

ORDINANCE NO. 15-10

ROLL CALL

VOTING	YES	NO
MAYOR G. WAYNE ANDERSEN <i>(votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
JENS P. NIELSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>		X

I MOVE this ordinance be adopted: Council member Davis
I SECOND the foregoing motion: Council member Dart

ORDINANCE 15-10

IMPACT FEE ENACTMENT ORDINANCE

WHEREAS, Spanish Fork City continues to experience extremely rapid growth; and,

WHEREAS, new facilities are necessary to accommodate the growth; and

WHEREAS, it is fair and equitable that the entities responsible for the new facilities pay for the cost thereof; and

WHEREAS, impact fees are an appropriate mechanism to pay for facilities made necessary by rapid growth; and

WHEREAS, Spanish Fork City has prepared a capital facilities plan as part of its

comprehensive general plan; and

WHEREAS, the capital facilities plan has been recently amended in order to remain current with the growth and needs of the city; and

WHEREAS, an analysis has been prepared whereby the needs, costs, and equitable allocation of those costs has been determined and fairly apportioned; and

WHEREAS, the City has an immediate need for parks and recreation facilities to accommodate the new growth; and

WHEREAS, public safety facilities are needed in order to accommodate the growth; and

WHEREAS, electric facility upgrades are necessary to provide electric power to service the new growth; and

WHEREAS, the growth has created the need to widen certain collector and/or arterial streets, add signals, construct arterial streets, and realign certain major intersections; and

WHEREAS, it is fair and equitable that new residents pay their share of the buy-in cost of existing infrastructure, taking into account those factors identified in Utah Code Ann. §11-36-201; and

WHEREAS, all sources of revenue have been analyzed and considered by the City; and

WHEREAS, the City has previously adopted impact fees, which bases and analyses should be reviewed on a regular basis; and

WHEREAS, a written analysis dated July 21, 2010 has been prepared; and

WHEREAS, the written analysis has been available for public inspection for at least 10 days prior to the public hearing; and

WHEREAS, the analysis identifies the impact on improvements needed to the electric

power system, the recreation facilities, the public safety facilities, and streets required by the development activities; and

WHEREAS, the analysis demonstrates how those impacts on the improvements are related to the development activities; and

WHEREAS, the analysis makes a conservative estimate of the proportionate share of the cost of impacts on the system improvements that are reasonably related to the development activity; and

WHEREAS, the analysis recommends that tiered impact fees be imposed in order to be most equitable; and

WHEREAS, the analysis identifies the amount of impact fee that could be imposed and how that fee was calculated; and

WHEREAS, the City has identified and analyzed, through the impact fee analysis, those criteria set forth in Utah Code Ann. §11-36-201(5)(b); and

WHEREAS, the impact fee proposed by this impact fee enactment does not exceed the highest fee justified by the impact fee analysis; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 3rd day of August, 2010, wherein public comment was received, not only from concerned citizens, but from developers involved in the current development within the City; and

WHEREAS, the impact fee enactment has been available for public inspection for at least 10 days preceding the public hearing; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is necessary to impose an impact fee on new development to pay for the improvements made

necessary to the electric system, public safety facilities, streets, and recreational facilities by that new development;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

SECTION I.

1. The recreational facility impact fee is hereby amended for each residential dwelling in the City.

2. The amount of the recreational facility impact fee is \$3,309.00 per multifamily residential dwelling unit.

3. The amount of the recreational facility impact fee for single family detached units is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$2,245.00
2500 - 2599	\$2,482.00
2600 - 2699	\$2,836.00
2700 - 2799	\$3,073.00
2800 - 2899	\$3,309.00
2900 - 2999	\$3,546.00
3000 - 3099	\$3,900.00
3100 - 3199	\$4,137.00
3200 - 3299	\$4,373.00
3300 - 3399	\$4,609.00
3400 - 3499	\$4,728.00
3500 - 3599	\$4,964.00
3600 - 3699	\$5,200.00
3700 - 3799	\$5,437.00
3800 or more	\$5,555.00

4. The municipal power impact fee is hereby amended for each building in the City based upon the size of service.

5. The amount of the impact fee for electric power is as follows:

Residential Single Phase 120/240V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
100	24	\$1,075.00
125	30	\$1,344.00
150	36	\$1,613.00
200	48	\$2,151.00
225	54	\$2,420.00
400	96	\$4,302.00

General Service Single-Phase 120/240V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
100	24	\$3,352.00
125	30	\$4,190.00
150	36	\$5,028.00
200	48	\$6,704.00
225	54	\$7,542.00
400	96	\$13,409.00

