



Staff Report

To: Francis City Council

From: Katie Henneuse

Report Date: August 24, 2022

Meeting Date: September 8, 2022

Title: 17.25.150 – Road Grade

Type of Item: Code Text Amendment

Executive Summary:

On July 14th, the City Council directed staff to prepare a code text amendment to change the maximum road grade. New development on the hillsides has caused the city to reconsider its maximum allowable road grade. Road grades of eight percent are typical in hillside communities.

Planning Commission Recommendation:

The Planning Commission discussed this item at their August 18th meeting. They are forwarding this item to the City Council with a unanimous positive recommendation.

Staff Recommendation:

Review the amended code and suggest any changes. Approve Ordinance 2022-08 if the Council feels this amendment will benefit the City.

Community Review:

A public hearing is required for this item. Adequate notice of the public hearing was given.

Exhibit A Ordinance 2022-08

Chapter 17.25.150 LOT IMPROVEMENT AND ARRANGEMENT, General Design Standards

17.25.150 General design standards.

In order to provide for roads in suitable locations, with proper width, and improvements to accommodate prospective traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation, and road maintenance equipment, and to coordinate roads to compose a convenient system and avoid undue hardships to adjoining properties, the design standards for roads are hereby required to be in compliance with the Francis design standards, construction specifications, and standard drawings, and the streets master plan, as adopted, or determined by the City Engineer, or City Council.

Street grades may not exceed five-eight percent. Under special circumstances street grades up to twelve percent may be ~~unless~~ approved by the City Engineer. The City Engineer shall approve grades more than five-eight percent only when conditions are present which warrant that safety and economy of road maintenance can be secured.

Street widths for collector streets shall conform to the width requirement on the major street plan when a development falls in an area for which a major street plan has been adopted. For areas where a street plan has not been completed at the time the preliminary plan is submitted, streets shall be provided as follows:

1. The minimum street width for a local street shall be 30 feet and the minimum street right-of-way shall be 60 feet. Private streets shall meet the same standards.
2. The minimum street width for a collector street shall be 44 feet and the minimum street right-of-way shall be 70 feet. Private streets shall meet the same standards.
3. Cul-de-sacs shall have a maximum length as described in Division II of FCC Title 18 and in the adopted construction specifications.



FRANCIS CITY
ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE FRANCIS CITY COUNCIL AMENDING TITLE 17 OF THE
CITY CODE RELATING TO SUBDIVISIONS CHAPTER 17.25.150**

WHEREAS, the City Council of Francis City finds that it is in the public interest to amend provisions of the Francis City Code relating to Subdivisions Chapter 17.25.150.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Francis as follows:

Section 1. Amendment. Section 17.25.150 of the Francis City Code is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the Francis City Council the 8TH, day of September 2022.

Aye

Nay

Mayor Jan Brussel
Councilmember Crittenden
Councilmember Forman
Councilmember Fryer
Councilmember Querry

APPROVED:

ATTEST:

Mayor Byron Ames

City Recorder Suzanne Gillett

City Seal:

Exhibit A Ordinance 2022-08

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3. Cul-de-sacs shall have a maximum length as described in Division II of FCC Title 18 and in the adopted construction specifications.

FRANCIS CITY ORDINANCE NO. 2022-03

AN ORDINANCE AMENDING FEE SCHEDULES AND POLICIES FOR CONSTRUCTION, BUILDING, WATER, SEWER, FACILITY RENTAL, PLANNING, SIGN CODE, BUSINESS LICENSE, BEER AND LIQUOR LICENSES, GRAMA AND OTHER FEES.

WHEREAS, Francis City has enacted various Resolutions and/or Ordinances at various times to set forth a schedule of fees for the various City services and operations as listed above, and

WHEREAS, it is necessary to update the current fee ordinance to reflect the increasing costs of performing services, and

WHEREAS, additional and/or updated Francis City fees need to be included in this fee and rate ordinance, and

WHEREAS, the purpose of this ordinance is to amend and replace all prior resolutions and ordinances setting any fees and rates for Francis City that are included in the text of the following ordinance.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of Francis City, State of Utah as follows:

The Fee Schedule(s) as adopted by any previous Resolutions or Ordinances and that are updated or contained in this Ordinance are hereby repealed, and in its place this Ordinance is adopted establishing the fees for various City services, permits, and processes as follows. All other parts, sections, regulations or fees of any Resolutions or Ordinances other than those modified or included in this Ordinance shall remain in full force and effect.

SECTION 1 CONSTRUCTION AND DEVELOPMENT RELATED FEE SCHEDULE

Note: All buildings larger than 200 square feet require a building permit. Agricultural buildings may qualify for exemption from fees, but still require a permit.

1.1 BUILDING PERMIT FEES

1. Building permit fees shall be in accordance with the International Building Code (IBC) as adopted by the State of Utah.

1.1.1 BUILDING PERMIT FEES (NON- AGRICULTURAL STRUCTURES)--- Commercial and residential buildings will be valued in accordance with the current Building Valuation Table published by the ICC. Building permit fees based on the valuation total will be accessed as listed in the Building Permit Fee table below. For square foot construction valuation, all garages will be valued at \$37.87 per square foot, all decks will be valued at \$5.00 per square foot. Unfinished residential basements will be based at 50% of the building valuation rate. Basement finish rate will be based on 50% of the building valuation rate.

Building Permit Fees based on Total Valuation Rate.

Services	Fee Activity Detail	Fee
Total Valuation	Less than \$2,000	\$24.00 for the first \$500 plus \$3.50 for each additional \$100 or fraction thereof, to an including \$2,000.
	\$2,000 to \$25,000	\$76.50 for the first \$2,000 plus \$16.50 for each additional \$1,000 or fraction thereof, to an including \$25,000.
	\$25,000 to \$50,000	\$456.00 for the first \$25,000 plus \$12.00 for each additional \$1,000 or fraction thereof, to an including \$50,000.
	\$50,000 to \$100,000	\$765.00 for the first \$50,000 plus \$8.50 for each additional \$1,000 or fraction thereof, to an including \$100,000.
	\$100,000 to \$500,000	\$1,181.00 for the first \$100,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to an including \$500,000.
	\$500,000 to \$1,000,000	\$3,781.00 for the first \$500,000 plus \$5.50 for each additional \$1,000 or fraction thereof, to an including \$1,000,000.
	over \$1,000,000	\$6,531.00 for the first \$1,000,000 plus \$4.50 for each additional \$1,000 or fraction thereof.
Fees for inspections or checks not specifically listed shall be determined by the Building Official.		

1.1.2 BUILDING PERMIT FEES (AGRICULTURAL STRUCTURES)

Valuation is \$20.00 per square foot; building permit fee is calculated at \$6.00 per \$1,000.00 of valuation or fraction thereof.

1.1.3 APPLICATION FEE

\$25.00 plus a fee for educational purposes in the amount of one percent (1%) of the building permit fee as required by Utah Code Section 15A-1-209 and a plan review fee in the amount of sixty-five percent (65%) of the building permit fee as required by Utah Code Section 10-9a-510. Agricultural buildings are exempt from the plan review fee described in this paragraph.

1.1.4 DEPOSIT REQUIRED AT TIME OF APPLICATION, credited toward permit fee when paid in full, forfeited if plans are withdrawn.

