

AGENDA

**Francis City Council Meeting
Thursday, November 9th, 2023, 6:00 p.m.
2319 So. Spring Hollow Rd. Francis, Utah**

The meeting will be streamed via Francis City YouTube channel
<https://www.youtube.com/channel/UC-9wahpEELShvGQZShXGIXg> You
can also comment by email to comments@francisutah.org

1. Welcome, Call to Order and Pledge of Allegiance
2. Consent Agenda---Approval of Invoice Register dated November 9th, 2023, and Approval of Minutes from October 12th, & 26th, 2023.
3. Public Comment
Comments will be taken on any item not scheduled for a public hearing, as well as on any other City business. Comments are limited to two minutes per speaker. The Council cannot act on items not listed on the agenda, and therefore, the Council may or may not respond to non-agenda issues brought up under Public Comment. Those wishing to comment should state their full name and address, whom they represent and the subject matter to be addressed. No person shall interrupt legislative proceedings. The total time allocated to public comments will be no more than 10 minutes.
4. Public Hearings
 - A. Atkinson Acres Minor Subdivision
 - B. Code Text Amendment Ordinance No. 2023-07/ Height & Grade
5. Discussion, Updates and Approval on Potential Action Items
 - A. Ordinance No. 2023-08 Water Conservation & Landscaping
 - B. Fleet Lease Resolution 2023-09
 - C. Moderate Income Housing
 - D. Ennis Gibb/Wreaths Across America
 - E. Fee & Rate Ordinance Discussion on Building Rates & Disconnect & Reconnect Fees
 - F. Frontier Days Discussion
6. Council Business
 - A. Council Reports
 - B. Planner Reports
 - C. Engineer Reports
 - D. Mayor Reports
7. (As Needed) Closed Executive Session to Discuss Pending or Reasonably Imminent Litigation, Purchase, Exchange, or Lease of Property and/or the Character, Professional Competence or Physical or Mental Health of an Individual.
8. Adjournment

I certify that this notice has been posted in three (3) public places and on the Utah State Public Notice Website. Attested by Suzanne Gillett City Recorder. In Compliance with the American Disabilities Act, individuals needing special accommodations during this hearing should notify Suzanne Gillett at (435) 7836236 at least three days prior to the hearing.



City Council Meeting Checklist

Meeting Date: November

Agenda Items: start to portion Ordinance/Resolutions

	YES	NO
Discussion		
1. Fee & Rate Ordinance		
2. Ordinance water + landscaping Ordinance		
3. Ordinance - Local text amendments on height & grade ordinance		
4. Atkinson Acres minor subdivision		
5. Frontier Days Discussion		
6. Moderate Income		
7. Emerys Oldies Wharves across amnesia		
8. Fleet Lease Resolution - Brad Denny - Resolution		
9. _____		
10. _____		

Public Notices (10 days prior)

Newspaper

Public Notice Website

City Website

On Buildings

Ordinance _____
Height & Grade 2023-07 _____
Water Conservation & Landscaping 2023-08 _____

Drop Box

Agenda

Ordinances/Resolutions

All Agenda Item Materials

Resolution _____
Fleet Lease Resolution 2023-09 _____

After Meeting

Make sure minutes posted on both websites

Make sure recordings on both websites



Staff Report

To: Francis City Council
From: Katie Henneuse
Report Date: November 2, 2023
Meeting Date: November 9, 2023
Title: Atkinson Acres
Type of Item: Minor Subdivision - Preliminary and Final Plat
Action: Administrative

Executive Summary:

Dolores Atkinson Mansell owns parcel FT-2041-A, located near 400 W Lambert Lane. It is nine acres and is in the R-H and AG-1 zones. Her nephew, Riley Atkinson, would like to subdivide the property so that he can purchase two acres with frontage on Lambert Lane.

The land will be subdivided into two parcels. Lot 1 will be buildable after water shares are turned in, utilities are connected to the property or bonded for, and the plat is recorded. The Remainder Parcel will continue to be used for agricultural purposes at this time. It will not be buildable until all the City's building requirements are met. The Remainder Parcel was platted with 100 ft of frontage on Lambert Lane so that it meets the minimum frontage requirement for the R-H zone and can be built on later without installation of a private or public road. The Remainder Parcel may also be further subdivided later if the property owner elects to build a road from the frontage on Lambert Lane to the back of the parcel.

Two irrigation ditches run through the property, and both are identified on the plat with a 10' maintenance easement. There is also an access easement on the Remainder Parcel in favor of Lot 1.

The Francis City Development Code provides a simplified process for Minor Subdivisions (subdivisions of four lots or less). The Planning Commission may recommend that the preliminary plan be accepted by the City Council as the final plat if it meets all the requirements of a final plat.

City Code:

17.30 Preliminary Plan
17.35 Final Plat
17.50 Minor Subdivisions

Analysis:

Staff reviewed the preliminary plan, and all revisions were incorporated into the updated plat. Easements were correctly designated. The developer has met the preliminary and final plat requirements with only one outstanding item, which is to add the street number to the address table once it is provided by the County.

Planning Commission Recommendation:

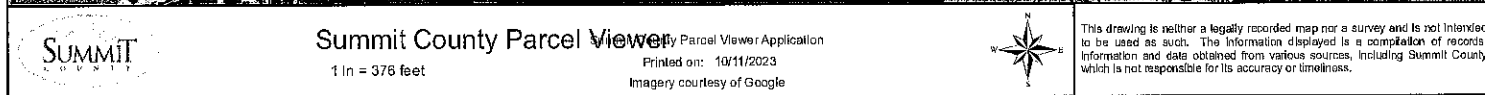
The Planning Commission reviewed this item at their November 2, 2023, meeting and are forwarding it to the City Council with a unanimous positive recommendation. They recommend that the preliminary plan be accepted by the City Council as the final plat.

Staff Recommendations:

Resolve any questions or concerns with the applicant. Approve the subdivision, accepting the preliminary plan as the final plat.

