HARRISVILLE CITY
363 W. Independence Blvd · Harrisville, Utah 84404 · 801-782-4100
www.cityofharrisville.com

MAYOR:
Michelle Tait

COUNCIL MEMBERS:
Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

CITY COUNCIL
AGENDA
363 West Independence Blvd
April 12, 2022
Join Zoom Meeting
https://us02web.zoom.us/j/87121693579?pwd=ckQzZFFEVGdCZkxhZUx6UHlYYytQZz09
Meeting ID: 871 2169 3579
Passcode: 394578

"In accordance with the Americans with Disabilities Act, the City of Harrisville will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the City Recorder at 801-782-4100, providing at least three working days advance notice of the meeting."

7:00 P.M. CITY COUNCIL MEETING
Presiding: Mayor Michelle Tait
Mayor Pro Tem: Blair Christensen

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE & OPENING CEREMONY** [Blair Christensen]

3. **CONSENT ITEMS**
   a. Approve the minutes of March 8, 2022 as presented.
   b. Rocky Mountain Foundation presentation.

4. **BUSINESS ITEMS**
   a. **PUBLIC HEARING** - Harrisville City Council will take comments for or against Harrisville Ordinance 534; Storm Water and Sanitary Sewer Impact Fee Enactment.
   b. Discussion/possible action to adopt Harrisville Ordinance 534; Storm Water and Sanitary Sewer Impact Fee Enactment. [Jennie Knight]
   c. Discussion/possible action to adopt Harrisville Ordinance 532; a zoning change application received by Triple Peaks, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #17-066-0062, located at approximately 2440 N. Highway 89. [Jennie Knight]
   d. Discussion/possible action to adopt Harrisville Ordinance 535; Purchasing and Municipal Fee Schedule Amendments. [Jennie Knight]
   e. Discussion/possible action to approve surplus property including a Big Bubba trailer. [Justin Shinsel]

5. **PUBLIC COMMENTS - *(3 minute maximum)***

6. **MAYOR/COUNCIL FOLLOW-UP**

7. **ADJOURN**

DATE POSTED: April 7, 2022 BY: Jennie Knight, City Recorder

I, Jennie Knight, certify that I am the City Recorder of Harrisville City, Utah, and that the foregoing City Council agenda was posted and can be viewed at City Hall, on the City's website www.cityofharrisville.com, and at the Utah Public Notice Website at http://pmn.utah.gov. Notice of this meeting has also been duly provided as required by law.

MINUTES OF HARRISVILLE CITY
CITY COUNCIL
March 8, 2022
363 West Independence Blvd
Harrisville, UT 84404

Present: Mayor Michelle Tait, Council Member Blair Christensen, Council Member Max Jackson, Council Member Kenny Loveland Council Member Steve Weiss, Council Member Wilhelmsen.

Staff: Jennie Knight, City Administrator, Cynthia Benson, Deputy Recorder, Justin Shinsel, Public Works Director, Jessica Hardy, Finance Director.

Visitors: Arnold Tait, Michael Knight, Blaine Burrow, John Newhall, Markus Keller, Carlos Aguilar, Steve Hempel, James Ordi, James Maher.

7:00 P.M. CITY COUNCIL MEETING

1. **CALL TO ORDER**

Mayor Tait called the meeting to order and welcomed all visitors.

2. **PLEDGE OF ALLEGIANCE & OPENING CEREMONY**

Council Member Weiss led the pledge of allegiance and opening ceremony.

3. **CONSENT ITEMS**

   a. Approve the minutes of February 8, 2022 as presented.

MOTION: Council Member Weiss motioned to approve the minutes of February 8, 2022 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

   b. Advice and consent of Mayor's appointment of City Administrator.

MOTION: Council Member Wilhelmsen motioned to ratify the Mayor's appointment of Jennie Knight as the City Administrator. Council Member Loveland seconded the motion. All Council Members voted aye. Motion passed.

4. **OATH OF OFFICE**

Cynthia Benson administered the oath of office to Jennie Knight, City Administrator.

5. **BUSINESS ITEMS**

   a. Discussion/possible action on Local Government Bonding options for 750 West Municipal Complex.

Marcus Keller, Zion's Bank, was asked by Mayor Tait to address the council on the bonding options for the 750 West Municipal Complex. Mr. Keller presented several methods of financing for public projects such as saving up, pay as you go, grant financing or debt financing. Mr. Keller said there are many pros and cons for bonding. One such con is having to pay back an interest. However, those that qualify as a municipality can obtain Municipal Bonds which are long-term, tax-exempt bonds with lower rates. With government bonds the process is more intricate than with a traditional home loan such as noticing, public hearings, finding an underwriter, etc. The various types of bonds available to the city are General Obligation (pledging a property tax; most secure; requires an election), Utility Revenue (utility revenues), Excise Tax Revenue (sales tax, franchise tax, etc.), Lease Revenue/Capital Lease (municipal building authority), Special Assessment, Tax Increment, and Tax Anticipation. Mr. Keller added with a GEO bond the city has potential of generating revenue through property taxes. With a Lease Revenue bond, the generation of new revenue is not available. The parties involved with bonding are the Municipal/Financial Advisor, Underwriter's Counsel, Issuer, Underwriter, Trustee/Paying Agent, Bond Counsel, and Buyers. Mr. Keller picked three potential projects the city has upcoming to present how the bonding would appear. The projects given for him to choose from were; The Municipal Complex, Police Station, Recreation/Community Center, Public Works Facility, Park Facilities and Landscaping, and Site Work/Utilities. Mr. Keller presented how realistic paying off a 25-year bond of approximately $10.58 million would appear. He also presented the Historical Debt Service Coverage for Sales Tax Revenue, Franchise Tax Revenues and Combined Revenues. In order to come up with the numbers presented he used revenues minus expenses with depreciation items added at the end. Mr. Keller suggested doing a rate study or a truth and taxation to help generate revenue. Mr. Keller ended with saying the city can afford bonding, but recommended a way to increase the revenue for the city before going into bonding.

Mayor Tait asked how long the time frame would be if the council decided to move forward with bonding. Mr. Keller said it would take about 60 days to go through the process. It would begin with a resolution, noticing, public hearings, bids for the interest rate, ending with the Bond Counsel final decisions.

Mayor Tait asked Jessica Hardy to address any council questions. There were no questions from the council. Ms. Hardy asked Mr. Keller if there is a penalty for early pay-off. Mr. Keller said penalties can be addressed in the negotiation process with the purchaser since they vary with each one. Mr. Keller suggested to the council to work towards the next meeting before making a decision. He would begin putting the documentations together. Ms. Knight addressed the council by saying the numbers given to Zions Bank were of a worst-case scenario. She suggested waiting on any decisions until the staff have a chance to align numbers with projects. She mentioned there are other items to consider before deciding. For instance, the sale of the Public Works building, additional Storm Water/Sewer Funds, and the revenues from the upcoming new developments.

Mayor Tait asked Mr. Shinsel for his opinion. Mr. Shinsel agreed the other developments would help with the numbers along with several items coming up on the next month's agenda such as the Storm Water and Sewer Impact fees.

MOTION: Council Member Jackson motioned to authorize staff to lay the groundwork with obtaining the information for bonding with the 750 West Municipal Complex. Council Member Weiss seconded the motion.

A Roll Call Vote was taken.

Council Member Wilhelmsen	**Yes**
Council Member Weiss	**Yes**
Council Member Christensen	**Yes**
Council Member Jackson	**Yes**
Council Member Loveland	**Yes**

Motion passed 5-0.

b. Discussion/possible action to adopt Harrisville Ordinance 531; Land Use Amendments. [Jennie Knight]

Mayor Tait asked Jennie Knight to address this. Ms. Knight began by saying as the staff reviewed this municipal code, we found the ordinance contradicts itself in many places. Some revamping was completed with the Planning Commission section as well. The changes were to §11.02.020, §11.02.030, §11.02.040 & §11.02.050 with the Planning Commission appointments and removals. The Planning Commission can now be composed of three (3) to five (5) members, and alternates as needed. Each member of the Planning Commission shall serve a term of four (4) years, which is a reduction to the prior five (5) year term and may be staggered from other members. Any vacancy in the Planning Commission is filled for the remainder of the unexpired term by appointment of the Mayor subject to the advice and consent of the City Council. A change the planning commissioners requested is removal of a member by the same process and subject to the advice and consent of the City Council. The new ordinance also goes through the establishment of a presiding officer, quorum, rules and compensation with the Planning Commissioners. Under the new ordinance, the Planning Commission would not be acting as the appeal authority. The individual/alternates as need be would be appointed by the Mayor subject to the advice and consent of the council. It outlines the qualifications, compensation, and what the appeal authority can do. The last item revamped is §11.18.100 Revocation. This section deals with the conditional use revocation process.

Mayor Tait explained to the council the ordinance has been given a lot of thought as the city has been dealing with some issues which have required this process.

Council Member Jackson asked what kind of qualifications are there for assignment of a Planning Commission. Ms. Knight read the qualification of a Planning Commissioner is the individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field. Mayor Tait added the process also requires application.

MOTION: Council Member Loveland motioned to adopt Harrisville Ordinance 531; Land Use Amendments. Council Member Weiss seconded the motion.

