

**MINUTES OF THE
TOWN COUNCIL
MEETING OF
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, October 8, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:30 p.m.

Town Council Members present:

John Spuhler, Mayor
Pat Argyle
Darin Pugmire
Chuck Stocking
Bruce Warner

Others Present:

Kathy Hislop
Riley Argyle
Bob Peterson
Anita Weston
Bobbie Coray
Zan Murray
Joey Stocking
Mike Wahlberg
George Peart

ROLL CALL

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

APPROVAL OF MINUTES

Minutes of the Town Council Meeting held on September 10, 2015

Council Member Pugmire made the motion to approve the minutes of the regular Town Council meeting held on September 10, 2015 as they are outlined. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL

730 S Balsamorhiza. Jeff Kump. Property Management Co. is Bear Lake Cabin Rental

Council Member Warner said that he didn't see any problems with the application. Council Member Stocking said that he will forward the homeowners signature to Ms. Millard for the file.

Council Member Warner moved to approve the application license with the understanding that Council Member Stocking will forward the homeowners signature to the office for the file. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Mr. Peart looks over the application to make sure that they have the appropriate parking for the location and lists the required number on the license.

COVENANT TO RUN WITH THE LAND DISCUSSION/APPROVAL. Request to encumber parcel's 41-21-40-123, and 41-21-40-124, Tally Johnson

Council Member Argyle made the motion to approve the covenant to run with the land for parcel's 41-21-40-123, and 41-21-40-124, for Tally Johnson. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

RICH COUNTY TOURISM GRANT DISCUSSION

The Council Members agreed that the flag pole memorial would be a great project for this grant request.

Council Member Pugmire made the motion for the Rich County Tourism Grant that we put in motion that we use the grant for a flag memorial. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

PUBLIC COMMENTS

Mr. Stocking asked if the Council ever approved the Enterprise Zone. We have not so we will draft the resolution and get it on the agenda next month for approval so the businesses can apply for tax credits.

Mr. Stocking asked about employee housing. Mayor Spuhler said that several months ago he looked into this and the modular units are very expensive. He said that purchasing and bringing in modular units would be so cost prohibitive for the businesses. He checked with Mr. Dan Peart to use his ranch type housing on Manhead road. Mayor Spuhler said that the businesses should

check with him to see if that location would work for them. He said the facility would be great for employee housing.

Mr. Mike Wahlberg explained that he has been contacted by quite a few people to get the fire inspections. He said that there is a question regarding businesses that really don't have a location for an inspection, such as a home based business that doesn't have any customers. He said that he doesn't feel that they would require an inspection. The Council Members agreed that there are some businesses that won't need a fire inspection. Mr. Wahlberg said that he will create an exemption letter for those types of businesses. The exemption letter will go in the city file. Any business that has the general public go through their location needs an inspection. The renewal fee is the same for every business.

Mr. Wahlberg asked if there is a grace period for the fire inspection after the end of the year, as long as they call prior to the end of the year for the inspection. The Council agreed to give them 30 days after January 1, 2016 to get the inspection completed, as long as they have everything completed. Mayor Spuhler said that we will give them the 30 day grace period this year, but require it to be completed by the end of the year every year after.

PUBLIC HEARING

Mayor Spuhler opened the public hearing at 6:15 p.m.

Council Member Argyle made the motion to open the public hearing at 6:15 p.m. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

ROLL CALL

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

ORDINANCE DISCUSSION

Ordinance #15-34, an ordinance updating the requirements for water meters

It was explained that this ordinance is to add a definition of a kitchen. Council Member Stocking asked if this ordinance makes it so someone can't have a mother-in-law type apartment. It was explained that they can have that type of living unit but it would require a separate water meter. The ordinance just stipulates the requirements for a separate meter on the same lot. Council Member Stocking made the suggestion to change the wording to state that you can't have a full kitchen without a separate water meter.

Ordinance #15-35, an ordinance updating the definition for tampering with a water meter

There were no comments regarding this ordinance during the public hearing.

ADJOURN THE PUBLIC HEARING

Council Member Pugmire made the motion to close the public hearing at 6:30 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #15-31, an ordinance updating signs

Mr. Peterson went through the ordinance and what was changed. He explained that the biggest issue he had when he was trying to enforce the sign ordinance last summer was the temporary sign vs. a permanent sign. He went through the violations for a sign. Mr. Peterson explained that he went through the ordinance and made changes to make sure each section was clear as to if it is dealing with a permanent or temporary sign. The Planning Commission had a few changes they suggested. Mr. Peterson explained those changes to the Town Council.