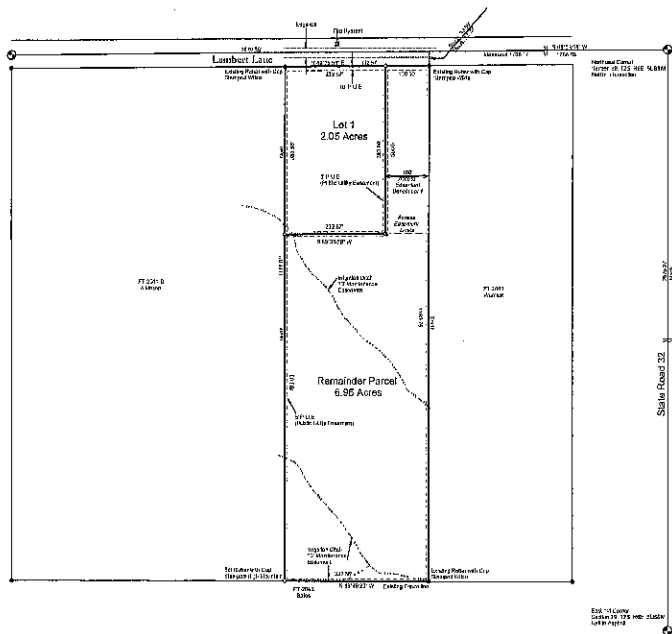
Community Review:

A public hearing is required for this item. The public hearing was noticed more than ten days before this meeting in accordance with State law and City code.

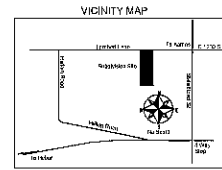


This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.

**Located in the Northeast Quarter of Section 29, Township 2 South, Range 6 East,
Salt Lake Base and Meridian, Francis City, Summit County, Utah**



US television and print news channels in Brazil. The "National Front" (Frente Nacional) is a political party that has been active in Brazil since 1964. It was founded by a group of military officers who were dissatisfied with the political situation in Brazil at the time. The party has since become a major political force in Brazil, and has been the dominant party in the country for many years. The party's platform is based on a mix of conservative and liberal policies, and it has been successful in winning the support of a wide range of voters. The party's success has led to a period of political stability in Brazil, and it has been a key factor in the country's economic growth. The party's policies have been praised for their effectiveness in promoting economic development and social progress. The party's success has also led to a period of political reform in Brazil, and it has been a key factor in the country's political development. The party's policies have been praised for their effectiveness in promoting economic development and social progress. The party's success has also led to a period of political reform in Brazil, and it has been a key factor in the country's political development.



Approved and accepted this _____, day of _____, 20____.

[illegible][illegible]

Owner Declaration

I hereby certify that the person(s) who are all of the undersigned owner(s) of the above described area of land, building and water to be included into a local water and sewerage by the benefit district as that defined in the Subdivision Map for the purpose of personal use of the public all parcels of land shown on this map as intended for public use.

My signature received _____, _____, _____ day of _____, A.D. 19____

Signature of the Applicant(s) and the City Clerk

[illegible]

Continued to Reverse

NY 1649742
COUNTY OF SEAGRAM

The undersigned has taken freely and voluntarily the execution of this bill

Do _____

The foregoing is the full and true content of a checkbook and no other _____ day of _____ 20____

I, _____ County Clerk of Seagram

Subscribed and sworn to before me on _____ day of _____ 20____

_____ Justice of the Peace

NY 1649742
COUNTY OF SEAGRAM

The undersigned has taken freely and voluntarily the execution of this bill

Do _____

The foregoing is the full and true content of a checkbook and no other _____ day of _____ 20____

I, _____ County Clerk of Seagram

Subscribed and sworn to before me on _____ day of _____ 20____

_____ Justice of the Peace

[illegible]



Staff Report

To: Francis City Council
From: Katie Henneuse
Report Date: November 2, 2023
Meeting Date: November 9, 2023
Title: Grade and Height
Type of Item: Code Text Amendment
Action: Legislative

Executive Summary:

The purpose of this amendment is to:

- Simplify the code regulating building height so that it is more straightforward for staff to determine whether structures meet the building height provisions.
- Allow Commercial and City Center zoned properties on SR 32 or SR 35 to measure height from finished grade instead of natural grade since many properties along the highway require significant filling to prevent structural water intrusion.
- Change the height exception for parapet walls from 18 inches to ten feet since parapet walls are often used to conceal mechanical equipment and elevator shafts and an 18-inch parapet wall requires a safety railing.
- Eliminate redundant and conflicting codes.

Planning Commission Recommendation:

The Planning Commission reviewed this item at their November 2, 2023, meeting and are forwarding it to the City Council with a unanimous positive recommendation.

Staff Recommendation:

Discuss the proposed amendment and make changes if needed. Motion one of three options:

- Approve if the Council decides the amendment is in the best interest of the City.
- Deny if the Council decided the amendment is not in the best interest of the City.
- Table if more time is needed to discuss the amendment.

Community Review:

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

Exhibit A, Ordinance 2023-07**18.10 Definitions**

“Grade, finished” means the average elevation of the ground abutting the building or structure at the exterior walls after completion of cutting and/or filling.

“Grade, natural” means elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the adjacent property’s undisturbed grade. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, or abrupt differences in the visual slope and elevation of the land; and not change the direction or flow of run-off water. For the purpose of measuring the height of any building from natural grade, the measurement shall be the vertical distance from natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. This measurement shall occur at any point within the building plane where height occurs.

“Height” means the vertical distance from natural undisturbed grade to the highest point of a flat roof or to the deck line of mansard roof or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18 inches above the deck line or maximum zone height, whichever is lower. Roofs not fitting clearly any of the above three classifications shall be classified by the City staff in accordance with the roof they most clearly resemble. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration.

“Height” means the vertical distance from natural grade to the highest point of a flat or pitched roof. In the Commercial (C-1) and City Center (CC) Zones, properties within 500 feet of SR 32 or SR 35 may measure height from finished grade to the highest point of a flat or pitched roof if finished grade is at or below the grade of the road at the edge of the asphalt.

18.15.100 Height provisions.

The height of any structure shall not exceed the maximum height of 32 feet in residential zones and 40 feet in all other zones, unless an express exception in this code applies, nor exceed the recommendation of the South Summit Fire District. ~~The total height of the building or structure shall be measured as the vertical distance from the natural grade to the highest point. “Natural grade” shall mean the elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference~~

~~elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the undisturbed grade of adjacent properties. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, or abrupt differences in the visual slope and elevation of the land, and not change the direction or flow of run-off water. To allow for attachments which are unoccupied and clearly accessory in nature, the following exceptions apply:~~

1. Antennas, chimneys, flues, vents, or similar structures may extend up to 10 feet above the specified maximum height limit for the zone.
2. Water towers and mechanical equipment in nonresidential zones may extend up to 10 feet above the specified maximum height limit.
3. Church spires, bell towers, clock towers, cupolas, parapet walls, and like architectural features/elements on nonresidential lots may extend over the specified maximum height limit, but shall not contain any habitable spaces above the maximum zone height stated. These features/elements must be approved as part of the site plan review ~~and final plat approval~~ and under no circumstances shall be more than 50 feet above ~~natural~~ grade unless approved as part of a conditional use permit.