A Point of Order was called out by a member of the audience interrupting the meeting. Ms. Knight explained to the council someone was asking to address the council. Mayor Tait addressed and asked him to come forward to the podium. Mr. James Ordi stood and asked if this topic was to be opened for public comment. Ms. Knight said the public hearing was held at the Planning Commission level. Public hearings are not held at the City Council. The public hearing was held in February. He claimed to have not received notice. Mr. Ordi then asked what the public comment was. Ms. Knight said there was no public comment. Mr. Ordi asked if this was coming to the City Council with a recommendation from the Planning Commission. Ms. Knight answered in the affirmative. Mr. Ordi thanked the council for the information and retook his seat disposing of the Point of Order. Mayor Tait continued the meeting.

A Roll Call Vote was taken.

Council Member Wilhelmsen	**Yes**
Council Member Weiss	**Yes**
Council Member Christensen	**Yes**
Council Member Jackson	**Yes**
Council Member Loveland	**Yes**

Motion passed 5-0.

c. Discussion/possible action to adopt Harrisville Resolution #22-04; PTIF user update.

Mayor asked Ms. Knight to update the city council on why this resolution is being presented. She replied the resolution is a formality requirement in order for the city to add the new treasurer to the Utah Public Treasurers' Investment Fund. Authorized users are the only ones able to access and/or transact with the accounts and execute the necessary forms on behalf of the city. This action adds Jill Hunt, Harrisville City Treasurer, as a PTIF authorized user.

MOTION: Council Member Weiss motioned to Resolution #22-04; PTIF user update. Council Member Wilhelmsen seconded the motion.

A Roll Call Vote was taken.

Council Member Wilhelmsen	**Yes**
Council Member Weiss	**Yes**
Council Member Christensen	**Yes**
Council Member Jackson	**Yes**
Council Member Loveland	**Yes**

Motion passed 5-0.

6. PUBLIC COMMENTS - *(3 minute maximum)*

Carlos Angular lives on 2150 North. He addressed the council by asking them to take under consideration the recent truck traffic on 2150 North. There is a lot of pedestrian traffic for school on 2150 North and it is a very narrow road. The trucks come through in 25-minute intervals causing back-up. Mayor Tait asked Mr. Shinsel which development is utilizing the trucks. Mr. Shinsel rose to address the council. He replied the development is the new Copperwoods development. They broke ground this week. He further stated the developer was asked to use 2150 North so they would not impede 2000 North traffic. Mr. Shinsel added 2000 North is one of our more congested roads, 2150 North has lighter traffic. This will also allow the trucks to utilize the light at the HWY 89 intersection. Mayor Tait said this will be further discussed in a staff meeting. Mr. Angular thanked the council for all they did.

7. CONVENE AS BOARD OF FOUR MILE SPECIAL SERVICE DISTRICT

Mayor Tait declared the City Council will now convene as the Board of the Four Mile Special Service District.

a. Discussion/possible action to adopt Harrisville Resolution #22-05; accepting a petition for annexation of property into the Four Mile Special Service District. [Jennie Knight]

Mayor Tait asked Ms. Knight to address the city council on the matter. Ms. Knight explained a little over a year ago the city created the Four Mile Special Service District with the intent to provide secondary water when secondary water was not available through Pineview. During the recording of the Warren Hollow Subdivision the city learned the county is requiring we go through the formal process of annexation. The city received a petition by the developer, Patrick Burns, to annex Warren Hollows Subdivision into the Four Mile Special Service District. The petition meets the requirements outlined in state law for this action. The process will include public noticing, public hearing and a 45-day waiting period for appeals. She explained this is the same process the city completed with a prior development a few months ago. Part of the agreement with the developer is for them to build the secondary system throughout the whole development and then the city will take over the maintenance after the final acceptance to the subdivision.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution #22-05; accepting a petition for annexation of property into the Four Mile Special Service District. Council Member Loveland seconded the motion. A Roll Call Vote was taken.

A Roll Call Vote was taken.

Council Member Wilhelmsen	**Yes**
Council Member Weiss	**Yes**
Council Member Christensen	**Yes**
Council Member Jackson	**Yes**
Council Member Loveland	**Yes**

Motion passed 5-0.

Mayor Tait declared the City Council is now reconvening as the City Council for Harrisville City.

8. **MAYOR/COUNCIL FOLLOW-UP**
   - **a.** Open Meeting Acts and Non-Discrimination Training – Ms. Knight gave the Open Meetings Acts and Non-Discrimination Training for the City Council to cover the annual training requirement.
   - **b.** ULCT Conference April 20-22 in St. George – Ms. Knight will be making the reservations if any of the council would like to attend.
   - **c.** CJC Funding discussion – Mayor Tait said some of the cities in the county have voted not to give funding to the CJC because their council could not get behind the idea of giving over the money to the county for them to give the building over to a private entity. Mayor Tait asked for direction from the council. Council Member Weiss stated he did not like the idea of the building being given away to a private entity. He feels if the state is making this a mandate, then they need to kick in the financing. Council Member Wilhelmsen said he feels the same way. Council Member Loveland feels as if the CJC are holding the city hostage in the matter. Council Member Jackson said he felt bullied by the CJC to give over the money. He also stated since we do not have the investigative resources to do the investigations with the children the services are needed. He feels we are in between a rock and hard place. He does not like how it is being approached. However, he does not wish to strap our Police Department either. Mayor Tait said the other mayors feel the same. She feels it is like a shell game with the finances. The general consensus from the council was there is something not quite right about the whole process and they need to put the brakes on to find out what it is before granting anything. Ms. Knight said there is no question of the need. The general feeling throughout the cities is the county is pitting the cities against each other. The council agrees this is an unfortunate position everyone has been placed in. Mayor Tait is going forward with the recommendation by the council for Harrisville to not proceed with funding for the CJC Project.
   - **d.** Mayor Tait thanked city staff for the additional monitor. The rest of the council also expressed their appreciation of the new monitor and the ability to see the items presented on the whiteboard.
   - **e.** Council Member Wilhelmsen thanked the staff for opening the lines of communication with the residents. He is beginning to see the staff's efforts throughout the community.
   - **f.** Council Member Jackson said we lost a good man last week, Mr. Rose. He had worked on several community boards including the Terikee Chief Monument. A plaque will be added to the monument in remembrance of his service.

9. ADJOURN

Mayor asked for a motion to adjourn.

MOTION: Council Member Loveland motioned to adjourn the meeting. Council Member Weiss seconded. All voted aye.

Meeting adjourned at 8:32 p.m.

MICHELLE TAIT
Mayor

ATTEST:

JENNIE KNIGHT
City Recorder
Approved this 8th day of March, 2022

HARRISVILLE CITY
ORDINANCE 532

IMPACT FEE ENACTMENT

AN ORDINANCE OF HARRISVILLE CITY, UTAH, REPEALING AND REPLACING CHAPTER 10.31 ENTITLED "IMPACT FEE ENACTMENT FOR SANITARY SEWER AND STORM WATER" RELATING TO IMPACT FEES; AS PROVIDED HEREIN; ADOPTING THE IFFP AND IFA PREPARED BY THIRD PARTIES; PROVIDE FOR THE CALCULATION AND COLLECTION OF IMPACT FEES; AND PROVIDE FOR APPEAL, ACCOUNTING, AND SEVERABILITY.

WHEREAS, Harrisville City (hereinafter "City") is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, Title 11, Chapter 36a of the *Utah Code Annotated* authorizes municipalities in the State of Utah to adopt an impact fee enactment;

WHEREAS, in accordance with state law, the appropriate notices have been given;

WHEREAS, the City retained Zions Bank to prepare the Impact Fee Analysis (hereafter "IFA") and various engineering consultants from Jones & Associates were retained to prepare the applicable Impact Fee Facilities Plan (hereafter "IFFP");

WHEREAS, the City now desires to impose its impact fees in compliance with state law;

WHEREAS, the City Council held its public hearing on April 12, 2022, on this impact fee enactment;

WHEREAS, the Council deems it to be in the best interest of the health, safety, and welfare of the residents to enact impact fees;

NOW, THEREFORE, be it Ordained by City Council of Harrisville City, Utah, as follows:

Section 1: Repealer. Chapter 10.31 is hereby repealed along with any other word, sentence, paragraph, or phrase in the municipal code inconsistent with this Ordinance and any reference thereto is hereby vacated.

Section 2: Enactment. Chapter 10.31 is hereby replaced to read as follows:

Chapter 10.31
IMPACT FEE ENACTMENT FOR SANITARY SEWER AND STORM WATER

10.31.010. Findings, authority, and purpose.
The City Council finds and determines that growth and development activity in Harrisville City will create additional demand and need for public infrastructure facilities in the City, and the City Council finds that persons responsible for growth and development activity should pay a proportionate share of the cost of such planned facilities needed to serve the growth and development activity. The City Council further finds that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. Therefore, in accordance with *Utah Code Annotated* Title 11, Chapter 36a, the City Council adopts this chapter and enacts the impact fees as provided herein, except those impact fees already adopted shall remain in full force and effect and are continued as administered by this chapter. The provisions of this chapter shall be liberally construed in order to carry out the purposes of the impact fee program.

10.31.020. Definitions.
In addition to the definition provided in *Utah Code Annotated* §11-36a-102, 1953, as amended, the following definitions apply to this chapter:

1. "Administrator" means the City Administrator of Harrisville City, Utah, or his designee.
1. "Building permit" means any permit required for new construction and additions pursuant to state law and the municipal code.
2. "City" means the municipality of Harrisville City, Utah.
3. "IFA" means the Impact Fee Analysis.
4. "IFFP" means the Impact Fee Facilities Plan.
5. "Unit of measure" means that basic gauging unit which can be quantified for measuring impact of development on the public facilities in question, and provides a fair and equitable method of assessing the demands for expanded public facilities, or the inflow/outflow of people, products, or waste, depending on the particular type of public facility; and may include, but shall not be limited to, the following measuring methods: Plumbing fixture units, gallons per day, size of water meter or pipeline, or number of equivalent residential units (ERU's).