1. \$200.00 for standard plans

2. \$100.00 for modular or manufactured homes
3. \$75.00 for other structures

1.1.5 FIRE SPRINKLER PLAN REVIEW AND INSPECTION FEE:

\$300.00 for structures in which fire sprinklers will be installed

1.1.6 DEMOLITION PERMIT FEE:

\$250.00---Additional amounts may be charged if repeat visits by building inspector to the demolition site are required.

1.1.7 PERMIT TO WORK IN CITY PUBLIC RIGHT-OF-WAY / EXCAVATION PERMIT

A \$250.00 non-refundable fee per utility or company (regardless of number of encroachments in a one-year period), plus a \$1,500.00 cash bond (to be held for one year after acceptance of repair) plus proof of insurance. Engineering inspection fees or City repair costs may be billed to the licensee or charged against the bond if necessary.

1.1.8 FIRE HYDRANT METER USE PERMIT FEE

A \$1,500.00 security deposit will be required at time of rental. A fee of \$10.00 per day plus a \$2.00 fee for every 1,000 gallons of water taken will be charged.

If providing your own meter, a \$500.00 deposit will be required at time of rental. A fee of \$2.00 for every 1,000 gallons of water taken will be charged for usage.

1.1.9 PLUMBING PERMIT FEES

\$10.00 Plus:

1. Agricultural Buildings: \$0.03 per square foot
2. Commercial Structures per the International Plumbing Code (IPC): \$0.03 per square foot
3. Residential Structures per the IRC: \$0.03 per square foot

1.1.10 MECHANICAL PERMIT FEES

\$10.00 Plus:

1. Agricultural Buildings: \$0.03 per square foot
2. Commercial Structures per the International Mechanical Code (IMC): \$0.03 per square foot
3. Residential Structures per the IRC: \$0.03 per square foot

1.1.11 ELECTRICAL PERMIT FEES

\$10.00 Plus:

1. Agricultural Buildings: **\$0.035** per square foot
2. Commercial Structures per the National Electric Code (NEC): **\$0.035** per square foot
3. Residential Structures per the IRC: **\$0.035** per square foot

1.1.12 ALTERNATIVE ENERGY PERMIT FEES

1. Photovoltaic System: \$350
2. Geo-Thermal: \$250
3. Solar Hot Water: \$125
4. Wind Generator: \$125

1.1.13 OTHER INSPECTIONS AND FEES

1. Inspections outside of normal office hours: \$100 per hour (minimum of one hour)
2. Re-Inspection fee assessed under the provisions of Chapter 1 of both the IBC and IRC: \$100 per occurrence
3. Inspections and permits for which no fee is specifically indicated: \$100
4. Additional plan review required by changes, additions, or revisions to approved plans: \$100 per hour (minimum of one hour)
5. An expired building permit will be charged the following fees:
 - \$100 for an expired permit requiring a final inspection only.
 - Repay original building fees if expired permit requires more than a final inspection on first offense.
 - Double original building fees if permit has expired more than once on all inspections.
6. Double permit fees will be assessed on a structure completed without a building permit.

SECTION 1.2 PLANNING FEES

1.2.1 PROJECT RE-SUBMISSION FEE \$100.00

1.2.2 PROJECT PROCESSING FEES

<u>1. Concept Plan Review</u>	<u>\$25 per lot or unit</u>
<u>2. Preliminary Master Plan Review</u>	<u>\$25 per lot or unit</u>
<u>3. Preliminary Plan Review</u>	<u>\$200 per lot or unit</u>
<u>4. Final Plat Review</u>	<u>\$100 per lot or unit</u>
<u>5. Minor Subdivision Review</u>	<u>\$1,000 (4 lots or fewer)</u>
<u>6. Plat Amendment</u>	<u>\$500 for review by City Council only</u> <u>\$750 for review by City Council and Planning Commission</u>
<u>7. Lot Line Adjustments</u>	<u>\$250</u>
<u>8. Commercial Concept Plan</u>	<u>\$250</u>
<u>9. Commercial Site Plan</u>	<u>\$1,000</u>
<u>10. Recording</u>	<u>\$100 + County Recording Fee</u>
<u>11. Professional Review Fees</u>	<u>Reference Section 1.2.3</u>
1. Concept Plat Review	\$100.00 per plat
2. Preliminary Plat Review	\$50.00 per unit
3. Final Plat Review	\$500.00 per plat
4. Revision to Final Plat	\$250.00 per plat
5. Minor Subdivision Review	\$500.00 per plat (4 lots or fewer)
6. Lot Line Adjustments	\$250.00 per plat
7. Special Fees in Accordance with Section 1.2.3 below.	

~~8. Commercial Concept Application~~ **1.2.3 SPECIAL ESCROW ACCOUNTS FOR PROFESSIONAL FEES**

Projects which require review and/or inspection by the City Attorney, City Engineer or other consultant(s) shall be billed to the applicant at the accrual billed rates incurred by the City, in additions to all other fees. To assure prompt payment, the applicant shall deposit with the City the following amounts against which the City may draw to satisfy these costs:

Subdivisions: Single-family dwelling \$500.00 per unit. Annexations \$500.00 per unit proposed on development plans OR if no development plan is submitted, \$500.00 per unit of the maximum allowable density of the annexation parcel(s) pursuant to the City's proposed future zoning plan. Other approved projects: Projects other than subdivisions or annexations which require review by the City Attorney, City Engineer or other consultant(s) (including but not limited to commercial projects) may also be required to set up a deposit account in amounts necessary to cover anticipated costs.

All funds in applicant deposit accounts are available always for expenditure by the City to satisfy fees incurred by the City for the project. The City shall notify applicants monthly of the fees incurred during the previous month for the applicant's project. ~~The City shall pay interest on applicant deposit accounts, at the rate at which the City would earn interest on monies in the City's general fund for the applicable period and shall credit said interest to the applicant's deposit account.~~ For both subdivisions and annexations, if the balance on deposit for an applicant drops below a total of \$250.00 per unit, the applicant must pay all outstanding billings for the month plus bring the deposit account back up to a total of \$250.00 per unit. If at any time an applicant's deposit account does not comply with the provisions set forth herein, the City's staff and its contractors, agents and consultants shall stop work on the project until the account comes into compliance. At the conclusion or termination of the project, any unexpended amounts in an applicant's deposit account shall be refunded to the applicant with interest.

Other approved projects will be required to maintain an escrow account for the project.

1.2.4 CONDITIONAL USE PERMIT ~~\$200.00~~\$500.00

1.2.5 TEMPORARY USE PERMIT \$50.00 per day

1.2.6 BOARD OF ADJUSTMENT ~~\$150.00~~\$500.00

If a court reporter or verbatim transcripts are required, the actual cost will be assessed in addition to the fee.

1.2.7 ANNEXATIONS APPLICATIONS ~~\$250.00~~\$2,500.00

Fee is non-refundable and no guarantee of approval of proposed annexation shall be implied by this fee. Application fee includes one public hearing with Planning Commission and one public hearing with City Council. Concurrent concept plan review in these two meetings is included. Any costs incurred by the City above this fee amount shall be billed to the applicant.

1.2.8 ANNEXATION AGREEMENT

Agreements to an annexation fee in the amount of \$8,000 per equivalent residential unit constructed on the annexation property. This fee may be adjusted up or down or waived by the City Council for any annexation, but only for just cause, as determined in the City Council's sole discretion in findings to be set forth in writing.

1.2.9 EXTENSIONS OF APPROVALS ~~\$50.00~~\$100.00

(in accordance with Zoning Ordinance provisions and approved by the governing body).