18.45.080 Building height.

~~Buildings in the C-1 zone should~~ shall not exceed 40 feet in height, unless an express exception in Section 18.15.100 applies, nor exceed the recommendation of the South Summit Fire District. ~~Architectural elements, such as a clock tower, chimney, or cupola with a height of no more than 10 additional feet, shall be a conditional use to ensure adequate fire protection. No building in the C-1 zone shall exceed 50 feet from the finished grade to the tallest portion of the building including architectural elements.~~

Municipality	Height Measurement	Parapet wall	Height Exceptions	Commercial Zone Max Height
Francis	Natural grade to the highest point of a flat roof or midway point between eaves and ridge of a hip roof.	Allowed an additional 18 inches above maximum zone height.	Clock tower, chimney, cupola, church spires, bell tower may extend no more than 10 additional feet unless approved as part of a conditional use permit. Antennas, chimneys, flues, vents, or similar structures may extend up to 10 feet above the max height.	40' Up to 50' with architectural elements or unoccupied accessory attachments
Kamas	<i>Building height.</i> The vertical distance from the average finished grade surface at the building wall to the highest point of the roof. <i>Height, building.</i> The vertical distance from center of access road or average natural grade of home site at the building wall to the highest point of the roof.	Defined, but not used in code	Chimneys, flagpoles, church towers and other similar structures not used for human occupancy may be allowed on a case-by-case basis with a conditional use permit.	35' from grade of SR 248 in Entry Corridor Commercial Zone 27' in General Commercial Zone
Oakley	Distance from natural grade to the highest point of a flat or pitched roof or other portion of a structure.	Only used in definition of wall-mounted antenna.	Vertical architectural features on houses of worship, such as steeples which are associated with the religious function of the building, may be constructed 2 1/2 times the height of the building.	32' unless additional building height is required for commercial use and is approved by the Fire District and is determined by the Planning Commission to be compatible with adjacent buildings and uses. In no case shall the building height exceed 50'.

Municipality	Height Measurement	Parapet wall	Height Exceptions	Commercial Zone Max Height
Park City	Vertical distance under any roof element to existing grade.	Allowed up to 24 inches above highest wall top plate that supports the ceiling joints or roof rafters.	<p>Antennas, chimneys, flues, vents, and similar structures may extend up to five feet (5') above the highest point of the building.</p> <p>Church spires, bell towers, and like architectural features may extend up to 50% above the zone height but may not contain habitable space above the zone height.</p>	<p>35' with additional 5' height allowance for gable, hip barrel, and similar pitched roofs if the roof pitch is 4:12 or greater.</p> <p>Regional Commercial Overlay - the Planning Commission may approve an increase in building height up to 25% of the zone height in the underlying zone. (Up to 43.75 ft max in with flat roof).</p>
Summit County	Max distance from natural grade at any point to the top of the structure.	Only used in definition of wall-mounted antenna	<p>Roof vents, chimneys, furnace vents, plumbing vents, and antennas are exempt from the height regulations.</p> <p>In the NMU-1 Zone, Council may grant a height exception up to 60' for affordable housing.</p>	<p>32' unless additional building height is required for commercial use and is approved by the fire district and is determined to be compatible with adjacent buildings and uses. In no case shall the building height exceed 50'.</p> <p>Max height in the NMU-1 zone is 45' feet unless otherwise permitted through the Master Planned Development process.</p>

*Parapet – an extension of a vertical building wall above the line of the structural roof.



Staff Report

To: Francis City Council
From: Katie Henneuse
Report Date: September 26, 2023
Meeting Date: October 12, 2023
Title: Water Conservation and Landscaping
Type of Item: Code Text Amendment

Executive Summary:

The City has imposed restrictions on the use of water for several years due to drought conditions and water supply concerns. There is an increase in the supply of City water due to record snowfall in the winter of 2022-2023 along with continued precipitation and a new City well. Instead of lifting the water restrictions, the Mayor would like to continue to encourage residents to conserve water permanently. The proposed code text amendment sets the temporary regulations as permanent water conservation regulations and still allows the City Council to impose additional restrictions if necessary.

The initial amendment was proposed to the Planning Commission in June 2023, but was tabled until September 2023 to allow Staff additional time to incorporate updated landscaping water efficiency standards from the State of Utah (see attached letter and proposed code). The required updates have been incorporated into this amendment.

Planning Commission Recommendation:

The Planning Commission is forwarding this item to the City Council with a unanimous positive recommendation.

Staff Recommendation:

Discuss the proposed amendment and if agreeable to the City Council, approve.

Community Review:

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

Exhibit A – Ordinance 2023-08
Water Conservation and Landscaping Code Text Amendment

13.05.100 ~~Restrictions on use of water.~~ Water conservation regulations.

1. The following conservation regulations are ~~options that the City may impose at any time for~~
imposed by the City for persons using municipal water for outside watering:

- a. No watering to be done between 10:00 a.m. and 6:00 p.m.
- b. No watering on Sunday.
- c. Watering may be done only on alternate dates as follows:
 - i. Even-numbered houses on Monday, Wednesday, Friday.
 - ii. Odd-numbered houses on Tuesday, Thursday, Saturday.

~~2. The particular options imposed for water conservation, if any, may be determined, implemented and announced by the Mayor at any time, effective immediately, but shall be ratified, amended or lifted by the City Council at its next regular, scheduled meeting thereafter. Any restrictions imposed shall remain in place until lifted by action of the City Council.~~

~~3-2. Violations will be punished as follows: For a first offense, a warning notice will be issued. For a second offense within a one-year period, a fine of \$25.00 will be imposed. For each subsequent offense within the same one-year period, a fine of \$250.00 will be imposed. Any restrictions imposed shall remain in place until lifted by action of the Francis City Council.~~

~~4-3. Exceptions to the regulations of this chapter are as follows:~~

- a. New lawns or sod that require frequent irrigation for establishment purposes within 90 days of planting;
- b. Short cycles required for testing, inspecting and maintaining irrigation systems; and
- c. Other exceptions in individual cases as determined by the Mayor and ratified by vote of the City Council.