10.31.030. Pre-existing impact fees unaffected.
Any impact fee imposed that predates this enactment or is not updated by this enactment, including but not limited to the Public Safety, Transportation, and Parks, are not repealed and shall continue in full force and effect until such impact fee is deemed expired by the City or is updated as provided by law.

10.31.040. Adoption of IFFP and IFA.
The following IFFP and IFA for each listed impact fee is adopted and incorporated herein by this reference with the impact fee rates to be as specified in each IFA:

1. Sanitary Sewer. The Sanitary Sewer IFFP dated January 2022, and IFA dated March 2022, as prepared by the respective consultants is hereby adopted with the impact fee rates specified therein.
2. Storm Water. The Storm Water IFFP dated July 2021, and IFA dated March 2022, as prepared by the respective consultants is hereby adopted with the impact fee rates specified therein.

The impact fees adopted herein are hereby enacted as a condition of the issuance of a building permit by the City for any development activity which creates additional demand and need for public facilities.

10.31.050. Impact fee enactment and calculations.

This chapter serves as the impact fee enactment required by *Utah Code Annotated* §11-36a-401, 1953, as amended. In accordance with *Utah Code Annotated* §11-36a-401(1)(b), 1953, as amended, impact fees enacted by this chapter may not exceed the highest fee justified by the IFA.

10.31.060. Service area.
In accordance with *Utah Code Annotated* §11-36a-402, 1953, as amended, the entire City is designated and established as a service area. Additional service areas may include any central business district designated in the general plan, or any area outside of the City serviced in any way by the City.

10.31.070. Adjustment of impact fee.
The administrator may adjust impact fees enacted by this chapter as allowed by *Utah Code Annotated* §11-36a-402, 1953, as amended, as provided by statute or fairness. Adjustments may be granted to adjust the calculation of the amount of the fee based upon:

1. Studies and data submitted by an applicant as approved by the administrator in order to ensure that the impact fee represents the proportionate share of the costs of providing such public facilities which are reasonably related to and necessary in order to provide the services in question to anticipated future growth and development activities.
2. Credits against impact fees for dedication of land for, improvements to or new construction of, any system improvements provided by that developer that relate to the reasonable plan and required as a condition of development. No credits shall be given for project improvements that service only the development.
3. The administrator shall have the authority to make such adjustments based upon information submitted by an applicant and any recommendations from the city engineer.

Exemptions may be granted by the City Council under *Utah Code Annotated* §11-36a-403, 1953, as amended. If an applicant is not satisfied with the administrator's decision, an appeal may be made as set forth in this chapter.

10.31.080. Administrative challenges and appeals.

1. Challenges. Any challenge to this chapter shall be in accordance with *Utah Code Annotated* §11-36a-701, 1953, as amended.
2. Time limitations. The time limitations for challenging any impact fee is set forth in *Utah Code Annotated* §11-36a-702, 1953 as amended.
3. Administrative Appeal Procedure. In accordance with *Utah Code Annotated* § 11-36-703, 1953, as amended, the appeal procedure for challenging an impact fees is as follows:
    a. Any person subject to an impact fee may challenge the impact fee imposed by filing a written request for information as provided in this section.
    b. After receiving a copy of the written analysis if such person still believes an impact fee does not meet the requirements of the law they may file a written notice of challenge. A notice of challenge shall state:
        i. The name and contact information of appellant.
        ii. The legal basis for appellant's challenge of the impact fee.
    c. All appeals shall be conducted according to the general administrative appeal procedures in the municipal code.
    d. The City may adjust the impact fee in the course of the appeal proceeding to either:
        i. Respond to unusual circumstances.
        ii. Ensure that impact fees are fairly imposed.
    e. Within thirty (30) days time of the filing of the notice of challenge provided in this part, a decision shall be rendered by the City.

10.31.090. Accounting, expenditure, and refund.

1. Accounting. All impact fees collected by the municipality shall be accounted in accordance with *Utah Code Annotated* §11-36a-601, 1953, as amended.
2. Expenditure. All impact fees expended by the municipality shall be in accordance with *Utah Code Annotated* §11-36a-602, 1953, as amended.
3. Refund. Any refund of impact fees by the municipality shall proceed according to *Utah Code Annotated* §11-36a-603, 1953, as amended.

10.31.100. Severability.

If any section, paragraph, sentence, clause or phrase of this chapter is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3: Effective Date. This Ordinance is effective ninety (90) days from the date of publication or posting.

PASSED AND APPROVED by the City Council on this ___ day of _______________, 2022.

____
MICHELLE TAIT, Mayor

ATTEST:

____
JENNIE KNIGHT, City Recorder

RECORDED this ___ day of ___________, 2022.
PUBLISHED OR POSTED this ___ day of ___________, 2022.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of *Utah Code Annotated* §10-3-711, 1953, as amended, I, the city recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1)2150 North 2) the Harrisville Cabin and 3) City Hall on the above referenced dates.

______________________________________ DATE:________________
City Recorder

Harrisville City

Z P
F I

Storm Drain Impact Fee Analysis

Zions Public Finance, Inc.
February 2022

CONTENTS

EXECUTIVE SUMMARY

Background Information

Harrisville (the "City") retained Jones & Associates to prepare an Impact Fee Facilities Plan (IFFP) for storm water, and retained Zions Public Finance, Inc. (ZPFI) to prepare this Impact Fee Analysis (IFA) for the calculation of appropriate storm water impact fees. This IFA relies on the information provided in the IFFP regarding current system capacity and future storm water capital facility needs, cost and timing.

Service Area. There is one service area in the City for the purpose of calculating storm water impact fees.

Level of Service. According to the IFFP, "At the commencement of this study, Harrisville City's storm water policy was that the runoff from a 10-year storm should be contained in the piping system and local detention basins. This is the current level of service provided."[1]

Growth Projections. Between 2021 and 2031, Harrisville is expected to grow by 801 storm water equivalent residential units (ERUs).

TABLE 1: STORM WATER ERU GROWTH PROJECTIONS

Year	ERUs
2021	2,950
2022	3,026
2023	3,103
2024	3,181
2025	3,259
2026	3,339
2027	3,420
2028	3,501
2029	3,583
2030	3,667
2031	3,751
Growth in ERUs 2021-2031	801

Source: Jones & Associates, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan, July 2021

[1] Jones & Associates Consulting Engineers, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan System Impact Fee Facilities Plan, Section 6.2 Level of Service, pg. 19

Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a)

The IFFP identifies that there is currently no excess capacity in the storm water system.

Impact on System Improvements by Anticipated New Development

Utah Code 11-36a-304(1)(b)

The City has determined to maintain its current level of storm water service which is that additional storm water improvements will be required in order to maintain the established storm water level of service as new development occurs. The new system improvements needed to serve the needs of new development over the next 10 years have been identified by Jones & Associates at a present value cost of $1,643,660 and using a 3% annual inflation the construction year cost totals $1,985,315.

TABLE 2: NEW SYSTEM IMPROVEMENTS

Project	Description	Current Deficiency (PV)	Developer Participation (PV)	10- Year Impact Fee Improvements (PV)	Beyond 10 Year Impact Fee (PV)	Total	10-Year Impact Fee Improvements (FV)
1	Public Works Site and Facility (Storm Drain Portion)	$0	$0	$444,620	$23,210	$467,830	$471,697
2	Decant Facility	$81,500	$0	$30,155	$51,345	$163,000	$32,951
3	HVC Park Outlet/Hwy 89 Culvert Upsizing	$616,810	$0	$32,990	$0	$649,800	$37,131
4	West Harrisville Road Culvert	$155,900	$0	$8,925	$0	$164,825	$10,347
5	Railroad Pond and Six-Mile Channel Widening	$207,349	$0	$250,975	$112,757	$571,081	$299,677
6	North Harrisville Road Storm Drain	$0	$56,240	$128,035	$0	$184,275	$157,467
7	Six-Mile Creek Restoration/Piping	$0	$59,200	$446,770	$72,730	$578,700	$565,955
8	1500 North Line Upsizing	$218,105	$0	$17,650	$0	$235,755	$23,029
9	750 West Line Upsizing	$0	$0	$134,545	$47,955	$182,500	$180,817
10	1225 North Line Upsizing	$0	$0	$148,995	$0	$148,995	$206,244
	Total	**$1,279,664**	**$115,440**	**$1,643,660**	**$307,997**	**$3,346,761**	**$1,985,315**
		% System Improvements Constructed in next 10 years				**49%**	**$1,985,315**

Source: Jones & Associates, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan, July 2021

Proportionate Share Analysis and Impact Fee Calculation

Utah Code 11-36a-304(1)(d) and (e) and (2)(a) and (b)

New development will be required to pay for its fair share of the construction of new system improvements necessitated by new development, as well as consultant costs. The summary of the impact fee calculation is shown in Table 3.