1.2.10 GENERAL PLAN AMENDMENTS ~~\$250.00~~1,000.00

Fee is non-refundable and no guarantee of approval of proposed amendment shall be implied by this fee.

1.2.11 ~~AMENDING OR~~ VACATING A SUBDIVISION \$250.00 per plat

1.2.12 DEVELOPMENT CODE AMENDMENTS ~~\$250.00~~1,000.00

Fee is non-refundable and no guarantee of approval of proposed amendment shall be implied by this fee

1.2.13 ZONE CHANGES ~~\$250.00~~\$2,500.00

Fee is non-refundable and no guarantee of approval of proposed amendment shall be implied by this fee.
Application fee includes one public hearing with Planning Commission and one public hearing with City Council. Concurrent concept plan review in these two meetings is included. Any costs incurred by the City above this fee amount shall be billed to the applicant.

1.2.14 SIGN PERMIT (when required) \$50.00

1.2.15 CODE AND MAP PURCHASES

Francis City General Plan	\$.50 per page
Francis City Development Code	\$.50 per page
Francis City Zoning Map	\$.50 per page

1.2.16 SPECIAL OR ADDITIONAL MEETINGS ~~\$150.00~~500.00

Any project requesting a special meeting to be convened shall submit a fee for scheduling the meeting. In the event the meeting may not be convened due to scheduling conflicts the fee shall be returned to the applicant, less any cost associated with staff time and advertising.

SECTION 2 WATER FEES

2.1 WATER IMPACT FEES

¾ inch line	\$5,209
1-inch line	\$8,381
1 1/2-inch line	\$16,762
2-inch line	\$26,819
3-inch line	\$58,667
4-inch line	\$167,621

This fee is used to help pay for the City impact of the development of public water infrastructures and capital improvements necessary to benefit the user that may have been paid for in whole or in part by existing residents of the City. This fee is due with the building permit fee(s), or in some cases, when in the opinion of the City Council the fees will be needed for immediate off-site improvements to serve the development. The fees may be required to be paid in total before the final plat is signed by the Mayor (or as otherwise stipulated by development agreement).

Impact fees are assessed in accordance with the adopted Impact Fee Analysis.

2.2 WATER RIGHTS TRANSFERS

On single family and multi-family residential developments any water rights and delivery, pumping, transmission, storage, or diversion facilities that are part of the property, previously used for irrigation, that are not required for the operation or maintenance of private or public open spaces or common spaces of the development under other agreements must be transferred to Francis City in a form acceptable to the City Council. Quantities of water necessary for the development will be calculated by the City based on size and nature of the development. Water rights transfers for meters larger than 3" and for commercial uses will be determined at the time a building permit is issued.

In addition to dedicating to the City all necessary water rights and appurtenances, applicants will be required to compensate the City for any fees that may be charged by third parties in relation to said transfers.

2.3 WATER METER FEES

	<u>Size</u>	<u>Fee</u>
Meters	$\frac{3}{4}$ "	\$500.00
	All others	\$500.00 plus difference in the cost of the meter

2.4.1 WATER BASE CHARGE

The Water Base Charge is charged on all units receiving water service in Francis City. All accessory type units or apartments are required to be on separate meters.

<u>Meter Size</u>	<u>Monthly Base Allowed Gallons</u>		<u>ERU (Equivalent Residential Unit)</u>
$\frac{3}{4}$ "	\$30	15,000	1
1"	\$60.00	30,000	1.67
1 $\frac{1}{2}$ "	\$120.00	60,000	3.33
2"	\$180.00	90,000	5.33
3"	\$360.00	180,000	11.67
4"	\$900.00	450,000	33.33
6"	\$1920.00	960,000	66.67
All others---Charge based on equivalent ERU			

Overage

1---5,000 gallons	\$1.00/kg per 1,000 gallons
5,001---15,000 gallons	\$1.25/kg per 1,000 gallons
15,001---35,000 gallons	\$2.50/kg per 1,000 gallons
Over---35,001 gallons	\$4.00/kg per 1,000 gallons

Construction Meter Base monthly charge---Construction water will be charged at the rate of \$2.00 per 1,000 gallons.

2.4.2 WATER CONSERVATION/OVERAGE RATES

All water delivered through each meter serving customers more than 15,000 gallons per meter per month during the summer months shall be billed at the following rates:

Standard Overage:	15,001---20,000 gallons----	\$1.00 per 1,000 gallons
	20,001---30,000 gallons----	\$1.25 per 1,000 gallons
	30,001---50,000 gallons----	\$2.50 per 1,000 gallons
	50,001 gallons and above	\$4.00 per 1,000 gallons

2.5 WATER VIOLATION, RE-CONNECTION FEES AND PENALTIES

\$50.00 first violation
\$100.00 second violation
\$200.00 third violation and subsequent violations (deposit may be required prior to re-connection)
\$50.00 re-connection charge

\$25.00---meter concealment charge per month for each month that a water meter and/or cover is buried or concealed by soil, vegetation or debris by the owner. If Francis City acts to expose the meter for access, the property owner shall be billed any costs associated. Francis City shall not be responsible for any damage or the replacement of any landscaping. The compliance period for said action shall be a minimum of 14 days, except for bona fide emergency work.

2.6 TEMPORARY TURN ON FOR WATER SERVICE

If water service which has been shut off is turned on temporarily for home inspection or other reason, Francis City will charge a \$50.00 temporary turn on fee.

2.7 LATE FEES, SHUT OFF NOTICE FEES, RETURN CHECK FEE, INTEREST

Shut off notice if door notice is posted	\$25.00
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Return check fee	\$25.00
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Interest on late balance shall be accrued at 1.5% per month.

Note: If 2 or more checks are returned unpaid, all future payments may be required either in cash or money order.

2.8 EXTENSION OF WATER SERVICES POLICY

Any project, applicant, or developer, whether an individual unit or multiple unit or subdivision, that requires connection to the City water system, shall be required to pay all the costs of any extensions or facilities necessary to achieve a connection that meets the City Council's standards or specifications in place at the time. This may include not only the capital cost of the project, but any City costs associated with plan approval, engineering, and inspection work exclusive to the extension.

The City may specify an extension of a higher capacity, or of additional appurtenances that are required for the development to service potential future users beyond the present extension. The extra capacity cost shall be paid for by the City in this instance, and an aid to construction agreement may be entered by both parties to establish the joint extension responsibilities.

Any extension parties, whether the City applicant or developer, or a combination, may enter into an extension agreement that shall be filed with the City Clerk setting forth cost recovery procedures for the users connecting to the extension part of the system in the future. The agreement will outline a formula to be used for calculation of the future contributions to the extension and shall specify that the fees must be paid to the original party(s) of the extension before building permits are issued to any new connector. Future extensions beyond the current extension are not eligible for cost recovery, only connections on to the line itself. The recovery period to the original party(s) may not exceed ten (10) years and is to be pro-rated to the future connectors in an equitable manner detailed in the extension agreement. The agreement may establish refunding of the costs of the extension not only to the original applicant or developer, but also to any other parties that have paid into the extension within the ten-year period.

The City must be held harmless and indemnified from any claims arising out of any disputes between parties regarding application of and recovery of any cost associated with the agreement, or disputes as the interpretation or application thereof.

After final inspection of the improvements or extension(s), the applicant or developer must provide title and easements to the systems, free and clear of any encumbrances to the City, to be operated as a public system by the City. A one-year warranty will be required on the system from the date of acceptance.