~~4. Additional regulations may be determined, implemented, and announced by the Mayor at any time, effective immediately, but shall be ratified, amended, or lifted by the City Council at its next regularly scheduled meeting thereafter. Any restrictions imposed shall remain in place until lifted by action of the City Council.~~

Add to 18.10.020 "L" Definitions

"Lawn" means ground that is covered with grass or turf that is regularly mowed.

Add to 18.10.160 "P" Definitions

"Park Strip" means a typically narrow landscaped area located between the back-of-curb and sidewalk.

Add to 18.10.200 "T" Definitions

"Total Landscaped Area" means improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

18.15.170 Landscaping.

All property located in front of the residential structure and the front setback, except driveways, parking areas, walkways, utility areas, improved decks, patios, and porches, shall be maintained with suitable landscaping of plants, shrubs, trees, grass or other landscaping materials.

The following water conservation outdoor landscaping standards apply to residential front and side yards and to developer/contractor installed residential area landscaping.

1. Lawn shall not be less than 8 feet wide at its narrowest point.
2. Lawn shall not exceed 50% of the Total Landscaped Area.
3. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide Lawn area requirement, are exempt from the 8 feet minimum lawn area requirement and maximum of 50% lawn requirement.
4. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade.
5. In multi-family development common area landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

18.45.110 Landscaping.

Landscaping guidelines are established to maintain the site qualities that exist in the C-1 zone area and minimize alteration, removal, or degradation of landscaping that currently exists in the area.

1. No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.
2. All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).
3. Landscaping in accordance with the plans submitted must be installed within 30 days following the occupancy of the site or as otherwise approved by the Planning Commission as seasonal conditions may dictate.
4. The land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped, as approved by the Planning Commission.
5. The developer shall bond for such landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
6. Plant Materials.
 - a. Sixty percent medium trees and shrubs in a combination with deciduous trees with a caliper from two to three inches and evergreen trees with a height from five to eight feet.
 - b. Forty percent small trees and shrubs in a combination with deciduous trees with a caliper of one and one-half to two inches and evergreen trees with a height of four feet.
 - d. Where possible, a 50/50 mix of deciduous and evergreen tree species shall be used for on-site landscaping.
 - e. Street trees with a minimum two-inch caliper shall be installed along all public rights-of-way by the developer of the property. The species, type, location, and spacing of trees shall be as shown on the approved landscape plan.
7. Installation. It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials.

8. Maintenance. It shall be the responsibility of the developer to properly maintain landscaped areas including watering, mowing, pruning, fertilizing, and the removal and replacement of dead plant materials in a timely manner. Pruning trees for exposure is prohibited.
9. Vegetation Removal. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced with trees with comparable total caliper. Street trees that are necessarily removed shall be replaced with comparable individual caliper as approved by the Planning Division.

When utility connections or other disturbances are made to existing landscaped areas the existing landscaping must be replaced to its previous condition. Other modification of landscaped areas shall require approval by the City Planner.

18.50.090 Landscaping.

Unpaved front and side yard areas of lots in the P-F zone shall be landscaped using water-wise landscaping where appropriate. No landscape materials shall exceed three feet in height in a clear vision zone. In addition to any required front or side yard landscaping, at least two percent of each lot or parcel in the P-F zone shall be landscaped with berms, trees, shrubs, ground cover or other landscape elements. All landscaping in the P-F zone shall be installed and properly maintained according to an approved landscape plan.

All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

18.55.130 Landscaping.

Landscaping guidelines are established to maintain the site qualities that exist in the LI-1 zone area and minimize alteration, removal, or degradation of landscaping that currently exists in the area.

1. No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.
2. All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

3. Landscaping in accordance with the plans submitted must be installed within 30 days following the occupancy of the site or as otherwise approved by the Planning Commission as seasonal conditions may dictate.
4. The land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped, as approved by the Planning Commission.
5. The developer shall bond for such landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
6. Plant Materials.
 - a. Sixty percent medium trees and shrubs in a combination with deciduous trees with a caliper from two to three inches and evergreen trees with a height from five to eight feet.
 - b. Forty percent small trees and shrubs in a combination with deciduous trees with a caliper of one and one-half to two inches and evergreen trees with a height of four feet.
 - c. Where possible, a 50/50 mix of deciduous and evergreen tree species shall be used for on-site landscaping.
 - d. Street trees with a minimum two-inch caliper shall be installed along all public rights-of-way by the developer of the property. The species, type, location, and spacing of trees shall be as shown on the approved landscape plan.
7. Installation. It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials.
8. Maintenance. It shall be the responsibility of the developer to properly maintain landscaped areas including watering, mowing, pruning, fertilizing, and the removal and replacement of dead plant materials in a timely manner. Pruning trees for exposure is prohibited.
9. Vegetation Removal. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced with trees with comparable total caliper. Street trees that are necessarily removed shall be replaced with comparable individual caliper as approved by the planning division.

When utility connections or other disturbances are made to existing landscaped areas the existing landscaping must be replaced to its previous condition. Other modification of landscaped areas shall require approval by the City Planner.

Katie Henneuse

From: Savannah Peterson <savannah@cuwcd.gov>
Sent: Wednesday, August 2, 2023 4:53 PM
To: Jeremie Forman; Sam Hunter; Shana Fryer; Clayton Querry; Clint Summers; Katie Henneuse
Subject: Central Utah Water Conservancy District: Water Efficiency Standards
Attachments: RURAL Water Efficiency Standards (R).pdf; RURAL Water Efficiency Standards Notice.pdf

Hello,

This email is to notify your city of the water efficiency standards that need to be adopted into municipal codes by January 1st, 2024 for continued eligibility for your city and residents in the water-wise landscaping incentive programs offered by Central Utah Water Conservancy District and the Division of Water Resources. Outside of the programs currently available, further State and District funding related to water conservation and new allocations of water may be contingent upon adoption of these standards. The two attachments to this email are the water efficiency standards and an official notice that will provide additional background information on the programs and their benefits. To emphasize a section of the notice, only the language in section 4 of the water efficiency standards is required for continued eligibility for the programs and funding. If you or any of your city's policy makers have questions regarding these standards or our rebate programs, I am available by phone or email to help. We would also be happy to schedule a meeting to discuss them further at your convenience. We look forward to working with you.