TABLE 3: SUMMARY OF IMPACT FEE COSTS

Summary of Impact Fee Calculation	Amount
Buy-In Excess Capacity	$0
New Construction	$2,478.55
Consultant Costs	$108.68
Impact Fee Fund Balance*	$0
Deficiency Credit	$(154.86)
Cost per ERU	**$2,432.36**

**Impact Fee Fund Balance of $819,284 was applied to the deficiency credit calculation*

Manner of Financing for Public Facilities

There is no outstanding debt on the City's storm drain system and the City does not anticipate issuing debt in the near term to finance new facilities. Therefore, no credits need to be made for existing or future financing.

CHAPTER 1: OVERVIEW OF THE STORM WATER IMPACT FEES

Summary

An impact fee is intended to recover the City's costs of building storm water system capacity to serve new residential and non-residential development rather than passing all of these growth-related costs on to existing users through rates. The Utah Impact Fees Act allows only certain costs to be included in an impact fee so that only the fair cost of expansionary projects or existing unused capacity paid for by the City is assessed through an impact fee.

Costs to be Included in the Impact Fee

The impact fees proposed in this analysis are calculated based upon:

- Excess capacity in the City's storm water system;
- New capital infrastructure for storm water system improvements that will serve new development; and
- Professional and planning expenses related to the construction of system improvements that will serve new development.

The costs that cannot be included in the impact fee are as follows:

- Costs for projects that cure system deficiencies;
- Costs for projects that increase the Level of Service (LOS) above that which is currently provided;
- Operations and maintenance costs;
- Costs of facilities funded by grants or other funds that the City does not have to repay; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

Utah Code Legal Requirements

Utah law requires that communities and special districts prepare an Impact Fee Analysis (IFA) before enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. The City has retained ZPFI to prepare this Impact Fee Analysis in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFA by posting notice.

Preparation of Impact Fee Analysis

Utah Code requires that "each local political subdivision . . . intending to impose an impact fee shall prepare a written analysis of each impact fee" (Utah Code 11-36a-303).

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis which is required to identify the following:

(1) An impact fee analysis shall:

(a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;

(b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

(c) demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;

(d) estimate the proportionate share of:
  (i) the costs for existing capacity that will be recouped; and
  (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and

(e) identify how the impact fee was calculated.

(2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:

(a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;

(b) the cost of system improvements for each public facility;

(c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

(d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;

(e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;

(f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;

(g) extraordinary costs, if any, in servicing the newly-developed properties; and

(h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Calculating Impact Fees
Utah Code states that for purposes of calculating an impact fee, a local political subdivision or private entity may include:

(a) the construction contract price;
(b) the cost of acquiring land, improvements, materials, and fixtures;

(c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and

(d) for political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Certification of Impact Fee Analysis

Utah Code states that an impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis. This certification is included as part of this Impact Fees Analysis.

Impact Fee Enactment

Utah Code states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

CHAPTER 2: IMPACT FROM GROWTH UPON THE CITY'S FACILITIES AND LEVEL OF SERVICE

Utah Code 11-36a-304(1)(a)(c)

Storm Drain Service Area

Harrisville City has one service area for the purpose of calculating storm drain impact fees.

Growth in Demand

The City has been experiencing steady growth. The IFFP identifies that a constant growth rate is used to project the total future ERUs contributing to the storm drain system. Therefore, projected growth has been forecasted using the growth rate as identified in the IFFP.

The table below shows storm drain growth projections. The City's storm drain system is projected to grow from 2,950 ERUs in 2021 to an estimated 3,751 ERUs in 2031. The growth between 2021 and 2031, as used in the IFFP, is expected to be 801 ERUs.

TABLE 4: PROJECTED ERU GROWTH THROUGH 2031

Year	ERUs
2021	2,950
2022	3,026
2023	3,103
2024	3,181
2025	3,259
2026	3,339
2027	3,420
2028	3,501
2029	3,583
2030	3,667
2031	3,751
Growth in ERUs 2021-2031	801

Source: Jones & Associates, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan, July 2021

Existing and Proposed LOS Analysis

According to the IFFP, "At the commencement of this study, Harrisville City's storm water policy was that the runoff from a 10-year storm should be contained in the piping system and local detention basins. This is the current level of service provided."[2]

The City's proposed level of service during the IFFP period is to equal the existing level of service.

[2] Jones & Associates Consulting Engineers, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan System Impact Fee Facilities Plan, Section 6.2 Level of Service, pg. 19

CHAPTER 3: IMPACT ON CAPACITY FROM DEVELOPMENT ACTIVITY

Utah Code 11-36a-304(1)(a)

Existing Capacity and Deficiency

According to Jones & Associates, the existing storm water system currently has no excess capacity. Therefore, new development cannot be charged a buy-in fee, as part of the overall impact fee, for existing excess capacity.

CHAPTER 4: SYSTEM IMPROVEMENTS REQUIRED FROM DEVELOPMENT ACTIVITY

Utah Code 11-36a-304(1)(b)(c), (2)(b)

Impact on System Improvements by Anticipated New Development

The City has determined to maintain its current level of storm water service. Therefore, additional storm water improvements will be required in order to maintain the established storm drain level of service. The means by which the City will meet growth demands include constructing the following projects as set forth in the Impact Fee Facilities Plan. This will occur through requiring new development to pay for its fair share of new construction projects.

Using 3% annual inflation, new construction projects necessitated by new development over the next 10 years will reach $1,985,315 (FV) based on calculations shown in the following table.

TABLE 5: NEW SYSTEM IMPROVEMENTS NECESSITATED BY NEW DEVELOPMENT

Project	Description	Current Deficiency (PV)	Developer Participation (PV)	10- Year Impact Fee Improvements (PV)	Beyond 10 Year Impact Fee (PV)	Total	10-Year Impact Fee Improvements (FV)
1	Public Works Site and Facility (Storm Drain Portion)	$0	$0	$444,620	$23,210	$467,830	$471,697
2	Decant Facility	$81,500	$0	$30,155	$51,345	$163,000	$32,951
3	HVC Park Outlet/Hwy 89 Culvert Upsizing	$616,810	$0	$32,990	$0	$649,800	$37,131
4	West Harrisville Road Culvert	$155,900	$0	$8,925	$0	$164,825	$10,347
5	Railroad Pond and Six-Mile Channel Widening	$207,349	$0	$250,975	$112,757	$571,081	$299,677
6	North Harrisville Road Storm Drain	$0	$56,240	$128,035	$0	$184,275	$157,467
7	Six-Mile Creek Restoration/Piping	$0	$59,200	$446,770	$72,730	$578,700	$565,955
8	1500 North Line Upsizing	$218,105	$0	$17,650	$0	$235,755	$23,029
9	750 West Line Upsizing	$0	$0	$134,545	$47,955	$182,500	$180,817
10	1225 North Line Upsizing	$0	$0	$148,995	$0	$148,995	$206,244
	Total	**$1,279,664**	**$115,440**	**$1,643,660**	**$307,997**	**$3,346,761**	**$1,985,315**
		% System Improvements Constructed in next 10 years				**49%**	**$1,985,315**

Source: Jones & Associates, Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan, July 2021

CHAPTER 5: PROPORTIONATE SHARE ANALYSIS

Utah Code 11-36a-304(1)(d)(e)

Maximum Legal Storm Water Impact Fee per ERU

The Impact Fees Act requires the Impact Fee Analysis to estimate the proportionate share of the future costs for system improvements and historic cost of existing system improvements that benefit new growth that can be recouped through impact fees. The impact fee for existing assets must be based on the historic costs while the fees for construction of new facilities must be based on reasonable future costs of the system.

The maximum impact fee permitted by law for the storm water system includes buy-in costs for existing, excess capacity as well as the cost of construction of new facilities. Whereas the City currently has no existing excess capacity, only cost of construction of new facilities will be considered for facility costs.

Buy-in to Existing, Excess Capacity

According to the IFFP, the existing storm water system has no excess capacity.

New Construction

The City intends to maintain its existing level of service for storm water services through constructing new system improvements described in the IFFP and previously in this IFA. Total impact-fee eligible costs for new construction are $3,038,764 (PV) through 2031. The amount attributable to new development over the next 10 years has been identified in the IFFP as $1,643,660 (PV). Using 3% annual inflation the 10-year growth cost is $1,985,315.04. Based on the 801 ERUs served over the next 10 years, the total cost per ERU is calculated at $2,478.55.

TABLE 6: PROPORTIONATE SHARE ANALYSIS, NEW CONSTRUCTION NECESSITATED BY NEW DEVELOPMENT

	Amount
Cost of New Construction 10-Year Horizon (PV)	$3,038,764
Growth in ERUs, 2021-2031	801
% to New Growth by 2031	54%
Cost to New Growth by 2031 (FV)	$1,985,315
Cost per ERU	**$2,478.55**

Consultant Costs

The Impact Fees Act allows for fees charged to include the reimbursement of consultant costs incurred in the preparation of the IFFP and IFA.

Consultant costs are estimated at $87,049 in order to prepare the IFFP and IFA that were necessary in order to calculate defensible impact fees. The engineering and consultant studies are considered to serve development over the next 10 years. Based on the 801 ERUs served over the next 10 years, the total cost per ERU is $108.68.

TABLE 7: PROPORTIONATE SHARE ANALYSIS, CONSULTANT COST

	Amount
Jones & Associates Consulting Engineers	$82,049
ZPFI	$5,000
Growth in ERUs, 2021-2031	801
Cost per ERU	**$108.68**

Impact Fee Fund Balance

The City currently has a balance of $819,284.00 as of 9/30/2021 in its storm water impact fee fund. The impact fee fund balance was included in the deficiency credit described in the following section.