SECTION 3 SEWER FEES

3.1 SEWER IMPACT FEES	\$2,223.00
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This fee is used to help pay for the City impact of the development of public sewer infrastructures and capital improvements necessary to benefit the user that may have been paid for in whole or in part by existing residents of the City. This fee is due with the building permit fee(s), or in some cases, when in

the opinion of the City Council the fees will be needed for immediate off-site improvement to serve the development. The fees may be required to be paid in total before the final plat is signed by the Mayor (or as otherwise stipulated by development agreement).

Impact fees are assessed in accordance with the adopted Impact Fee Analysis.

3.2 MONTHLY SEWER FEES

Sewer rate of **\$63.00** per Equivalent Residential Unit @ ERU.

The monthly sewer fee is charged on all units receiving sewer service in Francis City. All accessory type units or apartments on a common sewer service must be approved in advance by the City Council on new construction or new rentals/conversions.

Construction Sewer connection base monthly charge: \$20.00

~~**3.3 SEWER VIOLATION AND RE-CONNECTION PENALTIES**~~

~~**\$50.00 first violation**~~

~~**\$100.00 second violation**~~

~~**\$200.00 third violation and subsequent violations (deposit may be required prior to re-connection)**~~

3.4 EXTENSION OF SEWER SERVICES POLICY

Any project, applicant or developer, whether an individual unit, multiple unit or subdivision that requires connection to the City Sewer system, shall be required to pay all the costs of any extensions or facilities necessary to achieve a connection that meets the City Council's standards or specifications in place at the time. This may include not only the capital costs of the project, but any City costs associated with plan approval, engineering and inspection work, and exclusive to the extension.

The City may specify an extension of a higher capacity, or of additional appurtenances that are required for the development to service potential future users beyond the present extension. The extra capacity cost shall be paid for by the City in this instance, and an aid to construction agreement may be entered by both parties to establish joint extension responsibilities.

Any extension parties, whether the City, applicant, developer, or a combination of the two, may enter into an extension agreement that shall be filed with the City Clerk setting forth cost recover procedures for users connecting to the extension part of the system in the future. The agreement will outline a formula to be used for calculation of the future contributions to the extension and shall specify that the fees must be paid to the original party(s) of the extension before building permits are issued to any new connectors. Future extensions beyond the current extension are not eligible for cost recovery, only connections onto the line itself. The recovery period to the original party(s) may not exceed ten (10) years and is to be prorated to the future connectors in an equitable manner detailed in the extension agreement. The agreement may establish refunding of the costs of the extension not only to the original applicant or developer, but also to any other parties that have paid into the extension within the ten-year period.

The City must be held harmless and indemnified from any claims arising out of any disputes between parties regarding application of and recover of any costs associated with the agreement, or disputes as to the interpretation or application thereof.

After final inspection of the improvement or extensions(s), the applicant or developer must provide title and easements to the systems, free and clear of any encumbrances to the City, to be operated as a public system by the City. A one-year warranty will be required on the system from the date of acceptance.

SECTION 4 PARK IMPACT FEE

4.1 PARK IMPACT FEE \$437.00

SECTION 5 ROAD IMPACT FEE

5.0 ROAD IMPACT FEE \$1,547.00

SECTION 6 BUSINESS LICENSE, BEER AND LIQUOR LICENSE

Business License	\$60.00 per year
Home Occupation fee (business impact is greater than normal residential use)	\$40.00 per year
Administrative/Application fee	\$25.00 per year
Beer and/or Liquor License fee	\$100.00 per year
Dwelling Rental Unit fee	\$10.00 per unit per year
Commercial Warehouse/Storage Facility Rental fee	\$.06 per square foot of building per year
Motion Picture Production fee (See 7.4 and 7.41 to make sure all fees charged)	\$500.00 per production or event

Note: All licenses may require other planning department fees and/or permits.

SECTION 7 UNIQUE CONDITIONAL USES

Mines, Sand, Gravel and Earth Products Pit Operation Fee:

Standard Sites:

<u>Maximum Annual Truck Loads</u>	<u>Annual Fee</u>
1---49	\$1,000.00
50---99	\$2,000.00
100---249	\$5,000.00
250---499	\$10,000.00
500---999	\$20,000.00

1,000 and Over	\$50,000.00
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Stockpile-Only sites:

<u>Maximum Annual Truck Loads</u>	<u>Annual Fee</u>
1---49	\$500.00
50---99	\$1,000.00
100---249	\$2,500.00
250---499	\$5,000.00
500---999	\$10,000.00
1,000 and Over	\$25,000.00

For purposes of this section, a truck load is defined as a vehicle having the capacity to haul two (2) tons or more of sand, gravel, dirt, or rock entering or leaving the site while loaded with any amount of sand, gravel, dirt, or rock. The applicable fee as set forth in this section shall be determined and established in the applicant's conditional use permit and shall remain in effect for the duration of the permit. Fees are due on January 1 of each year and are non-refundable. Fees may be prorated for first year of operation. The City Council hereby finds that Mines, Sand, Gravel, and Earth Products Operations cause disproportionate costs of municipal services, which may include costs for public utilities, police, fire, storm water runoff, traffic control, parking, transportation, road construction and maintenance, beautification and/or snow removal. The City Council further finds that the amount of the fees contained in this section are reasonably related to the disproportionate costs to use all reasonable and necessary means to enforce and verify the fee amounts set forth herein. Permit holders shall report load counts annually to the City. The City may at any time during the year require a permit holder to supply load counts to date for purposes of verification and enforcement under this section.

SECTION 8 PEDDLERS, SOLICITORS, AND OTHER LICENSING

8.1 SOLICTERS \$60.00 annually for each person licensed as a solicitor.

8.2 OUTDOOR SALES (SEASONAL PLANTS, CHRISTMAS TREES, PRODUCE, ETC.)

\$60.00 annually for seasonal plants and produce.

\$60.00 annually for Christmas tree lots. (For 30 days ending December 25th.)

SECTION 9 RENTAL OF CITY FACILITIES

9.1 CITY PARK BUILDING

Francis City resident usage per day, or any fractional part thereof	\$50.00 per day
Kamas Valley resident usage per day, or any fractional part thereof	\$100.00 per day
Non-Kamas Valley resident usage	\$150.00 per day

Cleaning Deposit Francis City/ Kamas Valley residents	\$200.00
Cleaning Deposit outside of Kamas Valley	\$400.00

9.2 CITY PARK GROUNDS

Arena Bowery and restroom usage per day or any fractional part thereof:

City resident	\$25.00
Non-resident	\$50.00
Special Events Park Rental	\$350.00 per day
Athletic Field	\$100.00 per day per field tournament play \$25.00 per single game on single day per field

Cleaning Deposit (refundable if area is clean when finished) \$250.00

9.3 ARENA

Arena rental	\$200.00 per day or any fractional part thereof
Maintenance fee per day to work and water arena	\$100.00
After 5:00 p.m. an additional fee will be charged per hour thereafter	\$25.00
Cleaning Deposit (refundable if facility is clean when finished)	\$250.00

9.4 MOVIE PRODUCTION RENTAL OF CITY FACILITIES

Rental per day of any City facility or property for movie production or support: \$1,000.00/facility or property.

Use of any City owned facility or property requires a \$5,000.00 cash deposit that is refundable upon return of City property or facilities in good operation and condition.