Council Member Warner moved to adopt Ordinance #15-31, an ordinance updating signs with the changes recommended by the Planning Commission as was explained and was drafted. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-32, an ordinance adding home occupation and kitchen to definitions

Mr. Peterson explained a few minor changes that were recommended by the Planning Commission. Council Member Warner suggested that the ordinance be changed to allow a home base occupation to use the garage or secondary building on the same lot. The Council Members discussed the suggestion and made minor changes to the proposed ordinance.

Council Member Warner moved to approve Ordinance #15-32 with the changes that have been discussed. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-33, an ordinance stating that if off-street parking cannot be provided, a property owner may be allowed to make a payment –in-lieu to the town for parking

Mr. Peterson explained that he researched this option for parking requirements and found 2 towns that do payment-in-lieu of parking. He talked to them about their requirements. Mr. Peterson wrote the ordinance based on our needs and based on a benefit for the business community. The proposal is to charge \$500 per parking stall per year. The business can do a payment-in-lieu for up to 30% of their required parking.

MISCELLANEOUS ITEMS

Set Christmas party dates

The Council agreed to have the community Christmas part on December 5th and the Board Member Christmas party on January 7th. It will be at Café Sabor.

Discussion regarding a rec center, Mayor Spuhler

Mayor Spuhler said that there is a value in a rec center for communities. It is a unified place for the community and will bring people together. Council Member Pugmire said that it would bring more people in during the winter. Mayor Spuhler said that it would be good to look into doing this.

Council Member Warner said that a rec center could be used for a lot of events and tournaments. Mayor Spuhler said that a rec center would be a good place for emergency situations.

Discussion regarding marketing, Mayor Spuhler

Mayor Spuhler said that he is working on a marketing campaign that will cost a little bit of money to produce and there will be some marketing costs. He wants people to know where Garden City is located.

Mayor Spuhler said that we are unique and we need to get that information out with marketing and social media. This is a beautiful place for families to come and have a great time.

Discussion regarding trails, Mayor Spuhler

Mayor Spuhler said that SITLA has their Master Planner building a trail system on the 300 acres of SITLA property, next to the Forest Service land. These will be easements that will never go away. There will be single track mountain bike trails, walking trails, etc. They are paying for the planning on these trails. This will be such a great opportunity for the city.

We may have to create the parking lot and install a bathroom facility.

COUNCIL MEMBER REPORTS

Council Member Argyle said that she would like to hang some seasonal flags on the light poles in town. She would also like to put up hanging baskets.

Council Member Argyle asked about the lot split ordinance and how it affects property owners. Mayor Spuhler explained that there are options for property owners regarding this ordinance.

Council Member Pugmire said that he met with the County Commissioners who are in favor of moving forward on the gun range. There were no negative comments from community members

after the open meeting. He will look over the MOU and see how he can help work with the County Commissioners to get this moving forward.

Council Member Pugmire said that he is also working with the County on Hodges Canyon and Richardson roads. He will work directly with the property owners.

Council Member Pugmire said that we should use the RDA money on 200 North for more parking.

Council Member Pugmire said that we should look into doing a CDA. He feels that it would be a great benefit for the community. Mayor Spuhler said that when we were looking into this before it was with Water's Edge. He said that we still need a project associated with a CDA.

Council Member Warner said that he has worked with people on their past due water bill.

Mayor Spuhler asked about what is happening on the Elk's Ridge project. Council Member Warner said that the last thing that happened was that they need to get a HOA formed. Until then there isn't anything more we can do for them.

Council Member Stocking said the pool and library is going fine right now.

PAYMENT VOUCHERS

Council Member Stocking made the motion to approve the payment vouchers. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

ADJOURNMENT

There being no further business to discuss Council Member Pugmire made the motion to adjourn the meeting at 8:30 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk

**MINUTES OF THE
STAFF REPORT MEETING OF
GARDEN CITY, UTAH**

The Garden City Town Council held staff report meeting on Thursday, October 8, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 4:00 p.m.

Town Council Members present:

John Spuhler, Mayor
Pat Argyle
Darin Pugmire
Chuck Stocking
Bruce Warner

Others Present:

Kathy Hislop
Riley Argyle
Bob Peterson
Zan Murray
George Peart
Bobbie Coray

Public Works Department Report, Riley Argyle

Mr. Argyle explained the plan they are working on for the flag pole and a patriotic monument at the park. He has been working with Council Member Argyle on the plan. The Council agreed to apply for the TRT grant to purchase and install the flag pole.

Mr. Argyle said that they have been working on winterizing everything.

Mr. Argyle said that he hired Mr. Tom Peterson. They have been working with him to get him familiar with the water system. He has been training him on CIP's at the treatment plant.

They will keep working Mr. Chalis Meyer as long as they can keep him.

He said that they will be working to repair the bike path and sidewalks this fall.