Calculation of Credits

The City does not have any outstanding storm drain bonds for which credits need to be made against the impact fees.

A credit must be made, however, for the portion of new construction projects that will benefit existing development. The IFFP provides the following estimate of the portion of new construction projects anticipated to benefit existing development.

In addition to the impact fee fund balance listed above, the proceeds from selling the City's old public works facility and land at a total price of $500,000 will also be used to offset a portion of the deficiency cost. Approximately 8% of the revenue from the sale, or $38,918.37 is attributable to the storm drain system.

TABLE 8: NEW CONSTRUCTION CREDIT AMOUNT

Project	Description	Current Deficiency (Future Value)
2	Decant Facility	$89,057.25
3	HVC Park Outlet/Hwy 89 Culvert Upsizing	$694,225.09
4	West Harrisville Road Culvert	$180,730.83
5	Railroad Pond and Six-Mile Channel Widening	$247,585.55
8	1500 North Line Upsizing	$284,577.56
	Total Deficiency:	$1,496,176.27
	Less Impact Fee Fund Balance:	$819,284.00
	Less Sale of Existing Public Work Facility/Land (7.9% to Storm Utility)	$38,918.37
	Amount to Be Credited:	**$637,973.90**

Therefore, a credit must be made for the $637,973.90 that will benefit existing development. This credit has been calculated by dividing the cost over 10 years, for a cost of $63,797 per year. The cost attributed to each year is then divided by the estimated number of ERUs each year to arrive at a payment per ERU. This represents the average amount that will be needed, per ERU, through a source such as storm drain utility rates. Therefore, if new development pays the entire impact fee, plus contributes through future property taxes, utility rates, etc., it will pay for more than its fair share of storm drain capital costs. The last step in calculating the credit is to calculate the net present value (NPV) of the annual payments and to subtract this amount from the gross impact fee.

TABLE 9: PROPORTIONATE SHARE CALCULATION – CREDITS

Year	Payment per Year	ERUs	Payment per ERU	NPV*
1	$63,797	3,026	$21.08	$154.86
2	$63,797	3,103	$20.56	$139.97
3	$63,797	3,181	$20.06	$125.01
4	$63,797	3,259	$19.58	$109.96
5	$63,797	3,339	$19.11	$94.78
6	$63,797	3,420	$18.65	$79.46
7	$63,797	3,501	$18.22	$63.99
8	$63,797	3,583	$17.81	$48.33
9	$63,797	3,667	$17.40	$32.45
10	$63,797	3,751	$17.01	$16.35

*NPV = net present value discounted at 4.0 percent

Summary of Maximum Impact Fee Calculation

The maximum impact fee allowed by law includes new system improvement costs of $2,478.55 per ERU, plus consultant costs of $108.68 per ERU. The maximum impact fee also includes a credit for existing deficiencies in the amount of $154.86 per ERU. This currently results in total maximum impact fee of $2,432.36 per ERU.

TABLE 10: PROPORTIONATE SHARE IMPACT FEE CALCULATION

Summary of Impact Fee Calculation	Amount
Buy-In Excess Capacity	$0
New Construction	$2,478.55
Consultant Costs	$108.68
Impact Fee Fund Balance*	$0.00
Deficiency Credit	$(154.86)
Cost per ERU	**$2,432.36**

**Impact Fee Fund Balance of $819,284 was applied to the deficiency credit calculation*

Due to the deficiency credits outlined previously, the maximum impact fee per ERU will increase each year as the NPV of the deficiency credits lower each year. The table below shows how this will affect the maximum impact fee that can be charged.

TABLE 11: MAXIMUM IMPACT FEE PER ERU BY YEAR

	2022	2023	2024	2025	2026
Maximum Impact Fee per ERU	$2,432.36	$2,447.25	$2,462.21	$2,477.26	$2,492.44

CHAPTER 6: MANNER OF FINANCING, CREDITS, ETC

Utah Code 11-36a-304(2)(c)(d)(e)(f)(g) and (h)

An impact fee is a one-time fee that is implemented by a local government on new development to fund and pay for the proportionate costs of public facilities (system improvements) that are needed to serve new development. As a matter of policy and legislative discretion, a City may choose to have new development pay the full cost of its proportionate share of new public facilities and existing facilities that have excess capacity to service new development through impact fees. Alternatively, local governments may elect to subsidize new development by using other sources of revenue (user charges, special assessments, bonds, taxes, grants) to pay for the new facilities required to service new development and use impact fees to recover the cost difference between the total cost of the new facilities and the other sources of revenue.

At the current time, no other sources of funding other than impact fees have been identified, but to the extent that any are identified and received in the future, then impact fees will be reduced accordingly. The City has found that it is necessary to charge an impact fee to maintain the existing level of service into the future.

Additional system improvements beyond those funded through impact fees that are desired to raise the level of service will be paid for by the community through other revenue sources such as user charges, special assessments, General Obligation bonds, general taxes, etc.

Impact Fee Credits

The Impact Fees Act requires that the IFA consider the relative extent to which new development activity will contribute to financing the excess capacity of and system improvements for new and existing public facilities, by such means as user charges, special assessments, or payment from the proceeds of general taxes so that new development is not charged twice. There is no excess capacity in the existing system and therefore no credits apply from buy-in to existing, excess capacity.

In terms of new facilities, all impact fee amounts collected must be spent for improvements identified in the IFFP and incorporated into this IFA or projects that will offset the need for improvements listed in the IFFP. No user fees, special assessments, etc., are contemplated to offset any of the growth-related system improvements at this time.

Credits may also be paid back to developers who have constructed or directly funded system improvements that are included in the IFFP or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions for project improvements. Any item for which a developer receives credit should be included in the IFFP and must be agreed upon with the City before construction begins.

The standard impact fee can also be decreased to respond to unusual circumstances in specific cases in order to ensure that impact fees are imposed fairly. In certain cases, a developer may submit studies and data that clearly show a need for adjustment.

Extraordinary Costs and Time Price Differential

It is not anticipated that there will be any extraordinary costs in servicing newly-developed properties. To account for the time-price differential inherent in fair comparisons of amounts paid at different times, current costs have been used to compute impacts on system improvements required by anticipated development activity to maintain the established level of service.

CERTIFICATION

Zions Public Finance, Inc. certifies 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 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;

3. Offsets costs with grants or other alternate sources of payment; and

4. Complies in each and every relevant respect with the Impact Fees Act.

Harrisville City

Sanitary Sewer Impact Fee Analysis

Zions Public Finance, Inc.
January 2022

CONTENTS

EXECUTIVE SUMMARY

Background Information

Harrisville (the "City") retained Jones & Associates to prepare an Impact Fee Facilities Plan (IFFP) for sanitary sewer and retained Zions Public Finance, Inc. (ZPFI) to prepare this Impact Fee Analysis (IFA) for the calculation of appropriate sewer impact fees. This IFA relies on the information provided in the IFFP regarding current system capacity and future sewer capital facility needs, cost and timing.

Service Area. There is one service area in the City for the purpose of calculating sewer impact fees.

Level of Service. According to the IFFP, "The expectation is that all pipes will serve the City during peak hours. Any trunk line flowing over 70% full (by depth) during those times was considered to be deficient."[1]

Growth Projections. Between 2021 and 2031, Harrisville is expected to grow by 608 sewer equivalent residential units (ERUs).

TABLE 1: SEWER ERU GROWTH PROJECTIONS

Year	ERUs
2021	2,918
2022	2,976
2023	3,034
2024	3,093
2025	3,153
2026	3,214
2027	3,275
2028	3,337
2029	3,399
2030	3,462
2031	3,526
Growth in ERUs 2021-2031	608

Source: Jones & Associates, Sanitary Sewer Capital Facilities Plan and Impact Fee Facilities Plan, January 2022

[1] Jones & Associates Consulting Engineers, Sanitary Sewer Capital Facilities Plan and Impact Fee Facilities Plan, Section 9.4 Level of Service, pg. 30

Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a)

The IFFP identifies that there is currently excess capacity in the existing sewer system in two locations outlined in the table below. The amount of excess capacity attributable to growth is $98,393.

TABLE 2: EXISTING CAPACITY

Description	Historical Cost	Amount Attributable to Growth	Allowable Cost
12" Sewer on 2150 North (HWY 89 to 550 West)	$108,433	76%	$82,409
10" Sewer Behind Orion Jr. High to (Down to 550 West)	$29,600	54%	$15,984
Total			**$98,393**

Impact on System Improvements by Anticipated New Development

Utah Code 11-36a-304(1)(b)

The City has determined to maintain its current level of sewer service therefore additional sewer improvements will be required in order to maintain the established level of service as new development occurs. The new system improvements needed to serve the needs of new development over the next 10 years have been identified by Jones & Associates at a present value cost of $835,751 and using a 3% annual inflation the construction year cost totals $932,380.