Note: If any rental of a City Facility requires a City staff or support person to be present, the cost of service will be billed at a \$80.00 per hour per staff person.

9.4.1 MOTION PICTURE PRODUCTION

All motion picture or commercial filming operation in Francis City must obtain Council approval and pay a license fee of \$500.00 per production or event. Note: All licenses may require other planning department fees and/or permits.

9.5 FEE REDUCTION OR WAIVERS

Use of facilities for non-profit, public service clubs or organizations, or special fundraising events may have all or part of their associated rental fees waived by the City.

SECTION 10 GRAMA (Governments Records Access and Management Act Fees)

10.1 COPIES

Copies made at facility \$.50 per page, double sided charged as two pages.

10.2 COPIES IN EXCESS OF 50 PAGES

Outside copy facilities: for requests for copies more than 50 pages, the City reserves the right to send the documents out to be copied and the requester shall pay the actual cost to copy the documents, including any fee charged for mileage or pick-up and delivery of the documents.

10.3 COMPILING DOCUMENTS

A governmental entity may charge a reasonable fee to cover the governmental entity's actual cost of providing a record. Staff time must be based on the salary of the lowest paid employee with the necessary skill and training to fulfill the request, and there can be no charge for the first quarter hour of staff time.

SECTION 11 EFFECTIVE DATE

THIS ORDINANCE shall be effective upon posting, as permitted by the terms of Section 10-3-712 of the Utah Code.

Aye

Nay

Mayor Brussel

Councilmember Crittenden

Councilmember Forman

Councilmember Fryer

Councilmember Querry

APPROVED:

ATTEST:

Mayor Jan Brussel

City Recorder Suzanne Gillett

City Seal



Staff Report

To: Francis City Council
From: Katie Henneuse
Report Date: August 31, 2022
Meeting Date: September 8, 2022
Title: Burton Ranch
Type of Item: Annexation Petition

Executive Summary:

On August 8th, 2022, Richard Rapp with Annapurna Capital Partners, LP, filed an annexation petition for three parcels (CD-590, CD-599, and CD-600). These parcels comprise 92.19 acres on the northern side of the City's annexation declaration area, near the intersection of Lambert Lane and Hallam Road. The applicant is proposing to develop 82.19 acres owned by the Minton Family as Burton Ranch. There are no plans for development of the remaining ten acres (CD-590) owned by Christopher Burton.

The concept plan submitted with the petition proposes mixed zoning of the development including park and open space near the existing sewer basins, Commercial (C-1) to accommodate a day care center, Residential Half (R-H) near the Burton property, and Residential Cottage (R-C) near a day care center. The overall proposed density of Burton Ranch is 1.46 units per acre (120 units).

Process:

1. Annexations are initiated by a Notice of Intent which is filed with the City and the County. The County mails notices to property owners within the area proposed for annexation and to property owners within 300 feet of the proposed annexation.
2. Annexation petitions are filed with the City Recorder. The applicant delivers a copy of the petition to the County the same day the petition is filed with the City.
3. The City Council evaluates the petition at their next regularly scheduled meeting. The City Council may accept or deny the petition for further consideration.
4. If the petition is denied, notice is mailed to the applicant and the County.
5. If the petition is accepted, the City further evaluates the petition. First, the City Recorder and City Attorney determine if the petition meets the requirements of State Law. If it does, the City will certify the petition and then post and mail notice as required by State Law, beginning a 30 day protest period. A public hearing before the Planning Commission occurs during or after the protest period and the Planning Commission issues a recommendation. The City Council holds a public hearing after the protest period and grants or denies the petition.

Analysis:

The Annexation Policy in the General Plan sets two standards for annexation:

1. Development should be encouraged to occur within the existing City boundaries as a first priority.
2. Annexations should only be approved based on an overwhelming benefit to the community as a whole.

Standard 1: Development is already occurring within the city boundaries.

The City and surrounding areas are experiencing a period of rapid growth. The developments listed in the table below are approved by the City and are either under construction or going through the subdivision process. Francis's population according to the 2020 census is 1,564 and 518 housing units. The population of Francis is forecasted to more than double once these approved developments are built out.

<u>Development</u>	<u># of Units</u>
Foothills at Francis Gate	76
Circle T Ranch	95
Frontier Cottages	21
Stewart Ranches	146
Hart Crossing	69
Frontier Acres	11
Francis Commons	98
<u>Hidden Meadows</u>	<u>147</u>
Total	663

Staff recommends that the City Council discuss whether to encourage development outside of the existing boundaries at this time. The first goal of the Community Vision element is to "Channel future growth and development into areas that can be efficiently and effectively served by public infrastructure and facilities." Can the City and service districts economically and efficiently provide necessary public services to the proposed 120 units without compromising services for existing and approved developments? Services to be considered include sewer, water, snow removal, building permits, code enforcement, road maintenance, fire protection, public schools, law enforcement, and parks and recreation per section 17.10.

Standard 2: There are benefits and drawbacks to annexation.

Staff identified the following benefits to annexation:

1. Hallam Road Extension – The extension provides a wider and more direct route to Highway 248. The extension will be used by the Wild Willow, River Bluffs, Summit Haven, Hart Crossing, and Hidden Meadows communities. The extension is planned in Phase 1 of Eastern Summit County's roadway projects. The County expects to complete the extension by 2030 with an estimated cost of \$7,314,000. The applicants have agreed to fund a portion of the extension, reducing the County's and potentially the City's cost of the extension.

2. Daycare – A portion of land will be given to a commercial daycare operator. There are limited daycare options in the Kamas Valley and many families struggle to secure reliable and affordable care for their children. Without paying for land, a daycare can be built more economically.
3. Extension of Francis Boundary to Sewer Ponds – This annexation would extend the City's boundary to the sewer ponds. The City could then initiate an annexation of its own land so that the ponds are within the City's boundaries.
4. Open Space and Park – A large section of the development, near the City's existing sewer basins, will not be developed and will remain open space.
5. Variety of Housing Types – Cottage and half acre lots are planned, accomplishing a goal of the General Plan to provide a variety of housing types and more affordable housing.

Staff identified the following drawbacks to annexation:

1. Demand on Public Services – The additional residential density will increase the demand on the City's water and sewer systems and roads, as well as the community's schools, fire district, and law enforcement services. The City will be responsible for maintenance of the portion of the Hallam extension within City limits. The City may need to hire additional employees to accommodate the greater demand on building inspection, planning and zoning, and public works staff.
2. Loss of Agricultural Land – A goal of the General Plan's community vision element is to "Encourage the preservation of existing agricultural uses and maintain zoning regulations which facilitate the ownership of animals for recreation and family food production."
3. "Spot" Zoning – The City's existing zoning map places the Commercial C-1 zone along SR-32 and SR-35. Residential densities (R-H and R-C) are zoned near the City's center with agricultural zoning along the city's boundaries. The proposed zoning (C-1, R-H, R-C) does not align with the City's existing zoning map.

Staff Recommendation:

Annexation is legislative – the decision to accept or deny the petition is up to the discretion of the City Council. If the proposed annexation is consistent with the goals of the general plan and if it provides an overwhelming benefit to the community, the petition may be accepted for further consideration.

Community Review:

A public hearing is not required for this item at this time. If the petition is accepted and certified, public hearings before the Planning Commission and City Council will be held. In compliance with State Law, Notices of Intent were mailed to property owners within the area proposed for annexation and to property owners within 300 feet of the proposed annexation.

