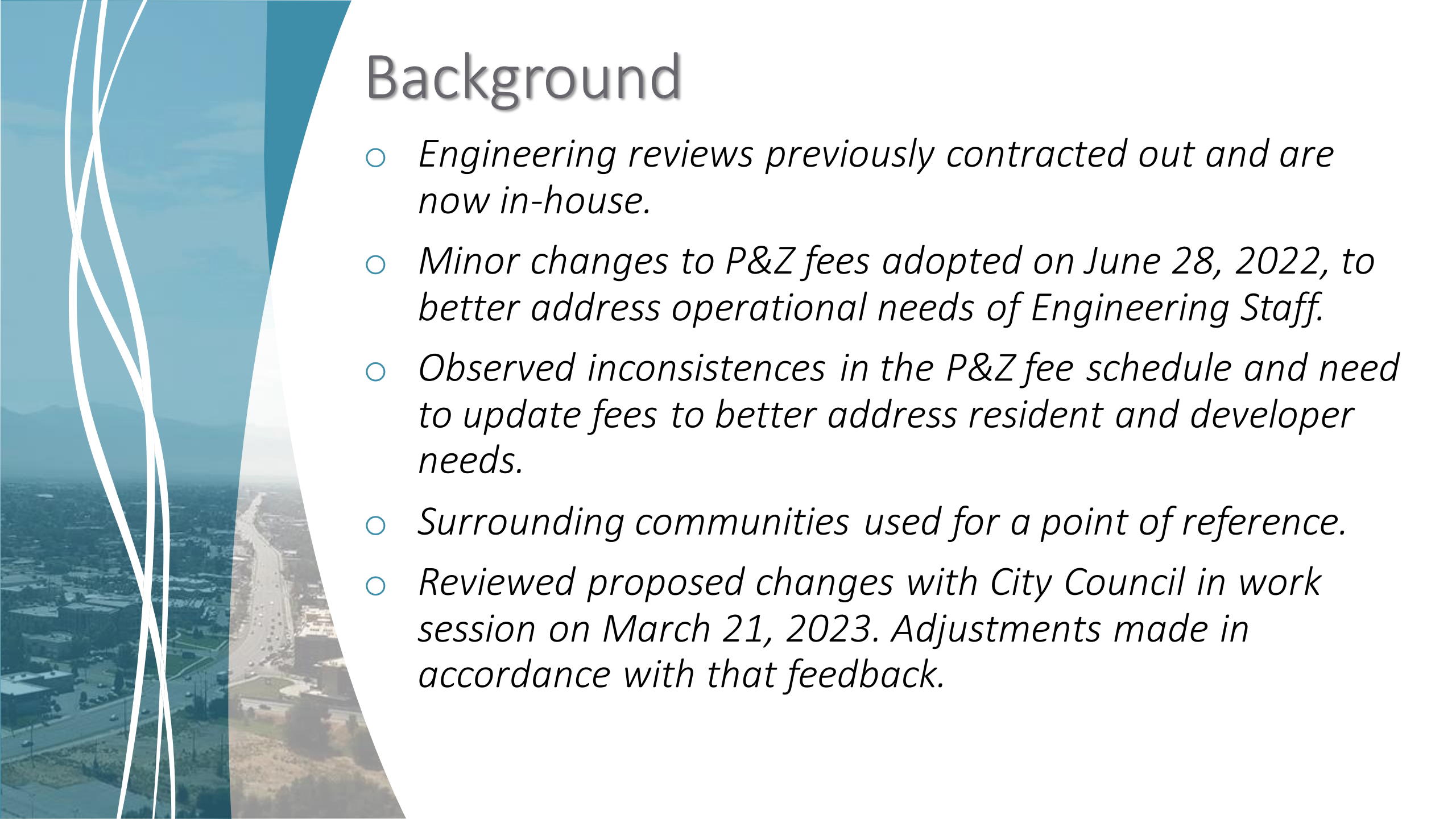




CONSOLIDATED FEE SCHEDULE

- Planning and Zoning Fees

Ordinance 2023-07



Background

- *Engineering reviews previously contracted out and are now in-house.*
- *Minor changes to P&Z fees adopted on June 28, 2022, to better address operational needs of Engineering Staff.*
- *Observed inconsistencies in the P&Z fee schedule and need to update fees to better address resident and developer needs.*
- *Surrounding communities used for a point of reference.*
- *Reviewed proposed changes with City Council in work session on March 21, 2023. Adjustments made in accordance with that feedback.*

New Fees

1. *Internal Accessory Dwelling Unit (IADU): \$125*
2. *Conditional Use Permit (CUP), Commercial Use Only: \$400; previously \$350.*
3. *Conditional Use Permit (CUP), New Construction: \$750 base fee with graduated fee following site plan fees.*
4. *Development Agreement Amendment/Addendum: \$500*

INTERNAL ACCESSORY DWELLING UNITS (IADU'S)

An internal accessory dwelling unit has its own kitchen, living & sleeping area, full bathroom, and is within or attached to a single-family residence.