TABLE 3: NEW SYSTEM IMPROVEMENTS

Project	Description	Current Deficiency (PV)	10- Year Impact Fee Improvements (PV)	Beyond 10 Year Impact Fee (PV)	Total	10-Year Impact Fee Improvements (FV)
1	2300 N: 350 W-375 W upsize from 10" to 12"	$87,900	$0	$0	$87,900	$0
2	2300 N: 500 W-500 W upsize from 8" to 10"	$118,512	$0	$0	$118,512	$0
3	2150 N: 600 W-700 W upsize from 10" to 12"	$16,380	$188,364	$0	$204,744	$205,830
4	2150 N: 700 W connect manholes (N to S)	$2,654	$23,884	$0	$26,538	$27,688
5	Hwy 89: 1350 N correct slope issue	$48,732	$0	$0	$48,732	$0
6	Hwy 89: 1203 N to Ind Blvd upsize 8" to 12"	$8,165	$127,915	$0	$136,080	$157,319

Project	Description	Current Deficiency (PV)	10- Year Impact Fee Improvements (PV)	Beyond 10 Year Impact Fee (PV)	Total	10-Year Impact Fee Improvements (FV)
7	2150 N: 600 W to 500 W to 2125 N upsize 10" to 12"	$0	$0	$282,432	$282,432	$0
8	N Harrisville Rd: 797 W to 871 W upsize 8" to 10"	$0	$0	$471,552	$471,552	$0
9	New public works facility	$0	$495,588	$1,202,080	$1,697,668	$541,542
	Total	**$282,343**	**$835,751**	**$1,956,064**	**$3,074,158**	**$932,380**
	% System Improvements Constructed in next 10 years				**27%**	**$932,380**

Proportionate Share Analysis and Impact Fee Calculation

Utah Code 11-36a-304(1)(d) and (e) and (2)(a) and (b)

New development will be required to pay for its fair share of the construction of new system improvements necessitated by new development, as well as consultant costs. The summary of the impact fee calculation is shown in Table 3.

TABLE 4: SUMMARY OF IMPACT FEE COSTS

Summary of Impact Fee Calculation	Amount
Buy-In Excess Capacity	$161.83
New Construction	$1,533.52
Consultant Costs	$70.23
Impact Fee Fund Balance	$0.00
Deficiency Credit	$(54.41)
Cost per ERU	**$1,711.18**

Manner of Financing for Public Facilities

There is no outstanding debt on the City’s sewer system and the City does not anticipate issuing debt in the near term to finance new facilities. Therefore, no credits need to be made for existing or future financing.

CHAPTER 1: OVERVIEW OF THE SANITARY SEWER IMPACT FEES

Summary

An impact fee is intended to recover the City's costs of building sewer system capacity to serve new residential and non-residential development rather than passing all of these growth-related costs on to existing users through rates. The Utah Impact Fees Act allows only certain costs to be included in an impact fee so that only the fair cost of expansionary projects or existing unused capacity paid for by the City is assessed through an impact fee.

Costs to be Included in the Impact Fee

The impact fees proposed in this analysis are calculated based upon:

- Excess capacity in the City's sewer system;
- New capital infrastructure for sewer system improvements that will serve new development; and
- Professional and planning expenses related to the construction of system improvements that will serve new development.

The costs that cannot be included in the impact fee are as follows:

- Costs for projects that cure system deficiencies;
- Costs for projects that increase the Level of Service (LOS) above that which is currently provided;
- Operations and maintenance costs;
- Costs of facilities funded by grants or other funds that the City does not have to repay; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

Utah Code Legal Requirements

Utah law requires that communities and special districts prepare an Impact Fee Analysis (IFA) before enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. The City has retained ZPFI to prepare this Impact Fee Analysis in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFA by posting notice.

Preparation of Impact Fee Analysis

Utah Code requires that "each local political subdivision . . . intending to impose an impact fee shall prepare a written analysis of each impact fee" (Utah Code 11-36a-303).

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(1) An impact fee analysis shall:

(a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;

(b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

(c) demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;

(d) estimate the proportionate share of:
  (i) the costs for existing capacity that will be recouped; and
  (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and

(e) identify how the impact fee was calculated.

(2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:

(a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;

(b) the cost of system improvements for each public facility;

(c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

(d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;

(e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;

(f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;

(g) extraordinary costs, if any, in servicing the newly-developed properties; and

(h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Calculating Impact Fees

Utah Code states that for purposes of calculating an impact fee, a local political subdivision or private entity may include:

(a) the construction contract price;

(b) the cost of acquiring land, improvements, materials, and fixtures;

(c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and

(d) for political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Certification of Impact Fee Analysis
Utah Code states that an impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis. This certification is included as part of this Impact Fees Analysis.

Impact Fee Enactment
Utah Code states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

CHAPTER 2: IMPACT FROM GROWTH UPON THE CITY'S FACILITIES AND LEVEL OF SERVICE

Utah Code 11-36a-304(1)(a)(c)

Sanitary Sewer Service Area

Harrisville City has one service area for the purpose of calculating sewer impact fees.

Growth in Demand

The City has been experiencing steady growth. The IFFP identifies that a constant growth rate is used to project the total future ERUs contributing to the sewer system. Therefore, projected growth has been forecasted using the growth rate as identified in the IFFP.

The table below shows sewer growth projections. The City's sewer system is projected to grow from 2,918 ERUs in 2021 to an estimated 3,526 ERUs in 2031. The growth between 2021 and 2031, as used in the IFFP, is expected to be 608 ERUs.

TABLE 5: PROJECTED ERU GROWTH THROUGH 2031

Year	ERUs
2021	2,918
2022	2,976
2023	3,034
2024	3,093
2025	3,153
2026	3,214
2027	3,275
2028	3,337
2029	3,399
2030	3,462
2031	3,526
Growth in ERUs 2021-2031	608

Source: Jones & Associates, Sanitary Sewer Capital Facilities Plan and Impact Fee Facilities Plan, January 2022

Existing and Proposed LOS Analysis

According to the IFFP, "The expectation is that all pipes will serve the City during peak hours. Any trunk line flowing over 70% full (by depth) during those times was considered to be deficient."[2]

The City's proposed level of service during the IFFP period is to equal the existing level of service.

[2] Jones & Associates Consulting Engineers, Sanitary Sewer Capital Facilities Plan and Impact Fee Facilities Plan, Section 9.4 Level of Service, pg. 30

CHAPTER 3: IMPACT ON CAPACITY FROM DEVELOPMENT ACTIVITY

Utah Code 11-36a-304(1)(a)

Existing Capacity and Deficiency

According to Jones & Associates, the existing sanitary sewer system currently has excess capacity. The IFFP identifies that there is currently excess capacity in the existing sewer system in two locations outlined in the table below. The amount of excess capacity attributable to growth is $98,393.

TABLE 6: EXISTING CAPACITY

Description	Historical Cost	Amount Attributable to Growth	Allowable Cost
12" Sewer on 2150 North (HWY 89 to 550 West)	$108,433	76%	$82,409
10" Sewer Behind Orion Jr. High to (Down to 550 West)	$29,600	54%	$15,984
Total			**$98,393**

CHAPTER 4: SYSTEM IMPROVEMENTS REQUIRED FROM DEVELOPMENT ACTIVITY

Utah Code 11-36a-304(1)(b)(c), (2)(b)

Impact on System Improvements by Anticipated New Development

The City has determined to maintain its current level of service. Therefore, additional sewer improvements will be required in order to maintain the established level of service. The means by which the City will meet growth demands include constructing the following projects as set forth in the Impact Fee Facilities Plan. This will occur through requiring new development to pay for its fair share of new construction projects.

Using 3% annual inflation, new construction projects necessitated by new development over the next 10 years will reach $932,380 (FV) based on calculations shown in the following table.

TABLE 7: NEW SYSTEM IMPROVEMENTS NECESSITATED BY NEW DEVELOPMENT

Project	Description	Current Deficiency (PV)	10- Year Impact Fee Improvements (PV)	Beyond 10 Year Impact Fee (PV)	Total	10-Year Impact Fee Improvements (FV)
1	2300 N: 350 W-375 W upsize from 10" to 12"	$87,900	$0	$0	$87,900	$0
2	2300 N: 500 W-500 W upsize from 8" to 10"	$118,512	$0	$0	$118,512	$0
3	2150 N: 600 W-700 W upsize from 10" to 12"	$16,380	$188,364	$0	$204,744	$205,830
4	2150 N: 700 W connect manholes (N to S)	$2,654	$23,884	$0	$26,538	$27,688
5	Hwy 89: 1350 N correct slope issue	$48,732	$0	$0	$48,732	$0
6	Hwy 89: 1203 N to Ind Blvd upsize 8" to 12"	$8,165	$127,915	$0	$136,080	$157,319
7	2150 N: 600 W to 500 W to 2125 N upsize 10" to 12"	$0	$0	$282,432	$282,432	$0
8	N Harrisville Rd: 797 W to 871 W upsize 8" to 10"	$0	$0	$471,552	$471,552	$0
9	New public works facility	$0	$495,588	$1,202,080	$1,697,668	$541,542
	Total	**$282,343**	**$835,751**	**$1,956,064**	**$3,074,158**	**$932,380**
	% System Improvements Constructed in next 10 years				**27%**	**$932,380**

CHAPTER 5: PROPORTIONATE SHARE ANALYSIS

Utah Code 11-36a-304(1)(d)(e)

Maximum Legal Sanitary Sewer Impact Fee per ERU

The Impact Fees Act requires the Impact Fee Analysis to estimate the proportionate share of the future costs for system improvements and historic cost of existing system improvements that benefit new growth that can be recouped through impact fees. The impact fee for existing assets must be based on the historic costs while the fees for construction of new facilities must be based on reasonable future costs of the system.

The maximum impact fee permitted by law for the sewer system includes buy-in costs for existing, excess capacity as well as the cost of construction of new facilities.