Mr. Gillies is working on getting his Commercial Building Inspector license. He wants to do both building inspection and public works for Garden City.

Town Engineer Report, Zan Murray

Mr. Murray discussed the erosion happening on 150 S. He explained the reason for what happened to the road work. Mr. Murray went over his report and the reason for the soft spots, and the soft spots causing the erosion. Mr. Murray said that the base is stable at this point, it has dried out over the last couple of months.

Mr. Murray gave 2 options to repair the road. The first option was to do spot repair patches and the second option was to do 1 patch to cover the entire area. The Council Members agreed that option 2 would be the best option for the city to get the fix done with Circle C. The addition for the 2nd option will cost the city about \$3,000 and can be done next spring.

Mr. Murray said that the trail by 350 S was surveyed this week so it should be ready to go next spring.

Mr. Murray said that he has all the documents ready for the USDA grant request application. Mr. Mecham is still working on the easements for the tank. Mayor Spuhler said that without the easement there is no deal. We can take the property through the eminent domain process if that becomes necessary. Mr. Murray said that the eminent domain process won't slow the process down very much. Mayor Spuhler said that he will work with Mr. Hodges to get the easement completed.

Building Inspector Report, George Peart

Mr. Peart passed out his report. He said that he received and approved 7 new permits last month and he has 5 more on his desk. Of the 7 from last month 6 are new homes and 1 is an extensive remodel.

Code Enforcement Officer Report, Bob Peterson

Mr. Peterson went over his report for the 2015 summer season. It was great information to do a baseline to compare with for next year. He had a total of 55 calls last summer.

Mr. Peterson said that he is working on 16 items right now. He has worked on a lien project to get past due payment, that have been in collections for a long time, collected. He sent them all a letter explaining that we have an intent to lien.

He has also been working on a project to determine if we want to change insurance companies. He has worked on a tax project. He has been writing new ordinances. He is working on a summer intern project for the summer, etc.

Mayor Spuhler explained that he went to a conference that had great information. He talked about the vision for Garden City and Staff and the Council Members working together.

The Staff Report meeting was closed at 5:40 p.m.

Garden City

Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: New Business
(check all that apply) Additional Location # _____
 Name Change
 Ownership Change
 Location Change
 Transient Vendor
 Concessionaire Vendor

License Fee: Business License Fee _____
Transient License Fee _____
Concessionaire Fee _____
Additional Location _____
Other _____
Beach Vendor License also requires a BCI background check

Official Use Only:

Planning Commission: Approved Not Approved Date: _____
Town Council: Approved Not Approved Date: _____
Inspections: Building Insp.: Initial Date: _____ Final Date: _____
Fire Inspection: Initial Date: _____ Final Date: _____

Comments:

Zone: Commercial 1 2 3 Residential Beach Devel. Other _____

Business Name: Elite Education Global

If name change, previous name: _____

Location Address: _____

City, State & Zip: _____

Business Phone: 435-730-6559

Cell Phone: _____

Mailing Address: PO Box 555

City, State & Zip: Garden City, UT 84028

E-mail Address: Melissas@eliteeducationglobal.com

Owners Name: John Spruiler

Owners Location: PO Box 555 18325 250 E

City, State & Zip: Garden City UT 84028

Phone: 435-232-0553

Cell Phone: _____

Kind of Business Retail Lodging Restaurant
 Professional Contractor Other

Briefly Describe Your Business: Study abroad students to the US and students from the US to Asia

Utah State Sales Tax Number: N/A - no taxable sales - EIN# 46-0570537

Ut State Professional License No. N/A

Will you be installing a sign?: no

This is an application for a business license; the actual license will be issued only when all inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Elite Education Global hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

Owners Signature: Melissa Spruiler Date: 10-20-2015

Please print your name: _____

**Application for Project Review
Garden City, Utah**

This application must be accompanied with the necessary and appropriate materials, as stated on the project checklist, before it will be accepted for processing. The date upon which the project will appear on an agenda is determined by the notification schedule required by the State of Utah. The project will be scheduled for the next meeting for which a legal notice has not yet been prepared, after an application is accepted as complete by the Town Staff.