Sincerely,

Savannah Peterson

Water Conservation Programs Manager
CENTRAL UTAH WATER CONSERVANCY DISTRICT
(801) 226-7151 office | savannah@cuwcd.gov
1426 E. 750 N. Suite 400 | Orem, UT 84097





May 3, 2023

Updated Water Efficiency Standards

1. Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

2. Applicability

- A. The following standards shall at a minimum be required for all new developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. These standards shall apply to existing ordinances related to city required landscaping.
 - i. If only front and side yards are required to be landscaped to receive a certificate of occupancy, these standards only apply to the front and side yards. If the backyard is required to be landscaped for certificate of occupancy, the standards would apply to the backyard as well.
- B. These outdoor standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

3. Outdoor Landscaping Standards

All new landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas).
- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.



CENTRAL UTAH WATER CONSERVANCY DISTRICT

- G. Locascapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

Landscaping Requirements

- A. Lawn shall not be less than 8 feet wide at its narrowest point.
- B. Lawn shall not exceed 50% of the total landscaped area. * Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.
 - i. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide lawn area requirement, are exempt from the 8 feet minimum width lawn area requirement and maximum of 35% lawn requirement.
- C. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- D. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.



CENTRAL UTAH WATER CONSERVANCY DISTRICT

5. Landscaping Recommendations

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

6. Landscaping Design Considerations

- A. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
- B. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
- C. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.
- D. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.

7. Additional Recommendations

- A. It is recommended and encouraged, but not mandated, that all new and future construction and future additions, remodels, or refurbishments install plumbing fixtures that have the WaterSense label, including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.



FRANCIS CITY

ORDINANCE NO. 2023--07

**AN ORDINANCE OF THE FRANCIS CITY COUNCIL AMENDING SECTIONS OF THE
CITY CODE RELATING TO HEIGHT & GRADE. SECTIONS 18.10, 18.15.00, AND
18.45.080**

WHEREAS, the Francis City Council finds that it is in the public interest to amend provisions of the Francis City Code relating to Height and Building Grade.

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

Section 1. Amendment. Section 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 (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the Francis City Council the 9th, day of November 2023.

Aye Nay

Mayor Jeremie Forman
Councilmember Shana Fryer
Councilmember Sam Hunter
Councilmember Clayton Querry
Councilmember Clint Summers

APPROVED:

ATTEST:

Mayor Jeremie Forman

City Recorder Suzanne Gillett

City Seal

Exhibit A, Ordinance 2023- 07**18.10 Definitions**

"Grade, finished" means the average elevation of the ground abutting the building or structure at the exterior walls after completion of cutting and/or filling.

~~"Grade, natural" means elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the adjacent property's undisturbed grade. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, or abrupt differences in the visual slope and elevation of the land; and not change the direction or flow of run-off water. For the purpose of measuring the height of any building from natural grade, the measurement shall be the vertical distance from natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. This measurement shall occur at any point within the building plane where height occurs.~~

~~"Height" means the vertical distance from natural undisturbed grade to the highest point of a flat roof or to the deck line of mansard roof or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18 inches above the deck line or maximum zone height, whichever is lower. Roofs not fitting clearly any of the above three classifications shall be classified by the City staff in accordance with the roof they most clearly resemble. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration.~~

"Height" means the vertical distance from natural grade to the highest point of a flat or pitched roof. In the Commercial (C-1) and City Center (CC) Zones, properties within 500 feet of SR 32 or SR 35 may measure height from finished grade to the highest point of a flat or pitched roof if finished grade is at or below the grade of the road at the edge of the asphalt.

18.15.100 Height provisions.

The height of any structure shall not exceed the maximum height of 32 feet in residential zones and 40 feet in all other zones, unless an express exception in this code applies, nor exceed the recommendation of the South Summit Fire District. The total height of the building or structure shall be measured as the vertical distance from the natural grade to the highest point. "Natural grade" shall mean the elevation of the existing surface of the land prior to commencement of construction of any improvements proposed or any previous site disturbance. Natural grade, when not readily established due to prior modifications in terrain, shall be fixed by reference

~~elevations and slopes at points where the prior disturbance appears to meet the undisturbed portions of the subject property or the undisturbed grade of adjacent properties. The estimated natural grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, or abrupt differences in the visual slope and elevation of the land, and not change the direction or flow of run-off water. To allow for attachments which are unoccupied and clearly accessory in nature, the following exceptions apply:~~

1. Antennas, chimneys, flues, vents, or similar structures may extend up to 10 feet above the specified maximum height limit for the zone.
2. Water towers and mechanical equipment in nonresidential zones may extend up to 10 feet above the specified maximum height limit.
3. Church spires, bell towers, clock towers, cupolas, parapet walls, and like architectural features ~~elements~~ on nonresidential lots may extend over the specified maximum height limit, but shall not contain any habitable spaces above the maximum zone height stated. These ~~features~~ elements must be approved as part of the site plan review ~~and final plat approval~~ and under no circumstances shall be more than 50 feet above natural grade unless approved as part of a conditional use permit.

18.45.080 Building height.

~~Buildings in the C-1 zone should shall not exceed 40 feet in height, unless an express exception in Section 18.15.100 applies, nor exceed the recommendation of the South Summit Fire District.. Architectural elements, such as a clock tower, chimney, or cupola with a height of no more than 10 additional feet, shall be a conditional use to ensure adequate fire protection. No building in the C-1 zone shall exceed 50 feet from the finished grade to the tallest portion of the building including architectural elements.~~

Municipality	Height Measurement	Parapet wall	Height Exceptions	Commercial Zone Max Height
Francis	Natural grade to the highest point of a flat roof or midway point between eaves and ridge of a hip roof.	Allowed an additional 18 inches above maximum zone height.	Clock tower, chimney, cupola, church spires, bell tower may extend no more than 10 additional feet unless approved as part of a conditional use permit. Antennas, chimneys, flues, vents, or similar structures may extend up to 10 feet above the max height.	40' Up to 50' with architectural elements or unoccupied accessory attachments
Kamas	<i>Building height.</i> The vertical distance from the average finished grade surface at the building wall to the highest point of the roof. <i>Height, building.</i> The vertical distance from center of access road or average natural grade of home site at the building wall to the highest point of the roof.	Defined, but not used in code	Chimneys, flagpoles, church towers and other similar structures not used for human occupancy may be allowed on a case-by-case basis with a conditional use permit.	35' from grade of SR 248 in Entry Corridor Commercial Zone 27' in General Commercial Zone
Oakley	Distance from natural grade to the highest point of a flat or pitched roof or other portion of a structure.	Only used in definition of wall-mounted antenna.	Vertical architectural features on houses of worship, such as steeples which are associated with the religious function of the building, may be constructed 2 1/2 times the height of the building.	32' unless additional building height is required for commercial use and is approved by the Fire District and is determined by the Planning Commission to be compatible with adjacent buildings and uses. In no case shall the building height exceed 50'.