Buy-in to Existing, Excess Capacity

According to the IFFP, the existing sewer system has excess capacity. Total impact-fee eligible costs for existing construction are $98,393.08. Based on the 608 ERUs served over the next 10 years, the total cost per ERU is calculated at $161.83.

TABLE 8: PROPORTIONATE SHARE ANALYSIS, BUY-IN TO EXCESS CAPACITY

	Amount
Cost of Existing Capacity	$138,033.00
Growth in ERUs, 2021-2031	608
% to New Growth by 2031	71.3%
Cost to New Growth	$98,393.08
Cost per ERU	**$161.83**

New Construction

The City intends to maintain its existing level of service for sewer services through constructing new system improvements described in the IFFP and previously in this IFA. Total impact-fee eligible costs for new construction are $835,751 (PV) through 2031. Using 3% annual inflation the 10-year growth cost is $932,380. Based on the 608 ERUs served over the next 10 years, the total cost per ERU is calculated at $1,533.52.

TABLE 9: PROPORTIONATE SHARE ANALYSIS, NEW CONSTRUCTION NECESSITATED BY NEW DEVELOPMENT

	Amount
Cost of New Construction (FV)	$3,504,119
% to New Growth by 2031	27%
Growth in ERUs, 2020-2031	608
Cost to New Growth by 2031 (FV)	$932,380
Cost per ERU	**$1,533.52**

Consultant Costs

The Impact Fees Act allows for fees charged to include the reimbursement of consultant costs incurred in the preparation of the IFFP and IFA.

Consultant costs are estimated at $42,703 in order to prepare the IFFP and IFA that were necessary in order to calculate defensible impact fees. The engineering and consultant studies are considered to serve development over the next 10 years. Based on the 608 ERUs served over the next 10 years, the total cost per ERU is $70.23.

TABLE 10: PROPORTIONATE SHARE ANALYSIS, CONSULTANT COST

	Amount
Jones & Associates Consulting Engineers	$37,703
ZPFI	$5,000
Growth in ERUs, 2021-2031	608
Cost per ERU	**$70.23**

Impact Fee Fund Balance

The City currently has no sewer impact fee fund.

Calculation of Credits

The City does not have any outstanding sewer bonds for which credits need to be made against the impact fees. A credit must be made, however, for the portion of new construction projects that will benefit existing development. The IFFP provides the following estimate of the portion of new construction projects anticipated to benefit existing development.

TABLE 11: NEW CONSTRUCTION CREDIT AMOUNT

Project	Description	Current Deficiency (Future Value)
1	2300 N: 350 W-375 W upsize from 10" to 12"	$93,253.11
2	2300 N: 500 W-500 W upsize from 8" to 10"	$133,386.30
3	2150 N: 600 W-700 W upsize from 10" to 12"	$17,898.87
4	2150 N: 700 W connect manholes (N to S)	$3,076.71
5	Hwy 89: 1350 N correct slope issue	$58,188.56
6	Hwy 89: 1203 N to Ind Blvd upsize 8" to 12"	$10,041.92
	Total Deficiency:	$315,845.47
	Less Impact Fee Fund Balance:	$0.00
	Less Sale of Existing Public Work Facility/Land (20% to Sewer Utility)	$100,000.00
	Amount to Be Credited:	**$215,845.47**

Therefore, a credit must be made for the $215,845.47 that will benefit existing development. This credit has been calculated by dividing the cost over 10 years, for a cost of $21,585 per year. The cost attributed to each year is then divided by the estimated number of ERUs each year to arrive at a payment per ERU. This represents the average amount that will be needed, per ERU, through a source such as sewer utility rates. Therefore, if new development pays the entire impact fee, plus contributes through future property taxes, utility rates, etc., it will pay for more than its fair share of sanitary sewer capital costs. The last step in calculating the credit is to calculate the net present value (NPV) of the annual payments and to subtract this amount from the gross impact fee.

TABLE 12: PROPORTIONATE SHARE CALCULATION – CREDITS

Year	Payment per Year	ERUs	Payment per ERU	NPV*
1	$21,585	2,976	$7.25	$54.41
2	$21,585	3,034	$7.11	$49.33
3	$21,585	3,093	$6.98	$44.19
4	$21,585	3,153	$6.85	$38.98
5	$21,585	3,214	$6.72	$33.69
6	$21,585	3,275	$6.59	$28.32
7	$21,585	3,337	$6.47	$22.87
8	$21,585	3,399	$6.35	$17.31
9	$21,585	3,462	$6.23	$11.65
10	$21,585	3,526	$6.12	$5.89

*NPV = net present value discounted at 4.0 percent

Summary of Maximum Impact Fee Calculation

The maximum impact fee allowed by law includes existing buy-in to excess capacity costs of $161.83 per ERU, new system improvement costs of $1,533.52 per ERU, and consultant costs of $70.23 per ERU. The maximum impact fee also includes a credit for existing deficiencies in the amount of $54.41 per ERU in the year 2022. This currently results in total maximum impact fee of $1,711.18 per ERU.

TABLE 13: PROPORTIONATE SHARE IMPACT FEE CALCULATION

Summary of Impact Fee Calculation	Amount
Buy-In Excess Capacity	$161.83
New Construction	$1,533.52
Consultant Costs	$70.23
Impact Fee Fund Balance	$0.00
Deficiency Credit (Year 2022)	$(54.41)
Cost per ERU	**$1,711.18**

Due to the deficiency credits outlined previously, the maximum impact fee per ERU will increase each year as the NPV of the deficiency credits lower each year. The table below shows how this will affect the maximum impact fee that can be charged.

TABLE 14: MAXIMUM IMPACT FEE PER ERU BY YEAR

	2022	2023	2024	2025	2026
Maximum Impact Fee per ERU	$1,711.18	$1,716.26	$1,721.40	$1,726.61	$1,731.89

CHAPTER 6: MANNER OF FINANCING, CREDITS, ETC

Utah Code 11-36a-304(2)(c)(d)(e)(f)(g) and (h)

An impact fee is a one-time fee that is implemented by a local government on new development to fund and pay for the proportionate costs of public facilities (system improvements) that are needed to serve new development. As a matter of policy and legislative discretion, a City may choose to have new development pay the full cost of its proportionate share of new public facilities and existing facilities that have excess capacity to service new development through impact fees. Alternatively, local governments may elect to subsidize new development by using other sources of revenue (user charges, special assessments, bonds, taxes, grants) to pay for the new facilities required to service new development and use impact fees to recover the cost difference between the total cost of the new facilities and the other sources of revenue.

At the current time, no other sources of funding other than impact fees have been identified, but to the extent that any are identified and received in the future, then impact fees will be reduced accordingly. The City has found that it is necessary to charge an impact fee to maintain the existing level of service into the future.

Additional system improvements beyond those funded through impact fees that are desired to raise the level of service will be paid for by the community through other revenue sources such as user charges, special assessments, General Obligation bonds, general taxes, etc.

Impact Fee Credits

The Impact Fees Act requires that the IFA consider the relative extent to which new development activity will contribute to financing the excess capacity of and system improvements for new and existing public facilities, by such means as user charges, special assessments, or payment from the proceeds of general taxes so that new development is not charged twice. There is no excess capacity in the existing system and therefore no credits apply from buy-in to existing, excess capacity.

In terms of new facilities, all impact fee amounts collected must be spent for improvements identified in the IFFP and incorporated into this IFA or projects that will offset the need for improvements listed in the IFFP. No user fees, special assessments, etc., are contemplated to offset any of the growth-related system improvements at this time.

Credits may also be paid back to developers who have constructed or directly funded system improvements that are included in the IFFP or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions for project improvements. Any item for which a developer receives credit should be included in the IFFP and must be agreed upon with the City before construction begins.

The standard impact fee can also be decreased to respond to unusual circumstances in specific cases in order to ensure that impact fees are imposed fairly. In certain cases, a developer may submit studies and data that clearly show a need for adjustment.

Extraordinary Costs and Time Price Differential

It is not anticipated that there will be any extraordinary costs in servicing newly-developed properties. To account for the time-price differential inherent in fair comparisons of amounts paid at different times, current costs have been used to compute impacts on system improvements required by anticipated development activity to maintain the established level of service.

CERTIFICATION

Zions Public Finance, Inc. certifies 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 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;

3. Offsets costs with grants or other alternate sources of payment; and

4. Complies in each and every relevant respect with the Impact Fees Act.

HARRISVILLE CITY
ORDINANCE 532

TRIPLE PEAKS ZONING MAP AMENDMENT

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE OFFICIAL ZONING MAP FOR CERTAIN PARCELS LOCATED AT APPROXIMATELY 2440 NORTH HIGHWAY 89 BASED UPON AN APPLICATION FILED WITH THE CITY; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a of the *Utah Code Annotated* enables municipalities to regulate land use and development;

WHEREAS, the City has adopted an Official General Plan and Zoning Map to govern land use within the City;

WHEREAS, the City received an Application to amend the Official Zoning Map of Harrisville City filed by the putative property owner, Triple Peaks, LLC, and desires to act upon the same;

WHEREAS, the attached Exhibit "A" contains the required Concept Plan for the area of the proposed amendment to the Zoning Map;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on March 9, 2022, to take public comment on this proposed Ordinance, and gave its recommendation to _________ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on ______________, to act upon this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville as follows:

Section 1: **Zoning Map Amendment.** That the Zoning Map for certain real property identified as Weber County Parcel Number 17-066-0062 as set forth in the attached Exhibit "A" which is hereby adopted and incorporated herein by this reference, is hereby changed from A-1 (Agriculture) Zone to the CP-2 (Commercial) Zone.