Type of Application (check all that apply):

- Annexation
- Appeal
- Conditional Use Permit
- Condominium/Townhouse
- Encumbrance
- Extension of Time

- Lot Split/Lot Line Adjustment
- PUD Conceptual
- PUD Phase Approval/Preliminary or Final
- PRUD Conceptual
- PRUD Phase Approval/Preliminary or Final
- Subdivision
- Vacation of Subdivision
- Variance
- Water Transfer
- Zone Change
- Other Land Use Permit _____

Ordinance Reference:

- 11A-301
- 11B-400
- 11C-500
- 11E-524 or 11E-525

- Subdivision 11E-503/PUD or PRUD
- 11F-107-A-2
- 11E-506
- 11C-1950, 11E-100, and 11F-100
- 11E-100
- 11E-523
- 11B-308
- 13A-1300

Project Name: _____ Current Zone: _____ Proposed Zone: _____

Property Address: _____

Parcel # H1 - 17 - 04 - 013 and 014

Contact Person: John Fitzgerald Phone #: 208-339-1830

E-mail address: sfd401@yahoo.com

Mailing Address: 2303 S. 2400 W. Weston Id. 83286

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): Northcom 50, LLC Phone #: 435-792-3600

Mailing Address: 11 West Center

Project Start date: _____ Completion date: _____

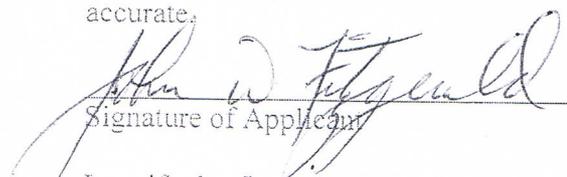
Describe the proposed project as it should be presented to the hearing body and in the public notices.

Encumbrance to do a Deck addition

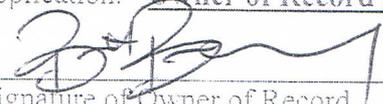
Lot Size in acres or square feet: _____ Number of dwellings or lots: _____

Non-residential building size: _____

I certify that the information contained in this application and supporting materials is correct and accurate.

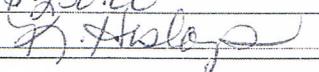

Signature of Applicant

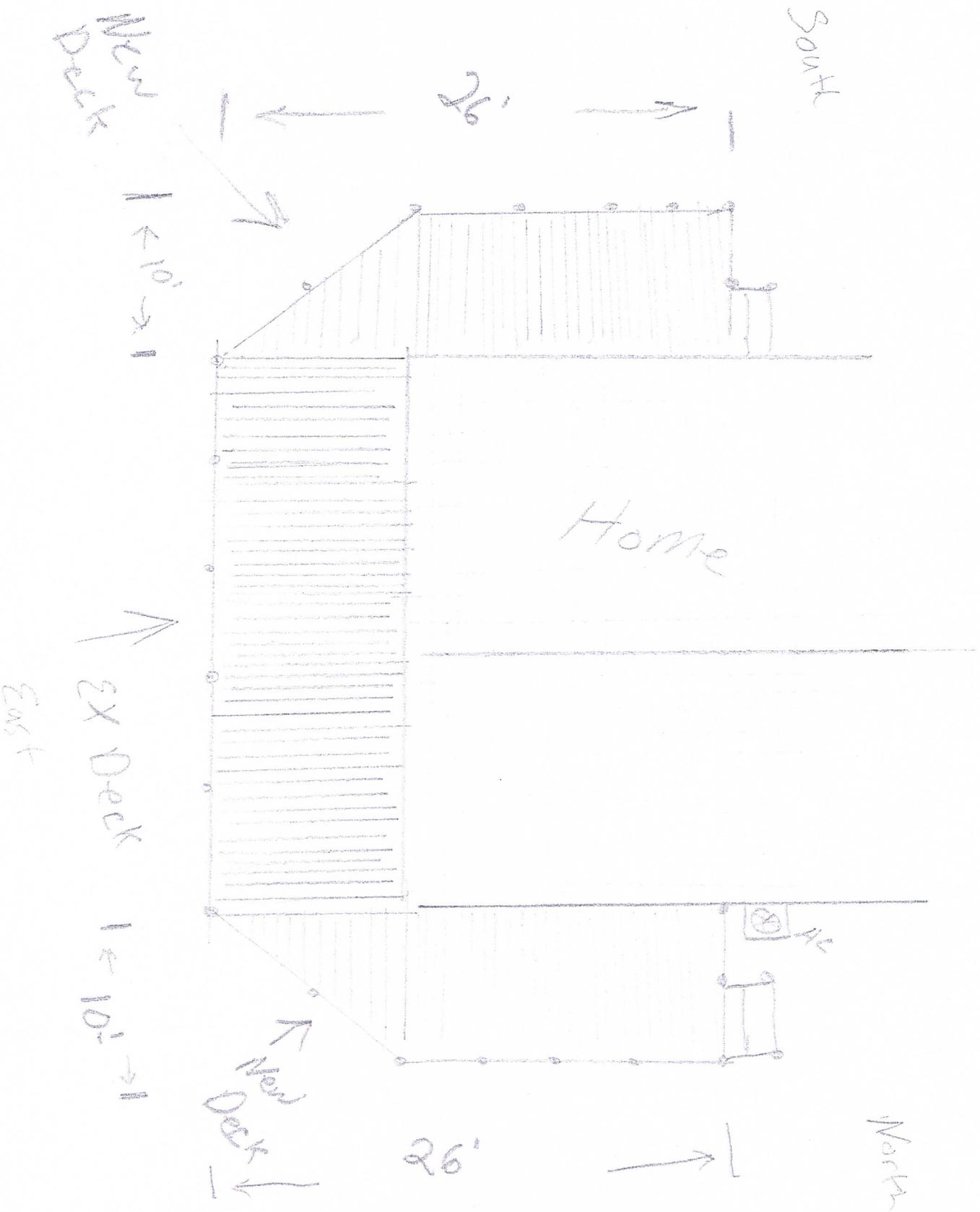
I certify that I am the Owner of Record of the subject property and that I consent to the submittal of this application. **Owner of Record MUST sign the application prior to submitting to Garden City.**