IADU's may be allowed in single-family zones on lots greater than 6,000 square feet. The property must be owner occupied and the accessory unit is required to be registered with the Community Development Department. Additional requirements can be found in Clearfield City's [IADU ordinance](#).

IADU APPLICATION

IADU DECLARATION OF OWNER OCCUPANCY

Internal Accessory Dwelling Units



ADDENDUM #1 TO DEVELOPMENT AGREEMENT

CLEARFIELD, UTAH
DATED: _____ 2022

This Addendum #1 to Development Agreement dated October 31st, 2019 between Clearfield City and Lotus Acquisitions, LLC is entered into as of the _____ day of _____, 2022, by and among Clearfield City, a municipal corporation and political subdivision of the State of Utah ("City"), and Lotus Acquisitions, LLC a Utah limited liability company (the "Developer"). The City and Developer are sometimes collectively referred to in this Addendum #1 and the Development Agreement as the "Parties".

RECITALS

- The Parties hereto entered into a certain Development Agreement ("Development Agreement") on October 31, 2019, regarding the development of approximately 15 acres of real property located within the boundaries of the City on which the Developer would develop the Project.
- Developer and Clearfield City entered into Real Estate Purchase and Sale Agreements dated October 1, 2020 for the purchase and sale of land for Phase 1, which Developer has acquired and is currently constructing Private Improvements in accordance with the Development Agreement.
- The Development Agreement under Exhibit 4 contemplated development commencement for Phase 2 by October 2022 and development commencement for Phase 3 by October 2025.

The Parties now desire to amend the Development Agreement, and have agreed to the following:

AGREEMENT

- The Phase 3-unit count shall be reduced by seven units from 54 units down to 45 units. The Phase 2-unit count shall be increased by three units from 16 units up to 19 units. Developer shall close on the purchase of the property for both phase 2 and phase 3, on or before January 31st, 2023, which will be memorialized by both Parties in a separate purchase and sale agreement. Additionally, Developer reserves the right to perform on either phase 2 or phase 3 in no particular order or sequence.

- The Developer is requested a modification to the Form-Based Code as follows:

Standard:	Requested Modification:
Townhouse Building Type	Townhouse Building Type
Maximum Building Width: 6 units	Maximum Building Width: 12 units
Townhouse Building Type	Townhouse Building Type
Required Occupied Space: 30' deep on all full floors	Required Occupied Space: 20' deep and 30' width on all full floors of front load, front entry units

- All other terms of the Development Agreement remain in full force and effect.

Modified Fees

1. *Site Plan Review: \$750 base fee with graduated per acre fee for every five acres –*

- a. \$150 per acre (0 to 5.49 acres)
- b. \$130 per acre (5.5 to 10.49 acres)
- c. \$120 per acre (10.5 to 15.49 acres)
- d. \$115 per acre (15.5 to 20.49 acres)
- e. \$110 per acre (> 20.5 acres)



2. *Conditional Use Permit (CUP), Home Occupation: \$350*

3. *Downtown Form-based Code (FBC) Site Plan Review: Base fee remains at \$950. Addition of per acre fees.*

- a. \$250 per acre (0 to 5.49 acres)
- b. \$230 per acre (5.5 to 10.49 acres)
- c. \$220 per acre (10.5 to 15.49 acres)
- d. \$215 per acre (15.5 to 20.49 acres)
- e. \$210 per acre (> 20.5 acres)