Municipality	Height Measurement	Parapet wall	Height Exceptions	Commercial Zone Max Height
Park City	Vertical distance under any roof element to existing grade.	Allowed up to 24 inches above highest wall top plate that supports the ceiling joints or roof rafters.	<p>Antennas, chimneys, flues, vents, and similar structures may extend up to five feet (5') above the highest point of the building.</p> <p>Church spires, bell towers, and like architectural features may extend up to 50% above the zone height but may not contain habitable space above the zone height.</p>	<p>35' with additional 5' height allowance for gable, hip barrel, and similar pitched roofs if the roof pitch is 4:12 or greater.</p> <p>Regional Commercial Overlay - the Planning Commission may approve an increase in building height up to 25% of the zone height in the underlying zone. (Up to 43.75 ft max in with flat roof).</p>
Summit County	Max distance from natural grade at any point to the top of the structure.	Only used in definition of wall-mounted antenna	<p>Roof vents, chimneys, furnace vents, plumbing vents, and antennas are exempt from the height regulations.</p> <p>In the NMU-1 Zone, Council may grant a height exception up to 60' for affordable housing.</p>	<p>32' unless additional building height is required for commercial use and is approved by the fire district and is determined to be compatible with adjacent buildings and uses. In no case shall the building height exceed 50'.</p> <p>Max height in the NMU-1 zone is 45' feet unless otherwise permitted through the Master Planned Development process.</p>

*Parapet – an extension of a vertical building wall above the line of the structural roof.



FRANCIS CITY

ORDINANCE NO. 2023--08

AN ORDINANCE OF THE FRANCIS CITY COUNCIL AMENDING SECTIONS OF THE CITY CODE RELATING TO WATER CONSERVATION AND LANDSCAPING, SECTIONS :13.05.100, 18.10.020, 18.10.160, 18.10.200, 18.15.170, 18.45.110, 18.50.090, and 18.55.130

WHEREAS, the Francis City Council finds that it is in the public interest to amend provisions of the Francis City Code relating to Water Conservation and Landscaping.

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

Section 1. Amendment. Section 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 (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the Francis City Council the 9th, day of November 2023.

Aye Nay

Mayor Jeremie Forman
Councilmember Shana Fryer
Councilmember Sam Hunter
Councilmember Clayton Querry
Councilmember Clint Summers

APPROVED:

ATTEST:

Mayor Jeremie Forman

City Recorder Suzanne Gillett

City Seal

Exhibit A – Ordinance 2023-06
Water Conservation and Landscaping Code Text Amendment

13.05.100 ~~Restrictions on use of water.~~ Water conservation regulations.

1. The following conservation regulations are ~~options that the City may impose at any time for imposed by the City for~~ persons using municipal water for outside watering:

- a. No watering to be done between 10:00 a.m. and 6:00 p.m.
- b. No watering on Sunday.
- c. Watering may be done only on alternate dates as follows:
 - i. Even-numbered houses on Monday, Wednesday, Friday.
 - ii. Odd-numbered houses on Tuesday, Thursday, Saturday.

~~2. The particular options imposed for water conservation, if any, may be determined, implemented and announced by the Mayor at any time, effective immediately, but shall be ratified, amended or lifted by the City Council at its next regularly scheduled meeting thereafter. Any restrictions imposed shall remain in place until lifted by action of the City Council.~~

~~3.2. Violations will be punished as follows: For a first offense, a warning notice will be issued. For a second offense within a one-year period, a fine of \$25.00 will be imposed. For each subsequent offense within the same one-year period, a fine of \$250.00 will be imposed. Any restrictions imposed shall remain in place until lifted by action of the Franklin City Council.~~

4.3. Exceptions to the regulations of this chapter are as follows:

- a. New lawns or sod that require frequent irrigation for establishment purposes within 90 days of planting;
- b. Short cycles required for testing, inspecting and maintaining irrigation systems; and
- c. Other exceptions in individual cases as determined by the Mayor and ratified by vote of the City Council.

4. Additional regulations may be determined, implemented, and announced by the Mayor at any time, effective immediately, but shall be ratified, amended, or lifted by the City Council at its next regularly scheduled meeting thereafter. Any restrictions imposed shall remain in place until lifted by action of the City Council.

Add to 18.10.020 "L" Definitions

"Lawn" means ground that is covered with grass or turf that is regularly mowed.

Add to 18.10.160 "P" Definitions

"Park Strip" means a typically narrow landscaped area located between the back-of-curb and sidewalk.

Add to 18.10.200 "T" Definitions

"Total Landscaped Area" means improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

18.15.170 Landscaping.

All property located in front of the residential structure and the front setback, except driveways, parking areas, walkways, utility areas, improved decks, patios, and porches, shall be maintained with suitable landscaping of plants, shrubs, trees, grass or other landscaping materials.

The following water conservation outdoor landscaping standards apply to residential front and side yards and to developer/contractor installed residential area landscaping.

1. Lawn shall not be less than 8 feet wide at its narrowest point.
2. Lawn shall not exceed 50% of the Total Landscaped Area.
3. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide Lawn area requirement, are exempt from the 8 feet minimum lawn area requirement and maximum of 50% lawn requirement.
4. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade.
5. In multi-family development common area landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

18.45.110 Landscaping.

Landscaping guidelines are established to maintain the site qualities that exist in the C-1 zone area and minimize alteration, removal, or degradation of landscaping that currently exists in the area.

1. No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.
2. All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area outside of areas of the landscape dedicated to active play, where Lawn may be used as the playing surface (ex. sports fields and play areas).
3. Landscaping in accordance with the plans submitted must be installed within 30 days following the occupancy of the site or as otherwise approved by the Planning Commission as seasonal conditions may dictate.
4. The land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped, as approved by the Planning Commission.
5. The developer shall bond for such landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
6. Plant Materials.
 - a. Sixty percent medium trees and shrubs in a combination with deciduous trees with a caliper from two to three inches and evergreen trees with a height from five to eight feet.
 - b. Forty percent small trees and shrubs in a combination with deciduous trees with a caliper of one and one-half to two inches and evergreen trees with a height of four feet.
 - d. Where possible, a 50/50 mix of deciduous and evergreen tree species shall be used for on-site landscaping.
 - e. Street trees with a minimum two-inch caliper shall be installed along all public rights-of-way by the developer of the property. The species, type, location, and spacing of trees shall be as shown on the approved landscape plan.
7. Installation. It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials.

