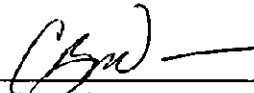



ORDINANCE No. 31517

ROLL CALL

VOTING	YES	NO
RANDY A. BRAILSFORD Mayor (votes only in case of tie)		
SOREN CHRISTENSEN City Council member	SC	
AARON D. CLOWARD City Council member	AC	
STERLING M. REES City Council member	SR	
CRISTY SIMONS City Council member	CS	
CRAIG B. WARREN City Council member	CRW	

I MOVE this ordinance be adopted: 
City Council member

I SECOND the foregoing motion: 
City Council member

ORDINANCE 31517

IMPACT FEE ENACTMENT ORDINANCE

WHEREAS, Salem City has experienced rapid growth; and

WHEREAS, that rapid growth is placing a burden on the streets, recreation capital facilities infrastructure of the City, as well as on the public safety needs of the City; and

WHEREAS, capital facilities plans have been prepared by the City which establishes the long term needs of the City in order to maintain the current levels of service; and

WHEREAS, the City has created, from the capital facilities plans, impact fee facilities plans for streets, public safety, and parks & recreation to identify the impact fee projects needed in the next six years to accommodate the expected growth of the City; and

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

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

WHEREAS, the City has prepared an impact fee analyses for streets, public safety, and parks & recreation which takes into account impact fee projects already built for which debt exists and new impact fee facilities needed within the next six years whereby the needs, costs, and equitable allocations of those costs have been determined and fairly apportioned between existing residents and new growth; and

WHEREAS, the consultants have provided that certificate required by Utah Code Ann. §11-36a-306, indicating the Impact Fees Act has been followed in performing the impact fees analyses; and

WHEREAS, it is fair and equitable that new residents pay their share of the buy in costs to the existing infrastructure, taking into account those factors identified in Utah Code Ann. §11-36a-304; and

WHEREAS, written analyses dated during January 24, 2017 have been prepared for the City for streets, public safety, and parks & recreation; and

WHEREAS, the written analyses have been available for public inspection for at least ten days prior to the public hearing; and

WHEREAS, the analyses identify the impacts on improvements needed to the streets, public safety, and recreation infrastructure needed by development activity, as well as existing debt for infrastructure needed due to growth; and

WHEREAS, the analyses demonstrate how those impacts on the improvements are related to the development activity; and

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

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

WHEREAS, the City has given written notice and posted on the Utah Public Notice Website of its intent to adopt or modify an impact fee facilities plan; and

WHEREAS, the City has published notice of a public hearing to adopt an impact fee facilities plan, together with an impact fee enactment ordinance in the Payson Chronicle, a paper of general circulation within Salem City and has posted the notice on the Utah Public Notice Website at least ten days prior to the public hearing; and

WHEREAS, the impact fees proposed by this impact fee enactment do not exceed the highest fees justified by the impact fee analyses; and

WHEREAS, a public hearing was held before the Salem City Council on the 15th day of March, 2017, where public input was received; and

WHEREAS, the impact fee enactment ordinance has been available for public inspection at the City Office and public library for at least ten days preceding the public hearing; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City,

it is necessary to impose impact fees on new development to pay for improvements made necessary by that new development;

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

I.

1. A public safety impact fee is hereby imposed for each new building in the City.
2. The amount of the public safety impact fee for each residential unit in the City shall be \$2,382.00. The amount of the public safety impact fee for each commercial or industrial building in the City shall be \$2,382.00 per 2,000 square feet of building space, with commercial buildings granted a twenty percent (20%) discount.
3. A parks and recreation impact fee is hereby imposed for each new residential unit in the City.
4. The amount of the parks and recreation impact fee for each residential unit in the City shall be \$4,899.00. No parks and recreation impact fee is imposed for commercial or industrial buildings, unless they have caretaker facilities with them.
5. A transportation/streets impact fee is hereby established for each building constructed in the City or for a change of use of an existing building to a more intense use.
6. The amount of the transportation/streets impact fee is as follows:

Land Use	Unit	ITE Code	ITE Trips	Impact Fee
Residential				
Single Family Detached	Dwelling Unit	210	1.00	\$1,460
Condominium/Townhome	Dwelling Unit	230	0.51	\$745
Office				