Signature of Owner of Record

Signature of Owner of Record

Signature of Owner of Record

Office Use Only
Date Received: <u>12/28/2015</u>
Fee: <u>\$350.00</u>
By: 



Wagon

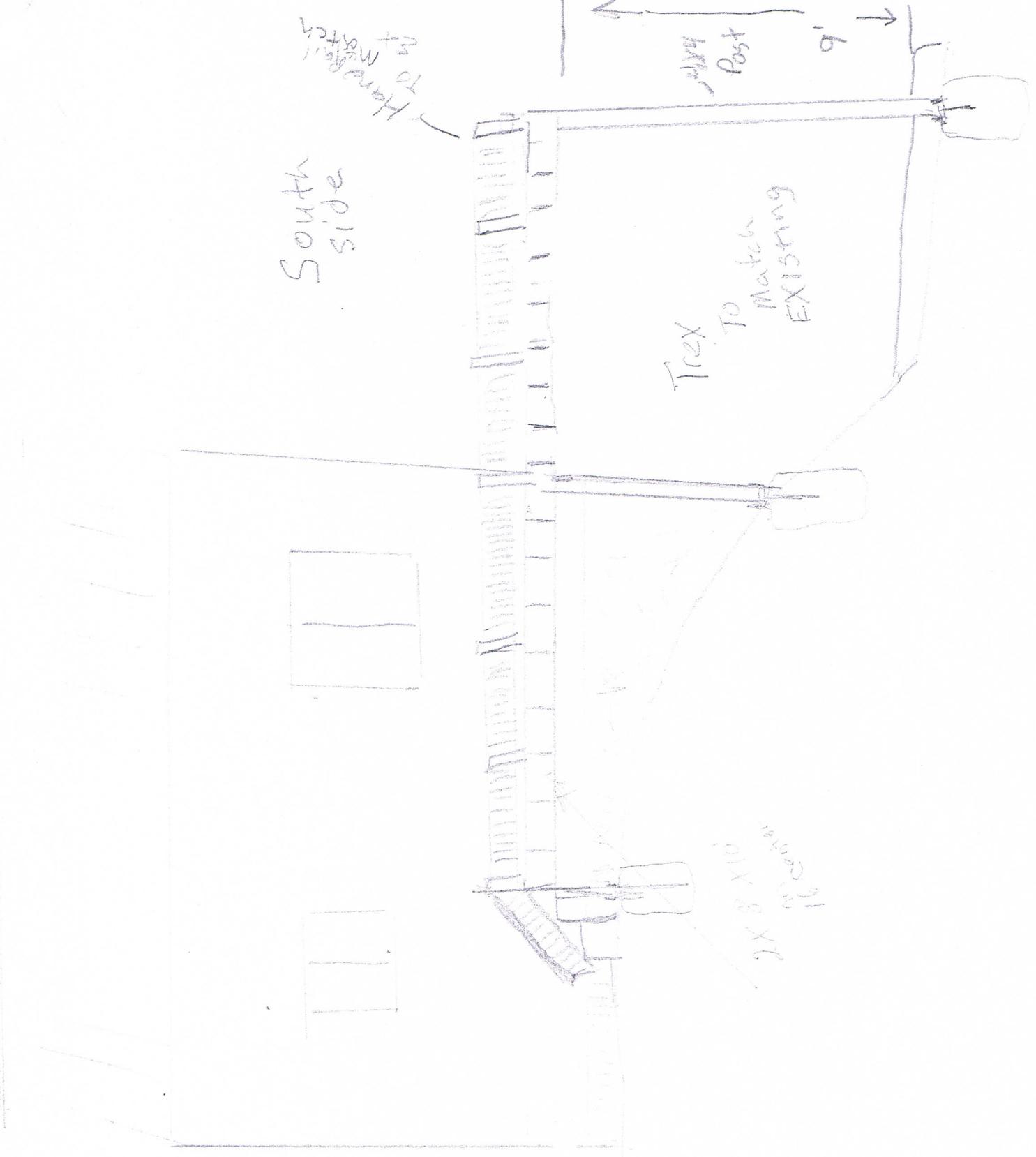
South side

Hand Rail
To Match
To
Post

Trex
To
Match
EXISTING

10
Center
8
x
10
x
6

9'
Post



On Mon, Oct 19, 2015 at 11:52 AM, Pat and Laura Reilley<plreilley@gmail.com> wrote:

From: Raspberry Patch HOA

To: Garden City Building Department

To Whom it May Concern:

As to your request for an approval letter from the Raspberry Patch HOA for the owners of Lot #14 on Blackberry Dr in Garden City to extend the deck, We have no objection for this extension as long as it does not violate the set-backs that you require.

Signed:

Laura Reilley

Treasurer on Board of Directors

ORDINANCE #15-30

AN ORDINANCE UPDATING THE WATER IMPACT FEE

WHEREAS, the Town of Garden City is a town duly incorporated under the general law of the State of Utah; and

WHEREAS, the Garden City Town Council is the Governing Body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, the Garden City Town Council is authorized to enact Impact Fees for the sustaining of the town's water system and for it to be established in a fair and consistent way; and

WHEREAS, The Garden City Town Council has followed the requirements set forth by the Utah Impact Fees Act §11-36a, the Act for Water Impact Fees. This Ordinance does not replace, supersede, or modify any ordinance regarding Impact Fees unrelated to Culinary Water.

NOW THEREFORE, be it ordained by the Town Council, of the Town of Garden City, Rich County, State of Utah, that **Ordinance 14-100A Impact Fees Imposed Culinary Water System** and **Title 14-200 Water Impact Fees** be changed as follows:

TITLE 14 IMPACT FEES

TITLE 14-100A. This Impact Fee Ordinance establishes the City's Culinary Water Impact Fee policies and procedures and repeals certain provisions of prior ordinances related to Culinary Water Impact Fees and conforms to the requirements of the Utah Impact Fees Act (§11-36a, the Act). This Ordinance supersedes, to the extent of any inconsistency, any prior ordinances related to Culinary Water Impact Fees within the Service Area; provides a schedule of Impact Fees for differing types of land-use development, and sets forth direction for challenging, modify and appealing Impact Fees. This Ordinance does not replace, supersede, or modify any ordinance regarding Impact Fees unrelated to Culinary Water.

1. **Definitions:**

- a. **"City"**, means a political subdivision of the State of Utah and is referred to herein as Garden City.
- b. **"ERC"**, means equivalent residential connection and represents the base unit of demand for the Culinary Water Impact Fee Analysis.
- c. **"System Improvement"**, refer both to existing Public Facilities designed to provide services within the Service Area and to future Public Facilities identified to the Culinary Water IFA adopted by the City that are intended to provide service to the Service Area. "System Improvements" do not include "Project Improvements" as defined above.

2. **Ordinance Provisions:**

- a. **Adjustments.** The standard Impact Fee may be adjusted at the time the fee is assessed due to inflation and/or in response to unusual circumstances, to fairly allocate costs associated with impacts created by a Development Activity or project, or due to a request for a prompt and individualized impact fee review for the development activity of the state or a school district or charter school and an offset or credit for

- public facility for which an impact fee has been or will be collected. The standard Impact Fee may also be adjusted to ensure that Impact Fees are imposed fairly or for affordable housing projects, in accordance with the local government's affordable housing policy, and other development activities with broad public purposes. The Impact Fee assessed to a particular development may also be adjusted should the developer supply sufficient written information and/or data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.
- b. Developer Credits. Development Activity may be allowed a credit against Impact Fees for any dedication of land for a System Improvement, any building and dedication of some or all of a System Improvement, any dedication of a Public Facility that the City and the developer agree will reduce the need for a System Improvement, or an dedication of land for, improvement to or new construction of any System Improvement by the developer if the facilities are System Improvements or are dedicated to the public and offset the need for an identified System Improvement, provided that the Development Activity is (i) identified in the City's Impact Fee Analysis and (ii) required by the City as a condition of Development Approval. Otherwise, no credit may be given.
- c. Effective Date. Except as otherwise specifically provided herein, this Impact Fee Ordinance shall not repeal, modify or affect any Impact Fee of the City in existence as of the effective date' of this Ordinance, other than those expressly referenced herein. All Impact Fees established, including amendments and modifications to previously existing Impact Fees, after the effective date of this Ordinance shall comply with the requirements of this Impact Fee Ordinance. This Ordinance shall take effect 90-days after posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.
- d. Exemptions. The City may provide an impact fee exemption for development activity attributable to, the state, a school district, a charter school, or other development activity with a broad public purpose. The City shall establish one or more sources of funds other than impact fees to pay for exempted development activity.
- e. Impact Fee Schedule. The City hereby adopts as the Impact fee for Culinary Water at the recommended level below **as set by resolution.**