Future county road

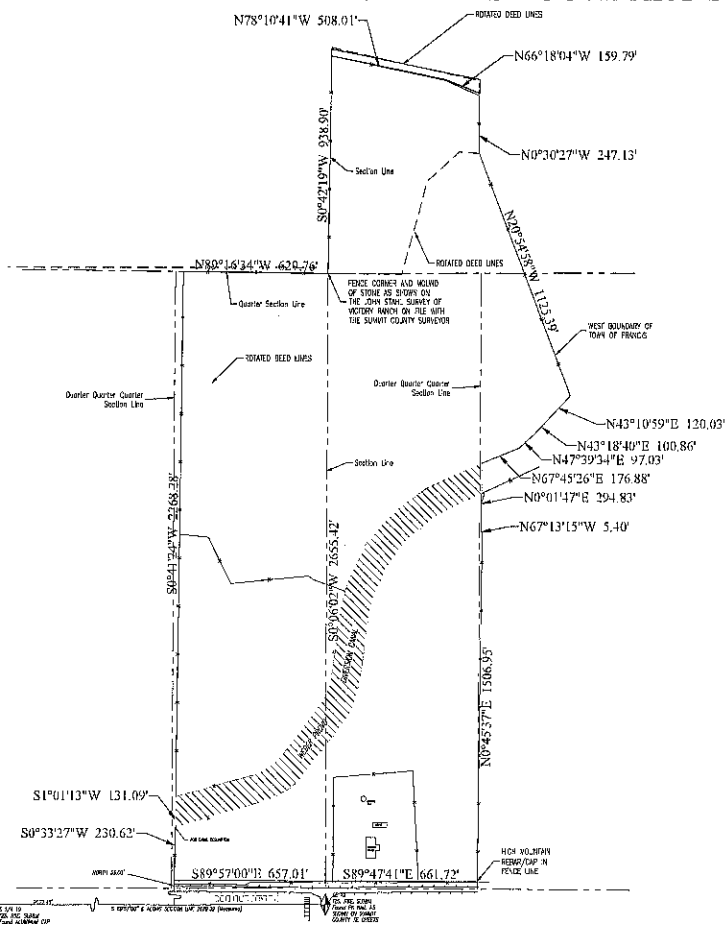
Write a description for your map.

Legend

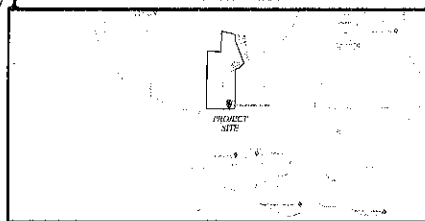
- Circle Measure
- Feature 1
- Feature 2
- Francis
- Sarnak Smoke House
- South Summit High School
- Victory Ranch
- Weller Recreation



MINTON FAMILY PROPERTIES BOUNDARY SURVEY



VICINITY MAP



GENERAL NOTES

- [illegible]

NEW BOUNDARY DESCRIPTION

[illegible]

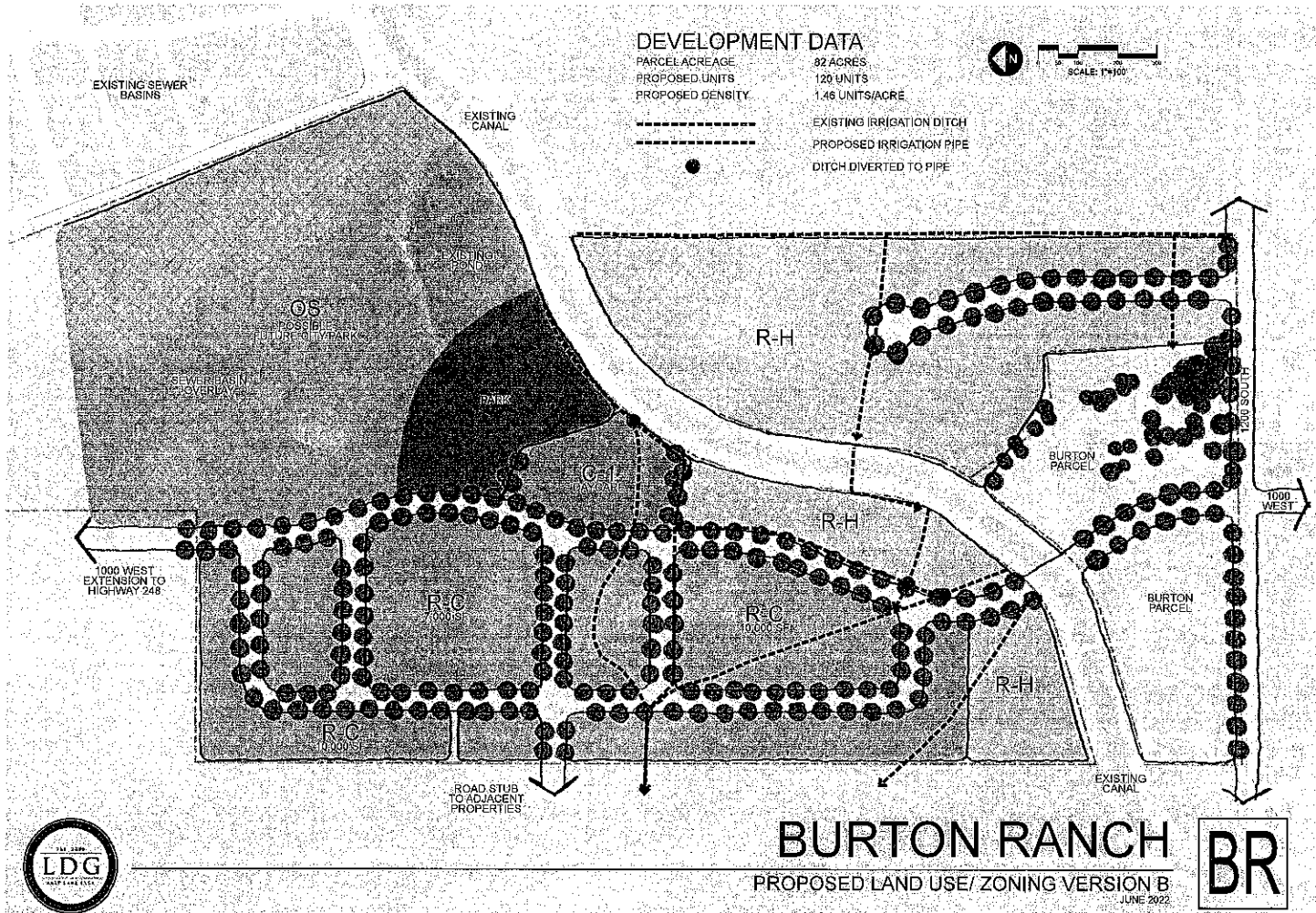
DESCRIPTION PROVIDED BY CLIENT

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ABBREVIATIONS

- | | |
|----------------------------|-------------------------|
| LS = ADS + IRRIGATION PIPE | PM = POWER METER |
| CP = CONTROL PUMP | PD = POWER DIAL |
| DA = DIRECTOR/CONT | SD = STORM DRAIN |
| ED = POWER DOWN KEY | MANHOLE |
| FI = FIRE HYDRANT | SS = SEWER MANHOLE |
| PR = PRESSURIZED | TR = TELEPHONE RISER |
| IR = IRRIGATION AND VALVE | TS = TRAFFIC SIGNAL BOX |
| LP = LIGHT POLE | TS = TRAFFIC SIGNAL |
| OP = OVERHEAD POWER | |
| PD = POWER DIAL | |
| • NET REBAR CAP | WD = WATER METER |
| • RPT | WD = WATER VALVE |
| UNLESS NOTED | |
| DIFFERENTLY | |
- CEMENT LINES