General Service Three Phase 120/208V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
125	45.0	\$ 6,285.00
150	54.0	\$ 7,542.00
200	72.0	\$ 10,056.00
400	143.9	\$ 20,099.00
600	215.9	\$ 30,156.00
800	287.9	\$ 40,213.00
1,000	359.8	\$ 50,256.00
1,200	431.8	\$ 60,313.00
1,600	575.7	\$ 80,412.00
2,000	719.7	\$100,526.00
2,500	899.6	\$125,654.00

General Service Three Phase 277/480V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
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125	103.8	\$ 14,498.00
150	124.6	\$ 17,403.00
200	166.1	\$ 23,200.00
400	332.2	\$ 46,401.00
600	498.2	\$ 69,587.00
800	664.3	\$ 92,788.00
1,000	830.4	\$115,989.00
1,200	996.5	\$139,189.00
1,600	1,328.6	\$185,577.00
2,000	1,660.8	\$231,978.00
2,500	2,076.0	\$289,972.00

6. A public safety impact fee is hereby established for each nonresidential building in the City based upon the jobs per square foot of building space.

7. The amount of the impact fee for public safety for nonresidential buildings is \$169.00 per thousand square feet of building space for retail and restaurant uses; \$432.00 per thousand square feet of building space for all other commercial or other nonresidential services; and \$233.00 per thousand square feet of building space for industrial uses.

8. The amount of the public safety impact fee is \$380.00 per multifamily residential dwelling unit.

9. The amount of the public safety impact fee for single family detached residences is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$258.00
2500 - 2599	\$285.00
2600 - 2699	\$325.00
2700 - 2799	\$353.00
2800 - 2899	\$380.00
2900 - 2999	\$407.00
3000 - 3099	\$448.00
3100 - 3199	\$475.00
3200 - 3299	\$502.00

3300 - 3399	\$529.00
3400 - 3499	\$543.00
3500 - 3599	\$570.00
3600 - 3699	\$597.00
3700 - 3799	\$624.00
3800 or more	\$638.00

10. A road and streets impact fee is hereby established for each nonresidential building in the City.

11. The amount of the roads and streets impact fee for nonresidential buildings is \$2,925.00 per thousand square feet for retail and restaurant uses; \$1,287.00 per thousand square feet for all other commercial or other nonresidential services; and \$446.00 per thousand square feet for industrial uses.

12. The amount of the roads and streets impact fee is \$1,989.00 per multifamily residential dwelling unit.

13. The amount of the roads and streets impact fee for single family detached residences is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$1,750.00
2500 - 2599	\$1,845.00
2600 - 2699	\$1,965.00
2700 - 2799	\$2,061.00
2800 - 2899	\$2,181.00
2900 - 2999	\$2,277.00
3000 - 3099	\$2,373.00
3100 - 3199	\$2,469.00
3200 - 3299	\$2,565.00
3300 - 3399	\$2,637.00
3400 - 3499	\$2,732.00
3500 - 3599	\$2,804.00
3600 - 3699	\$2,876.00

3700 - 3799	\$2,972.00
3800 or more	\$3,044.00

14. These impact fees are due and payable when the building permit is obtained and shall be a condition precedent to the issuance of the building permit.

15. All impact fees are in addition to any other fees.

16. The impact fee shall be deposited into an interest bearing ledger account and may be only used for capital improvements to the capital facility system for which the fee was collected. These improvements may include analysis costs, the construction contract price, the cost of acquiring land, improvements, materials, and fixtures, the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements, the debt service charges incurred if the improvements are financed by bonds, notes, or other obligations carrying debt service charges, and for the cost of issuance of any such bonds, notes or other obligations.

17. The impact fees may not be used for operation or maintenance costs for any public facilities within the City.

18. Special exceptions, waivers, or credits may be granted, in the sole discretion of the City Council, upon application in accordance with the Spanish Fork City Municipal Code §15.4.12.050.

19. The impact fees identified herein shall become effective 90 days after adoption.

20. These impact fees are for system improvements and in no wise repeal or rescind the water transfer required upon development, pursuant to Spanish Fork Municipal Code §15.4.16.080, to insure that an adequate supply of water exists.

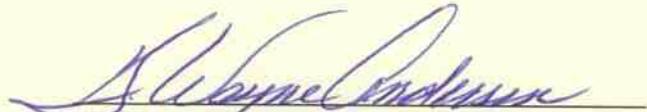
SECTION II.

This ordinance shall not be part of the Municipal Code.

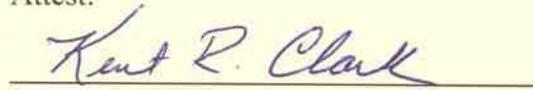
SECTION III.

This ordinance shall become effective on the 2nd day of November, 2010.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH
FORK, UTAH, this 3rd day of August, 2010.


G. WAYNE ANDERSEN, Mayor

Attest:


KENT R. CLARK, City Recorder