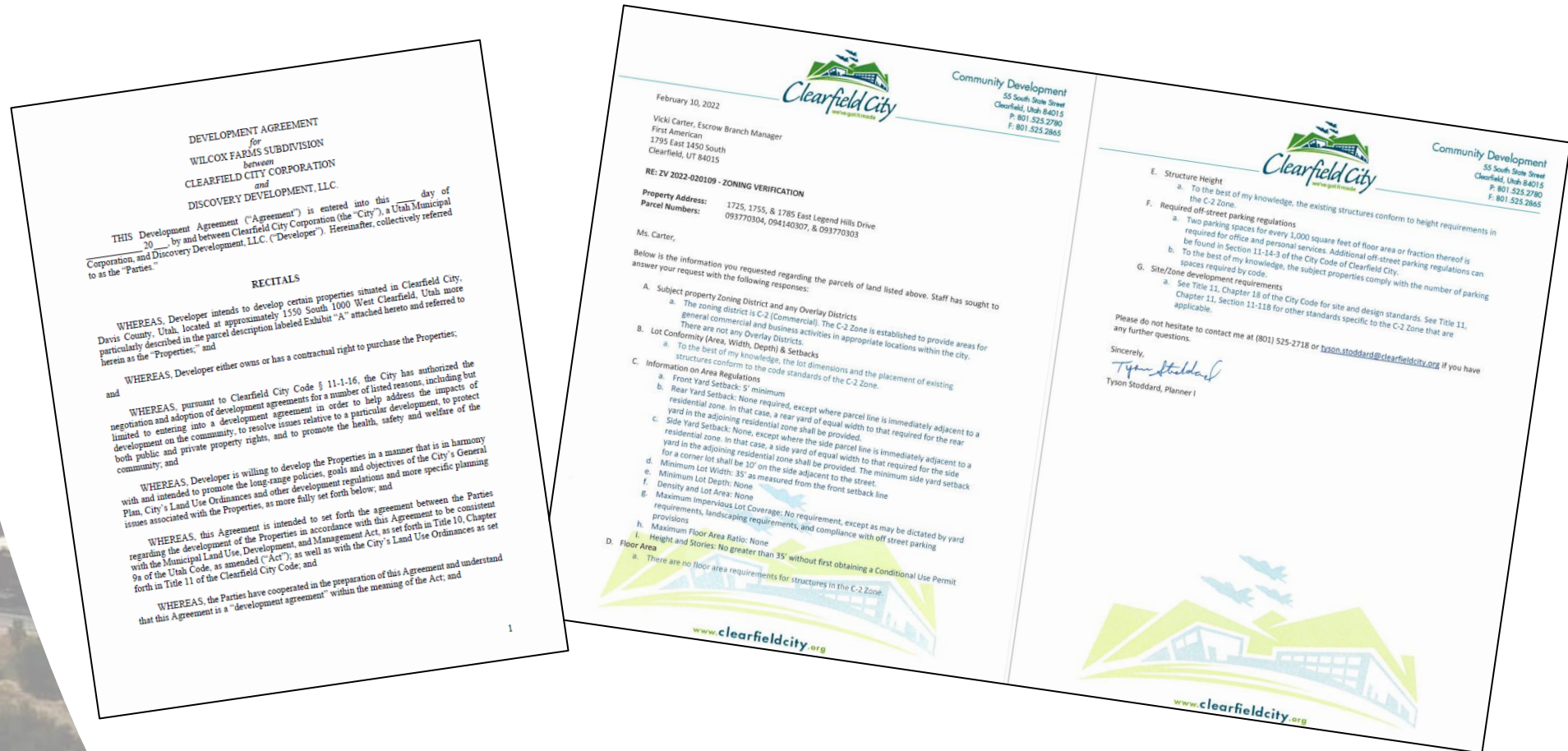
4. **Rezone:** \$850, up from \$650
5. **Zoning Text Amendment:** \$850, up from \$650
6. **General Plan Amendment:** \$1,200, up from \$900
7. **Annexation:** \$1,500, up from \$1,000
8. **Special Planning Commission Meeting:** \$700, up from \$500
9. **Preliminary & Final Subdivision Plats:**
 - A. **Preliminary Plats**
 - i. Base Fee: \$750, up from \$500
 - ii. Per Lot Fee: \$75 per lot, up from \$25 per lot
 - B. **Final Plats**
 - i. Base Fee: \$650, up from \$450
 - ii. Per Lot Fee: \$50 per lot, up from \$25 per lot.