CLIFF PETERSON LAND SERVICES SURVEYING, PLANNING, ENGINEERING		BOUNDARY SURVEY MINTON FAMILY PROPERTIES SURVEY	
3000 Woods Road East Springville, Utah 84606-5 (801) 498-3156 • (801) 375-0010		K-3 Station 580 W. Lambert Lane, Provo, Utah	
CRH Peterson P.L.S. #16772		DATE: 12 NOVEMBER 2004 DRAWN BY: CUP CHECKED BY: CUP CUP:	SHEET # 1 OF 1





Francis City Zoning

Zoning

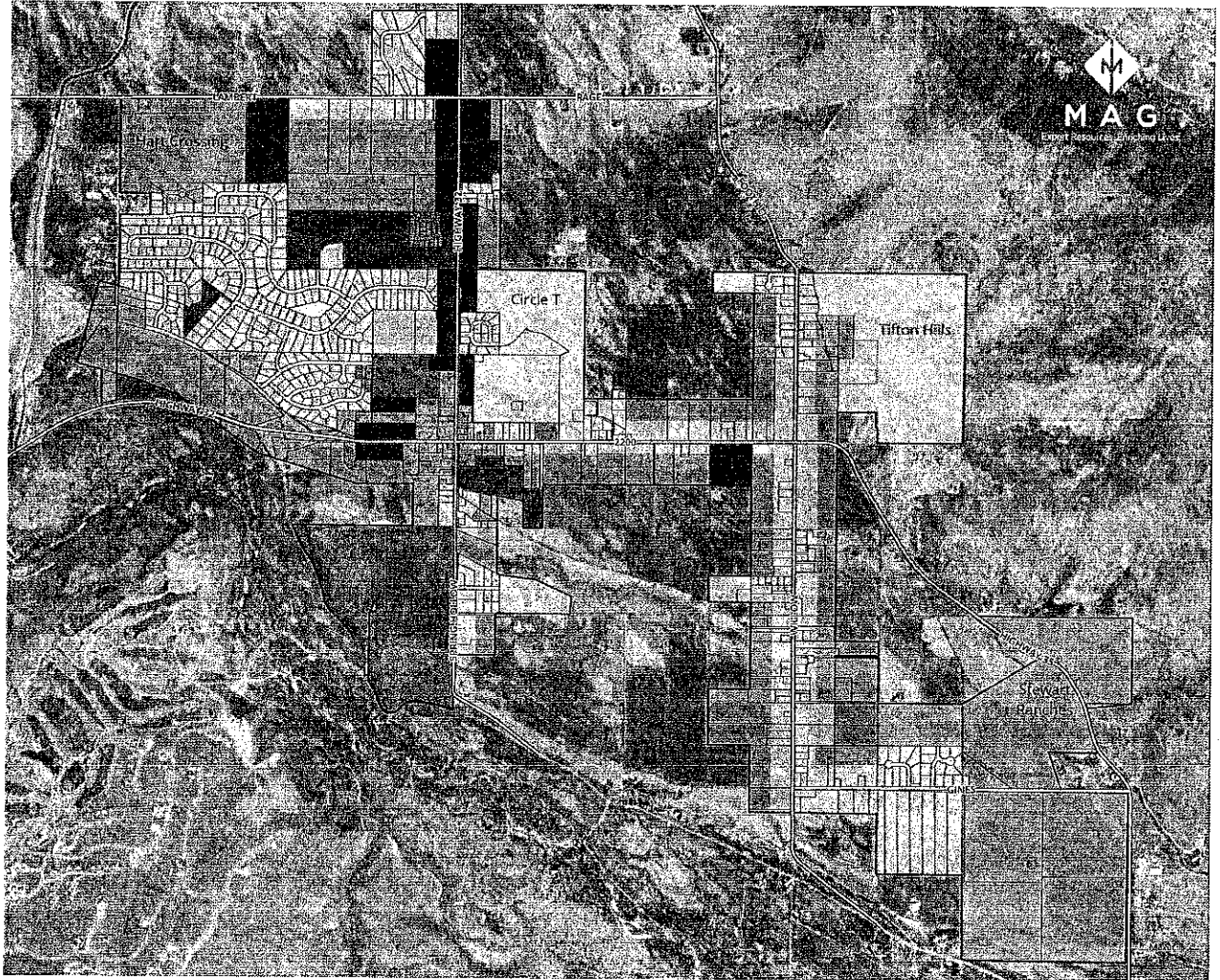
-  Agriculture (AG-1)
-  Agriculture (AG-2)
-  City Center (CC)
-  Public Facilities
-  Light Industrial (L-1)
-  Commercial (C-1)
-  Multi-Family (M-F)
-  Residential Half (R-H)
-  Residential Cottage (R-C)

0 0.25 0.5 Miles



Map by Sarah Lewless
August 2021

The cartographer makes no representations or warranties concerning the suitability or accuracy of this map and will not be liable for any damages suffered in connection with its use or distribution.





Staff Report

To: Francis City Council
From: Katie Henneuse
Report Date: August 31, 2022
Meeting Date: September 8, 2022
Title: Town Center Mixed-Use Development
Type of Item: Commercial Site Plan and Architectural Review

Executive Summary

Russ Witt submitted revised plans for the Town Center mixed-use development on parcels FT-92 and FT-99, located on the southeast corner of the SR 32 and SR 35 intersection. They are zoned City Center and are 2.48 acres combined. The City Council reviewed two concept plans for this development in March 2022 and approved a plan with on-street parking on Spring Hollow Road. The City Council asked the applicant to revise the architectural plans to fit the mountain-frontier look they want in the City Center.

Analysis

Site Plan – 18.45.120 and 18.57.060

“A site plan with grading, drainage, and clearing plans must be approved by the Planning Commission and City Council before any such activities may begin. Lot grading shall be kept to a minimum. Where possible, roads and development shall be designed for preservation of natural grade.”

“The maximum building coverage shall be 55 percent of the lot area.”

The development is 2.48 acres, and the building footprint is 23,710 sq ft. The building coverage is about 22% of the lot area. The lot is relatively flat and does not require significant grading.

Parking Areas – 18.57.050 and 18.100

“Parking shall not occur adjacent to any public street except when:

1. It has been established that such a location is needed or justified by other site conditions or building entrance orientation.
2. The use is restricted to visitors, key employees, or residents.”

The City Council previously approved a concept plan with on-street parking.

The applicant is planning that reciprocal parking will allow for a 25% reduction in the number of retail spaces required. Per 18.100.070, "Up to 25 percent of nonresidential parking facilities required by this chapter for a use considered to be primarily a daytime use may be provided by the parking facilities for a use considered to be primarily a nighttime use. Such reciprocal parking areas shall be contiguous, and the joint use of such facilities must be assured by covenant of the owner(s) of said properties and recorded in the Summit County Recorder's office. The Planning Commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities under the conditions specified herein."

The city will evaluate the number of available parking spaces and the reciprocal agreements at the time of issuing business licenses. If the number of required spaces for a business is not available, a business license will not be issued.