14-200 Water Impact Fees

14-200

14-200 Impact Fees Imposed Culinary Water System. This Impact Fee Ordinance establishes the City's Culinary Water Impact Fee policies and procedures and repeals certain provisions of prior ordinances related to Culinary Water Impact Fees and conforms to the requirements of the Utah Impact Fees Act (§11-36a, the Act). This Ordinance supersedes, to the extent of any inconsistency, any prior ordinances related to Culinary Water Impact Fees within the Service Area; provides a schedule of Impact Fees for differing types of land-use development, and sets forth direction for challenging, modifying and appealing Impact Fees. This Ordinance does not replace, supersede, or modify any ordinance regarding Impact Fees unrelated to Culinary Water.

DEFINITIONS

Words and phrases that are defined in the Act shall have the same definition in this Impact Fee Ordinance. The following words and phrases shall have the following meanings:

1. "City" means a political subdivision of the State of Utah and is referred to herein as Garden City
2. "ERC" means equivalent residential connection and represents the base unit of demand for the Culinary Water Impact Fee Analysis.
3. "System Improvements" refer both to existing Public Facilities designed to provide services within the Service Area and to future Public Facilities identified in the Culinary Water IFA adopted by the City that are intended to provide service to the Service Area. "System Improvements" do not include "Project Improvements" as defined above.

ORDINANCE PROVISIONS

Establishment of a Service Area(s). The service area for culinary water impact fees includes all new construction within the Town of Garden City or areas to be served by the Garden City Water System.

Adjustments. The standard Impact Fee may be adjusted at the time the fee is assessed due to inflation and/or in response to unusual circumstances, to fairly allocate costs associated with impacts created by a Development Activity or project, or due to a request for a prompt and individualized impact fee review for the development activity of the state or a school district or charter school and an offset or credit for public facility for which an impact fee has been or will be collected. The standard Impact Fee may also be adjusted to ensure that Impact Fees are imposed fairly or for affordable housing projects, in accordance with the local government's affordable housing policy, and other development activities with broad public purposes. The Impact Fee assessed to a particular development may also be adjusted should the developer supply sufficient written information and/or data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.

Developer Credits. Development Activity may be allowed a credit against Impact Fees for any dedication of land for a System Improvement, any building and dedication of some or all of a System Improvement, any dedication of a Public Facility that the City and the developer agree will reduce the need for a System Improvement, or an dedication of land for, improvement to or new construction of any System Improvement by the developer if the facilities are System Improvements or are dedicated to the public and offset the need for an identified System Improvement, provided that the Development Activity is (i) identified in the City's Impact Fee Analysis and (ii) required by the City as a condition of Development Approval. Otherwise, no credit may be given.

Effective Date. Except as otherwise specifically provided herein, this Impact Fee Ordinance shall not repeal, modify or affect any Impact Fee of the City in existence as of the effective date of this Ordinance, other than those expressly referenced herein. All Impact Fees established, including amendments and modifications to previously existing Impact Fees, after the effective date of this Ordinance shall comply with the requirements of this Impact Fee Ordinance. This

Ordinance shall take effect 90 days after posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

Exemptions. The City may provide an impact fee exemption for development activity attributable to low income housing, the state, a school, district, a charter school, or other development activity with a broad public purpose. The City shall establish one or more sources of funds other than impact fees to pay for exempted development activity.

Impact Fee Schedule. The City hereby adopts as the Impact fee for Culinary Water at the recommended level below.

RECOMMENDED CULINARY WATER IMPACT FEE SCHEDULE

LAND-USE TYPE	ERCs PER	IMPACT FEE PER
	UNIT	UNIT
Condo-Resort	0.74	\$3,261
County	1.00	\$4,420
Single-Family Residential	1.00	\$4,420
Residential Estate	1.13	\$4,975
Beach Development	1.25	\$5,529
Hillside Estates	1.25	\$5,547
Recreational Residential	1.25	\$5,547
C1	1.61	\$7,132
C2	1.61	\$7,132
C3	1.61	\$7,132

Impact Fee Formula. Non-standard impact fees may be assessed based on a fee per ERC. The established fee per ERC is \$4,420.