8. Maintenance. It shall be the responsibility of the developer to properly maintain landscaped areas including watering, mowing, pruning, fertilizing, and the removal and replacement of dead plant materials in a timely manner. Pruning trees for exposure is prohibited.
9. Vegetation Removal. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced with trees with comparable total caliper. Street trees that are necessarily removed shall be replaced with comparable individual caliper as approved by the Planning Division.

When utility connections or other disturbances are made to existing landscaped areas the existing landscaping must be replaced to its previous condition. Other modification of landscaped areas shall require approval by the City Planner.

18.50.090 Landscaping.

Unpaved front and side yard areas of lots in the P-F zone shall be landscaped using water-wise landscaping where appropriate. No landscape materials shall exceed three feet in height in a clear vision zone. In addition to any required front or side yard landscaping, at least two percent of each lot or parcel in the P-F zone shall be landscaped with berms, trees, shrubs, ground cover or other landscape elements. All landscaping in the P-F zone shall be installed and properly maintained according to an approved landscape plan.

All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

18.55.130 Landscaping.

Landscaping guidelines are established to maintain the site qualities that exist in the LI-1 zone area and minimize alteration, removal, or degradation of landscaping that currently exists in the area.

1. No plans for any building, structure or other improvements shall be approved by the Planning Commission unless there shall also have been submitted separate landscape plans satisfactory to the Planning Commission.
2. All submitted landscape plans shall be designed to encourage water conservation as a primary consideration. Lawn shall not be installed in Park Strips, paths, or on slopes greater than 25% or 4:1 grade. Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

3. Landscaping in accordance with the plans submitted must be installed within 30 days following the occupancy of the site or as otherwise approved by the Planning Commission as seasonal conditions may dictate.
4. The land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped, as approved by the Planning Commission.
5. The developer shall bond for such landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
6. Plant Materials.
 - a. Sixty percent medium trees and shrubs in a combination with deciduous trees with a caliper from two to three inches and evergreen trees with a height from five to eight feet.
 - b. Forty percent small trees and shrubs in a combination with deciduous trees with a caliper of one and one-half to two inches and evergreen trees with a height of four feet.
 - c. Where possible, a 50/50 mix of deciduous and evergreen tree species shall be used for on-site landscaping.
 - d. Street trees with a minimum two-inch caliper shall be installed along all public rights-of-way by the developer of the property. The species, type, location, and spacing of trees shall be as shown on the approved landscape plan.
7. Installation. It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials.
8. Maintenance. It shall be the responsibility of the developer to properly maintain landscaped areas including watering, mowing, pruning, fertilizing, and the removal and replacement of dead plant materials in a timely manner. Pruning trees for exposure is prohibited.
9. Vegetation Removal. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced with trees with comparable total caliper. Street trees that are necessarily removed shall be replaced with comparable individual caliper as approved by the planning division.

When utility connections or other disturbances are made to existing landscaped areas the existing landscaping must be replaced to its previous condition. Other modification of landscaped areas shall require approval by the City Planner.

Katie Henneuse

From: Savannah Peterson <savannah@cuwcd.gov>
Sent: Wednesday, August 2, 2023 4:53 PM
To: Jeremie Forman; Sam Hunter; Shana Fryer; Clayton Querry; Clint Summers; Katie Henneuse
Subject: Central Utah Water Conservancy District: Water Efficiency Standards
Attachments: RURAL Water Efficiency Standards (R).pdf; RURAL Water Efficiency Standards Notice.pdf

Hello,

This email is to notify your city of the water efficiency standards that need to be adopted into municipal codes by January 1st, 2024 for continued eligibility for your city and residents in the water-wise landscaping incentive programs offered by Central Utah Water Conservancy District and the Division of Water Resources. Outside of the programs currently available, further State and District funding related to water conservation and new allocations of water may be contingent upon adoption of these standards. The two attachments to this email are the water efficiency standards and an official notice that will provide additional background information on the programs and their benefits. To emphasize a section of the notice, only the language in section 4 of the water efficiency standards is required for continued eligibility for the programs and funding. If you or any of your city's policy makers have questions regarding these standards or our rebate programs, I am available by phone or email to help. We would also be happy to schedule a meeting to discuss them further at your convenience. We look forward to working with you.

Sincerely,

Savannah Peterson

Water Conservation Programs Manager
CENTRAL UTAH WATER CONSERVANCY DISTRICT
(801) 226-7151 office | savannah@cuwcd.gov
1426 E. 750 N. Suite 400 | Orem, UT 84097





CENTRAL UTAH WATER CONSERVANCY DISTRICT

May 3, 2023

Updated Water Efficiency Standards

1. Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

2. Applicability

- A. The following standards shall at a minimum be required for all new developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. These standards shall apply to existing ordinances related to city required landscaping.
 - i. If only front and side yards are required to be landscaped to receive a certificate of occupancy, these standards only apply to the front and side yards. If the backyard is required to be landscaped for certificate of occupancy, the standards would apply to the backyard as well.
- B. These outdoor standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

3. Outdoor Landscaping Standards

All new landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas).
- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.



CENTRAL UTAH WATER CONSERVANCY DISTRICT

- G. Locascapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

4. Landscaping Requirements

- A. Lawn shall not be less than 8 feet wide at its narrowest point.
- B. Lawn shall not exceed 50% of the total landscaped area. * Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.
 - i. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide lawn area requirement, are exempt from the 8 feet minimum width lawn area requirement and maximum of 35% lawn requirement.
- C. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- D. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.



CENTRAL UTAH WATER CONSERVANCY DISTRICT

5. Landscaping Recommendations

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

6. Landscaping Design Considerations

- A. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
- B. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
- C. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.
- D. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.

7. Additional Recommendations

- A. It is recommended and encouraged, but not mandated, that all new and future construction and future additions, remodels, or refurbishments install plumbing fixtures that have the WaterSense label, including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.



CITY OF FRANCIS, UTAH ANNEXATION CERTIFICATION

TO: Francis Municipal Council

RE: Foothills at Francis Gate Fund 1, LP Robert McFadden (owner & applicant) and Francis City (owner & applicant).
Property located on the north side of Foothill Drive and the east side of SR35, Francis, Utah 84036 and consisting of three parcels (CD-2003 and CD-2001-A) and (CD-2003-X) containing approximately 6.84 acres.