Section 2: **Concept Plan and Reversion.** The Concept Plan attached in Exhibit "A" which is hereby adopted and incorporated herein by this reference is adopted as the required Concept Plan for this Zoning Map Amendment. Any development must substantially conform to this Concept Plan. In the event that any development fails to substantially conform to the Concept Plan, or in the event that the final plat is not recorded with Weber County within eighteen (18) months of the effective date of this Ordinance, then the property is automatically reverted to its prior zoning of A-1 Agriculture.

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: **Effective date.** This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this _____ day of _____________, 2022.

____
MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

____
JENNIE KNIGHT, City Recorder

Roll Call Vote Tally:

Council Member Wilhelmsen	Yes	No
Council Member Weiss	Yes	No
Council Member Christensen	Yes	No
Council Member Jackson	Yes	No
Council Member Loveland	Yes	No

RECORDED this _____ day of _____________, 2022.
PUBLISHED OR POSTED this _____ day of _____________, 2022.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) Harrisville Cabin and 3) 2150 North on the above referenced dates.

____
City Recorder

DATE:_______________

MEMORANDUM

TO: Harrisville City Mayor and Council

FROM: Jennie Knight, City Administrator

RE: Ordinance 532; Triple Peaks Zoning Map Amendment

Date: April 4, 2022

Background: Triple Peaks, LLC, submitted an application on February 8, 2022 to rezone approximately 3.68 acres located at approximately 2440 North Highway 89 (Parcel #17-066-0062) from A-1 (Agricultural) to CP-2 (Commercial). A public hearing was held on March 9, 2022 to receive public comments. The proposed ordinance comes with a positive recommendation from the Planning Commission at their March 9, 2022 meeting with no conditions.

Findings: The complete application, including the concept plan, complies with:

- HCMC §11.06.040 Concept Development Plan which includes:
  1. General land use types.
  2. Approximate locations and arrangement of:
     a. Buildings.
     b. Structure and facilities.
     c. Open space.
     d. Parking, access, and traffic patterns.
     e. Infrastructure.

- HCMC §11.12.010 Purpose and Intent of the CP-2 zone which states: "The location of the zone should be along selected locations adjacent to the arterial streets which run through Harrisville in order to provide good access with limited disturbance to the residential areas of the community."

- The proposed concept plan is consistent with the 2019 Future Land Use Map.

Staff Recommendation: Staff recommends adoption of Harrisville Ordinance 532; Triple Peaks, LLC, Zoning Map Amendment based on the following findings: the concept plan complies with Harrisville Municipal Code and the Purpose and Intent of the CP-2 zone and the zoning change is consistent with the Harrisville 2019 Future Land Use Map.

Applicant/Property Owner Information

Date / Time
02/08/2022

Applicant's Name
Mark Apuna (Triple Peaks LLC)

Applicant's Address
2440

Applicant's Phone Number
8018667635

Applicant's Email Address
utahflyingrealtor@gmail.com

Property Owner's Name
Pettit, Nunez (Triple Peaks LLC)

Property Owner's Mailing Address
6214 N Creekside Dr

Property Owner's Phone Number
8018667635

Type of Rezone
Changing the current zoning map

Have any Conditional Use Permits been granted for this property?
No

Zoning Information

Street address or location of property for which a change in zoning is requested
2440

Parcel # of property
17-066-0049

Current Zoning of Property
A-1

Proposed Zoning of Property
CP-2

Current Zoning on General Plan
A-1

Proposed Zoning on General Plan
CP-2

Reason for Rezone

Give the reason for requesting a rezone.
Building Triple Peaks restaurant/Sports bar/Convention,Wedding Venue

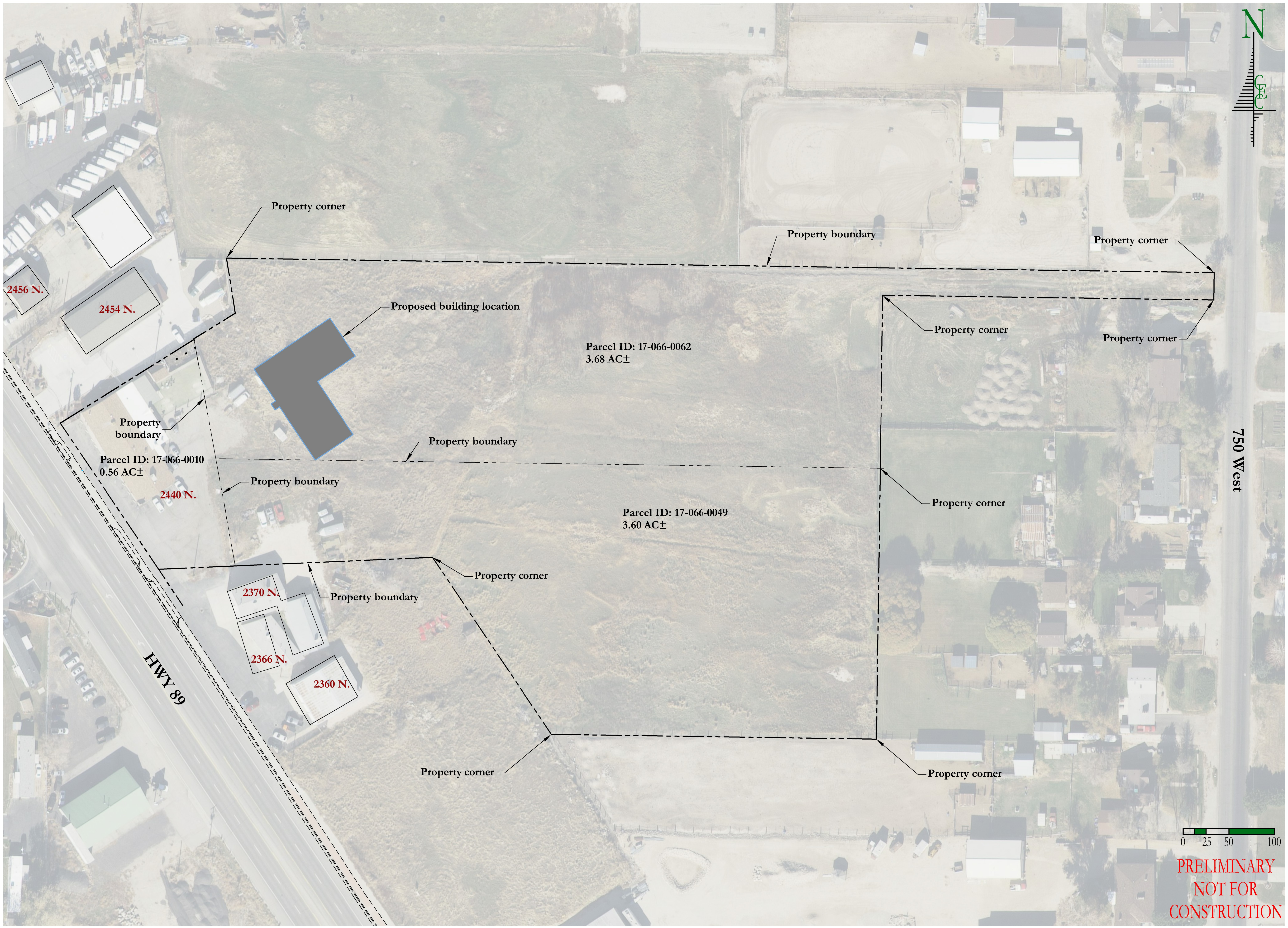
Explain how the proposed amendment is in harmony with the City General Plan Land Use Map, including what conditions exist in the general area to warrant such a change. How is the change in the public interest as well as the applicant's desire?
If I am reading the future map correctly is it going to be General Commercial. Triple Peaks LLC will bring Food, Drink and entertainment to an area that is greatly missing all of these options. Also Triple Peaks LLC will bring around 200 jobs to the area and a huge revenue tax base. In the building process we are using contractors in the immediate area bringing in more $$ to the surrounding community

As part of the rezone application process, you'll need to upload a concept site plan that is consistent with the zone you are applying for. Please upload a .pdf version of your concept plan below:
See attached: Triple Peaks 3rd Floor.png

Signature

This petition must be signed by the property owner of record or the petitioner must furnish an affidavit from the owner giving authorization to appear before any city administrative or legislative body to act on behalf of the owner in matters pertaining to this petition.

Nice Nunez



CEC
CIVIL ENGINEERING
CONSULTANTS, PLLC.
5141 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0550

NO.	DATE	BY	REVISIONS

DATE: FEBRUARY 2022
DRAWN: PCA
CHECKED: DJH / RTF

PROJECT / LOCATION: TRIPLE PEAKS
2440 NORTH HWY-89 SITE PLAN
HARRISVILLE, UT: 84404

TITLE: PROJECT SITE

CLIENT: MARK APUNA
PROJECT NUMBER: MA SITE PLAN
FILE: ~project.dwg
SHEET: 1 of 1

HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

MEMORANDUM

To: City Council
From: Justin Shinsel
Department: Public Works
Date: 4/6/2022
RE: Utility Trailer Surplus

Big Bubbas 7 ft wide by 20 ft long. Trailer has been in the City fleet for over 10 years after the purchase of the 2 new utility trailers our equipment is to heavy for the trailer. I will post o KSL Classifieds for 7 days if not sold we will do an inhouse bid process for city employees and if not sold at that time it will go to the auction.