APPROVED, by the Garden City Town Council, Garden City, Rich County, State of Utah, this 3rd day of November, 2015.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Recorder

Voting:

	<u>Aye</u>	<u>Nay</u>
Argyle	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

Exhibit A

Impact Fee Analysis

DRAFT

RESOLUTION #R15-10

A RESOLUTION TO UPDATE THE CULINARY WATER IMPACT FEE SCHEDULE

WHEREAS, the Town of Garden City is a Town duly incorporated under the general laws of the State of Utah; and

WHEREAS, from time to time the Garden City Planning Commission and Town Council will update the zoning ordinance to include new zones allowed in the town limits of the Town of Garden City; and

WHEREAS, when new zones are created or updated they must be incorporated in the culinary water impact fee with an appropriate unit and impact fee assigned to the zone per unit.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Garden City, County of Rich, State of Utah that the following be adopted as the updated Culinary Water Impact Fee Schedule.

CULINARY WATER IMPACT FEE SCHEDULE

Land Use Type	ERC's Per Unit	Impact Fee Per Unit
Condo Resort	.74	3.261
County	1.00	4.420
Single Family Residential	1.00	4.420
Beach Development	1.25	4.975
Hillside Estates	1.25	5.529
Recreation Res/ Ag	**	4.420
Hotel/Motel	***	4.420
C1*	1.61	7.132
C2*	1.61	7.132
C3*	1.61	7.132

*Residential in these zones will be charged as a Single Family Residence

** Recreation Residential/Ag zone equation: $(0.56 \text{ gpm (house)} + (\text{acres of irrigated land} * 2.8 \text{ gpm})) / 1.12 \text{ gpm (ERU factor)} = \text{number of ERU's.}$

***Use table 1 to calculate ERC units

The connection fee in all zones is \$150

The Base ERU = \$4.420

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk

Council Members Voting:

	Aye	Nay
Argyle	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

DRAFT

RESOLUTION #R15-12

A RESOLUTION TO ADOPT ENTERPRISE ZONE IN THE CORPORATE LIMITS
OF THE TOWN OF GARDEN CITY

WHEREAS, the Town of Garden City is a Town duly incorporated under the general laws of the State of Utah; and

WHEREAS, the Town of Garden City wishes to partner with the Governors office of Economic Developments in providing incentives to businesses; and

WHEREAS, a public hearing was held to gather public input on the proposed enterprise zone within the corporate limits of the Town of Garden City.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Garden City, County of Rich, State of Utah has adopted Garden City as an enterprise zone to facilitate business expansion and retention through state incentives.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk

Council Members Voting:

	Aye	Nay
Argyle	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

ENTERPRISE ZONE DESIGNATION

Any city or county in the state of Utah may be eligible for enterprise zone designation. Application for designation must be made by a city with 10,000 or less population located in a county with 50,000 or less population, or an Indian Tribe for tribal lands. Applications will be reviewed and approved on the basis of economic development need, its quality, and other considerations based on a variety of economic distress factors. Some of these may include:

- Pervasiveness of poverty, unemployment, and general distress in the proposed zone. See Utah's 12 Economic Distress Factors below.
- Extent of chronic abandonment, deterioration, or reduction in value of commercial property in the proposed zone.
- Potential for new investment and economic development in the proposed zone.
- Applicant's proposed use of other state and federal development funds or programs to increase probability of new investment and development occurring in proposed zone.
- Extent projected development in the zone will provide employment to residents in the zone, and particularly, individuals who are unemployed or economically disadvantaged.
- The degree to which the zone applicant's application promotes innovative solutions to economic development problems and demonstrates local initiative.
- Other relevant factors which the Governor's Office of Economic Development specifies.

JOB CREATION TAX CREDITS (maximum 30 full time positions per tax year):

1. A \$750 tax credit for each new full time position filled for at least six months during the tax year.
2. An additional \$500 tax credit if the new position pays at least 125% of the county average monthly wage for the respective industry (determined by the Utah Dept. of Employment Security). In the event this information is not available for the respective industry, the position must pay at least 125% of the total average monthly wage in the county.
3. An additional \$750 tax credit if the new position is in a business which adds value to agricultural commodities through manufacturing or processing.
4. An additional \$200 tax credit, for two consecutive years, for each new position insured under an employer sponsored health insurance program if the employer pays at least 50% of the premium.

OTHER TAX CREDITS:

1. A tax credit (not to exceed \$100,000) of 50% of the value of a cash contribution to a 501(c)(3) private nonprofit corporation engaged primarily in community and economic development, and is accredited by the Utah Rural Development Council.
2. A tax credit of 25% of the first \$200,000 spent on rehabilitating a building which has been vacant for at least two years, and which is located within an enterprise zone.
3. An annual investment tax credit of 10% of the first \$250,000 in investment, and 5% of the next \$1,000,000 qualifying investment in plant, equipment, or other depreciable property.