10. Development Agreement: \$1,000, up from \$500

11. Variance: \$500, up from \$400

12. Zoning Verification Letters: \$100, up from \$75



Engineering Fees

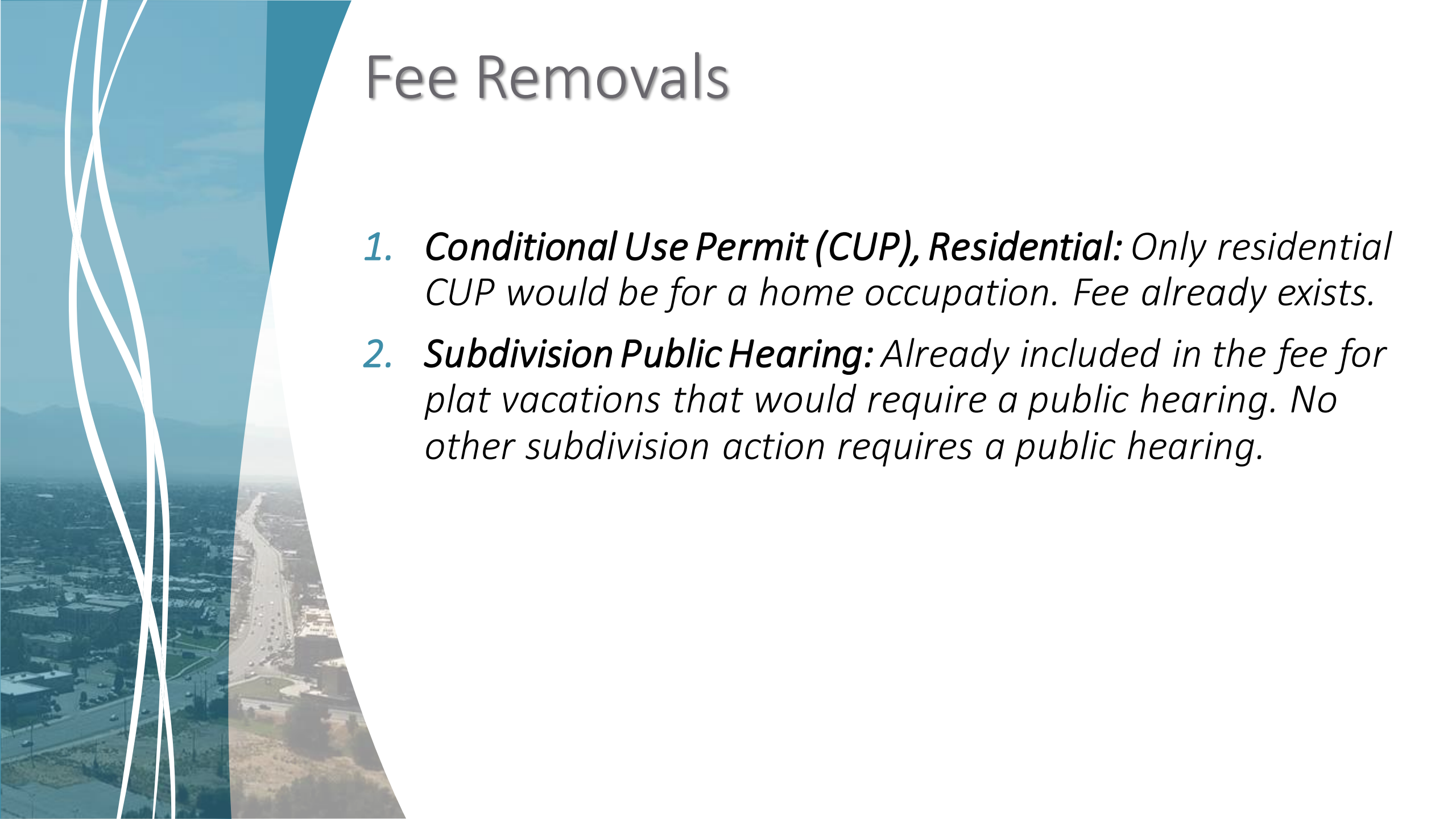
- *Based upon feedback from the City Council on March 21, 2023. Modified this fee to read as follows:*

City Contracted Engineering Fees

Per ~~City Engineer~~ Contract Engineering
Hourly Rates. Fees paid directly by
applicant to the city contracted engineering
firm.



JONES & ASSOCIATES
Consulting Engineers



Fee Removals

1. ***Conditional Use Permit (CUP), Residential:*** Only residential CUP would be for a home occupation. Fee already exists.
2. ***Subdivision Public Hearing:*** Already included in the fee for plat vacations that would require a public hearing. No other subdivision action requires a public hearing.

Staff Recommendation

*Staff recommends that the Clearfield City Council **approve** Ordinance 2023-07 amending the City's Consolidated Fee Schedule updating the Planning and Zoning Fees as proposed. This recommendation is based upon staff analysis and feedback provided by the Clearfield City Council.*