Office Building	1,000 sq. ft.	710	1.55	\$2,263
Medical Office Building	1,000 sq. ft.	720	3.68	\$5,373
Retail				
Less Intensive Retail	1,000 sq. ft.	890	0.24	\$350
Intensive Retail	1,000 sq. ft.	820	1.95	\$2,847
Services				
High Turnover(Sit Down)Restaurant	1,000 sq. ft.	932	3.11	\$4,541
Fast Food	1,000 sq. ft.	934	10.80	\$15,768
Gas Station w/Convenience Market	Pump Station	945	2.09	\$3,051
Bank	1,000 sq. ft.	912	11.32	\$16,527
Industrial				
Industrial	1,000 sq. ft.	110	1.46	\$2,132
Manufacturing	1,000 sq. ft.	140	1.10	\$1,606
Warehousing	1,000 sq. ft.	150	0.70	\$1,022
Institutional				
Elementary School	Student	520	0.15	\$219
Middle/Junior School	Student	522	0.16	\$234
High School	Student	530	0.13	\$190
Private School (K-12)	Student	536	0.17	\$248
Day Care	1,000 sq. ft.	565	0.81	\$1,183
Church	1,000 sq. ft.	560	0.55	\$803
Lodging				
Hotel/Motel	Room	310/320	0.55	\$803

7. Due to other economic benefits they bring to the City, commercial buildings which will

generate either sales tax or property tax for the City shall receive a fifty percent (50%) discount on the transportation/streets impact fees assessed.

8. The impact fees are due and payable when a building permit is obtained and shall be a condition precedent to the issuance of a building permit. In the event of a building which is already in existence and does not need a building permit, payment of the impact fee shall be a condition of connection to the applicable utility system or upon the issuance of a certificate of occupancy, whichever is applicable.

9. The impact fees shall be deposited into an interest bearing ledger account and may only be used for capital improvements to the applicable capital facilities systems for which the impact fees were collected. These improvements may include analysis costs, the construction contract price, the cost of acquiring land, improvements, materials, fixtures, the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of system improvements, debt service charges incurred if the improvements are financed by bond, or other obligations carrying debt service charges, and for the costs of issuance of any such bonds, notes, or other obligations, together with other items allowed by the Utah Impact Fees Act.

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

11. Special exceptions, waivers, or credits may be granted, in the sole discretion of the Council, upon application in accordance with Salem City Municipal Code §13-4-050.

12. The impact fees identified herein shall become effective on June 19, 2017, at least ninety days after adoption, in accordance with Utah Code Ann. §11-36a-401.

II.

The various provisions of this ordinance are not severable from the other provisions.

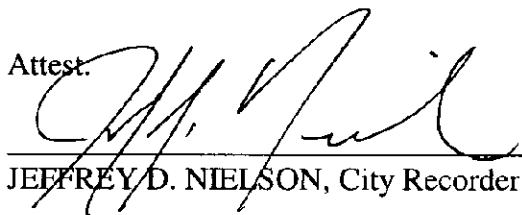
III.

This Ordinance shall not be part of the Salem City Municipal Code.

DATED this 15th day of March, 2017.


RANDY A. BRAILSFORD Mayor

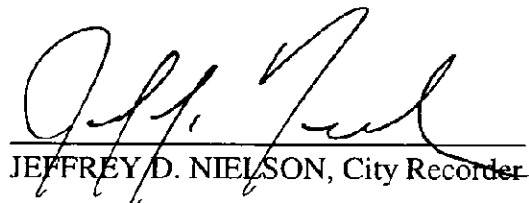
Attest.


JEFFREY D. NIELSON, City Recorder

AFFIDAVIT OF POSTING

JEFFREY D. NIELSON, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of the City of Salem, a Municipal Corporation of the State of Utah, and that on the 16 day of March, 2017, he posted a true and correct copy of Ordinance No. 31517 as enacted by Salem City Council on the 15th day of March, 2017, said posting being made at the City Offices, at the United States Post Office, and at the Salem City Library, all being public places and located within the City Limits of Salem, Utah County, Utah.

DATED this 16 day of March, 2017.


JEFFREY D. NIELSON, City Recorder

STATE OF UTAH)
 : SS
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 14th day of March, 2016, by Jeffrey D. Nielson.



Tammy M Beck
NOTARY PUBLIC