The City Council informally discussed a shared parking agreement between this development and the new city building. The developer is seeking a shared parking agreement with the city for 17 parking stalls. After plans for the new city building are finalized, the site plan should be revised to show a road or driveway connecting this development with the city's parking.

The minimum number of parking spaces are set by the Off-Street Parking code (18.100). Four spaces per 1,000 square feet are required for retail space. Three spaces are required per 2 or 3 bedroom dwelling unit. Per code, 141 spaces are required for this plan (78 for 19,500 sq ft of retail and 63 for 21 residential dwellings). The number of retail spaces can be reduced to 59 since 25% reciprocal parking is planned. This reduces the total number of required spaces to 122. The developer is planning 105 spaces as shown on the site plan and an additional 17 shared spaces with the city.

Architectural Design – 18.57.060 and 18.57.070

"Proposed developments shall undergo an architectural review by the Planning Commission and City Council. The review will determine if the developer has effectively incorporated a mountain aesthetic with neutral colors that is in harmony with the surrounding landscape and structures. Structures are limited to three stories."

The building height is limited to 40 ft by Code. The applicant would like to discuss two renderings with Council. Their preferred design (Rendering #1) has a steeper roof pitch and a height of 43 ft 6 in. Rendering #2 meets code and has a height of 40 ft, but the dormers are removed, and the roof has a low slope.

The City Council should discuss whether the architectural renderings meet the intent of Code. They should also discuss the two renderings and the height provision.

Section 18.57.070 regulates residential mixed-use development in the CC Zone. The maximum allowed density is eight units per acre, or up to 12 units with moderate income housing incorporated. Per code, up to 19 units are allowed without moderate income housing for these 2.48-acre parcels. 29 units are allowed if moderate income housing is incorporated. 21 units are planned (14 2-bedroom and 7 3-bedroom units). The number of planned dwelling units is allowed if two units are rented at moderate income levels.

Planning Commission Recommendation:

The Planning Commission discussed this project at their August meeting.

- They approved the trash storage plan and tabled approval of the landscape plan.
- They are forwarding the site plan to the City Council with a positive recommendation.
- They are forwarding the parking plan to the City Council with a positive recommendation with the condition that reciprocal and shared parking are incorporated and a pass-thru to the City's parking is added to the site plan.
- They are forwarding the architectural plans to the City Council with a positive recommendation with the condition that the City Council review a rendering that meets the 40' height provision.

Staff Recommendation:

Review the plans and address any questions or concerns with the applicant. The following actions are recommended:

Site Plan – Follow City Engineer's recommendation.

Architectural Design – Discuss whether the renderings meet the intent of code and discuss the two renderings and the height provision. Approve a rendering if it meets the intent of code. If no rendering meets the intent of code, provide design direction to the applicant.

Parking – Discuss reciprocal and shared parking. If the motion is to approve, condition approval on revising the site plan to show a pass-thru connecting this development with the shared parking.

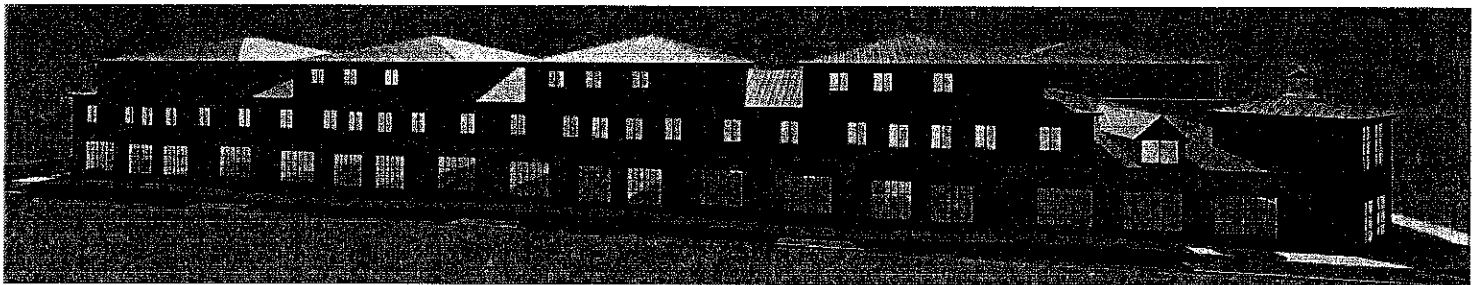
Community Review:

A public hearing is not required for this item. Neighbors of this project should be consulted to get their views and concerns.

FRANCIS TOWN CENTER MULTI-USE DEVELOPMENT



RENDERING #1 BUILDING HEIGHT 43'-6"



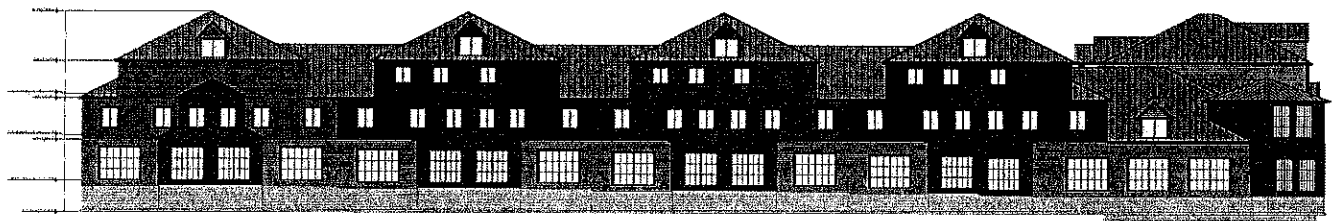
RENDERING #2 - BUILDING HEIGHT 40'-0"

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FRANCIS TOWN CENTER MULTI USE DEVELOPMENT



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NORTH ELEVATION VIEW

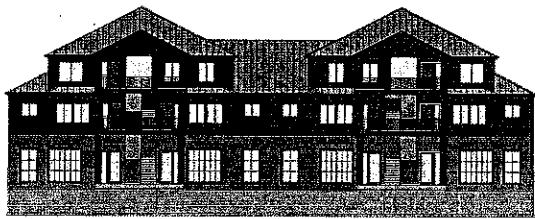


SOUTH ELEVATION VIEW

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ELEVATIONS		FRANCIS COMMONS RUSS WITT (OWNER)		PROJECT 10/1/2017 10/1/2017 10/1/2017 10/1/2017		A1.3	



WEST ELEVATION VIEW



EAST ELEVATION VIEW

DATE	PROJECT NAME	SCALE	1"=10'-0"		FRANCIS COMMONS RUSS WITT (OWNER)		ARCHITECT MARK KIRBY FINEST 1101 N. ALICE ST. SUITE 100 PORTLAND, OR 97227 TEL: 503.255.1234 FAX: 503.255.1235 WWW.MKFARCHITECTS.COM	
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STAFF REPORT

To: Francis City Council

From: Katie Henneuse

Report Date: September 2, 2022

Meeting Date: September 8, 2022

Title: HH Acres Final Plat

Type of Item: Third Extension to Record Plat

Executive Summary:

HH Acres Subdivision was granted final plat approval on September 12, 2019. Per City Code, the applicant must record the plat within one year of final approval. The applicant was unable to record the plat and was granted two one-year extensions ending on September 12, 2022. The applicant will not record the plat before the expiration date and is requesting a third extension until November 30, 2022. Infrastructure construction is underway.

City Code:
17.35.120

Staff Recommendation:

Approve the extension if no issues or concerns arise.

Community Review:

A public hearing is not required at this time.