I, Suzanne Gillett, Recorder of the City of Francis and I Brad Christopherson Attorney of the City of Francis, Utah do hereby certify that the Petition for Annexation filed in my office on 6-27-2023 meets the requirements of UCA-10-2-403 (3), (4), and (5).

Contains signatures of owners of private real property in proposed annexed area.

Includes an accurate and recordable plat of the proposed annexation, prepared by a licensed surveyor.

Designates as contact sponsor:

Robert McFadden 6214 W Apollo Way, Highland, UT 84003

This petition does not propose the annexation of an area that is currently part of another annexation or a feasibility study.

Brad Christopherson City Attorney

Suzanne Gillett, City Recorder

This certification was provided to the Francis Municipal Council on the ____ day of November 2023, with a copy mailed, postage paid on November ____, 2023.

Robert McFadden 6214 W Apollo Way, Highland, UT 84003 & rob@arcdevelopers.com

DATED this ____ day of ____, 2023.



RESOLUTION No. 2023-09

FORM OF AUTHORIZING RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF FRANCIS CITY AUTHORIZING THE EXECUTION AND DELIVERY OF AN MUNICIPAL LEASE-PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT WITHIN THE TERMS PROVIDED HEREIN; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, Francis City (the "*Lessee*"), a municipal corporation, of the State of Utah, is authorized by the laws of the State of Utah to acquire, finance and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to acquire, finance and lease certain equipment with a cost not to exceed \$ \$147,069.60 in the aggregate constituting personal property necessary for the Lessee to perform essential governmental functions (the "*Equipment*"); and

WHEREAS, in order to acquire such Equipment, the Lessee proposes to enter into Municipal Lease-Purchase Agreements (the "*Agreements*") with Financial Pacific Leasing, Inc. DBA Umpqua Bank Equipment Leasing & Finance (or one of its affiliates), as lessor, (the "*Lessor*"), the form of which has been presented to the governing body of the Lessee at this meeting; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreements and the other documentation relating to the acquisition, financing and leasing of the Equipment to be therein described on the terms and conditions therein and herein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Lessee as follows:

Section 1. Findings and Determinations. It is hereby found and determined that the terms of the Agreements, in the form presented to the governing body of Lessee at this meeting, are in the best interests of the Lessee for the acquisition, financing and leasing of the Equipment.

Section 2. Approval of Documents; Designation as Bank Qualified. The form, terms and provisions of the Agreements are hereby approved in substantially the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the City Council of the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the Mayor of the Lessee is hereby authorized and directed to execute, and the City Recorder of the Lessee is hereby authorized and directed to attest, the Agreements and any related Exhibits attached thereto and to deliver the



Agreements (including such Exhibits) to the respective parties thereto, and the City Recorder of the Lessee is hereby authorized to affix the seal of the Lessee to such documents.

Section 3. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreements to carry out, give effect to and consummate the transactions contemplated thereby (including the execution and delivery of a Final Acceptance Certificate, escrow agreements, disbursement requests and any tax certificate and agreement, as contemplated in the Agreements) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreements, including designation of the Agreements as "qualified tax-exempt obligations" under Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended, if requirements for such designation can be met.

Section 4. Appointment of Authorized Lessee Representatives. The Mayor of Francis City is hereby designated to act as an authorized representative of the Lessee for purposes of the Agreements and any escrow agreements until such time as the governing body of the Lessee shall designate any other or different authorized representative for purposes of the Agreements or any escrow agreement.

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency with respect to this Resolution. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF FRANCIS CITY, STATE OF UTAH, THIS ____ DAY OF NOVEMBER, 2023.

FRANCIS CITY

ATTEST:

Suzanne Gillett
City Recorder

By: _____
Jeremie Forman
Mayor

FRANCIS CITY ORDINANCE NO. 2023-03

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 assessed 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. \$1,000.00 for standard plans

2. \$500.00 for modular or manufactured homes
3. \$250 for any other permit

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 \$2,000.00 security deposit will be required at time of rental. A fee of \$10.00 per day plus a fee of \$.025 per gallon of water.

If providing your own meter, a \$1,000.00 deposit will be required at time of rental. A fee of \$.025 per gallon of water will be charged for usage.

Penalty for hydrant usage without permission is \$1,000.00 per violation.

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

1. Concept Plan Review	\$25 per lot or unit
2. Preliminary Master Plan Review	\$25 per lot or unit
3. Preliminary Plan Review	\$200 per lot or unit
4. Final Plat Review	\$100 per lot or unit
5. Minor Subdivision Review	\$1,000 (4 lots or fewer)
6. Plat Amendment	\$500 for review by City Council only \$750 for review by City Council and Planning Commission
7. Lot Line Adjustments	\$250
8. Commercial Concept Plan	\$250
9. Commercial Site Plan	\$1,000
10. Recording	\$100 + County Recording Fee
11. Professional Review Fees	Reference Section 1.2.3

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. 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 \$500.00

1.2.5 TEMPORARY USE PERMIT \$50.00 per day

1.2.6 BOARD OF ADJUSTMENT \$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 \$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 \$100.00
(in accordance with Zoning Ordinance provisions and approved by the governing body).

1.2.10 GENERAL PLAN AMENDMENTS \$1,000.00

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

1.2.11 VACATING A SUBDIVISION \$250.00 per plat

1.2.12 DEVELOPMENT CODE AMENDMENTS \$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 **\$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 **\$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

An illegal connection fee of \$500.00 plus the base charge for water and sewer will be charged from the time the building permit was issued.

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

Return check fee \$25.00

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

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.

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 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 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

Special Event Permit Application \$100.00

If any special event requires a City staff support person to be present, the cost of the service will be billed at \$85 for Public Works and Administration, per hour, per staff person with a 4-hour minimum.

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

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 SOLICITERS \$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

Building Rental 30 day notice

Francis City resident usage per day, or any fractional part thereof	\$50.00 per day
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Kamas Valley resident usage per day, or any fractional part thereof	\$100.00 per day
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Non-Kamas Valley resident usage	\$150.00 per day
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Cleaning Deposit Francis City/ Kamas Valley residents	\$200.00
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Cleaning Deposit outside of Kamas Valley	\$400.00
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9.2 CITY PARK GROUNDS

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

City resident	\$25.00
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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 Forman

Councilmember Fryer

Councilmember Hunter

Councilmember Querry

Councilmember Summers

APPROVED:

ATTEST:

Mayor Jeremie Forman

City Recorder Suzanne Gillett

City Seal