

**APPLE VALLEY
ORDINANCE O-2022-51**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “14.02.080 Impact Fee Schedules And Formulas” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

14.02.080 Impact Fee Schedules And Formulas

Maximum Supportable Impact Fees. The fee schedules included herein represent the maximum impact fees which the Town may impose on development within the defined Impact Fee Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The Town reserves the right under the Impact Fees Act (Utah Code § 11-36-202(2)(c,d)) to assess an adjusted fee to respond to unusual circumstances to ensure that fees are equitably assessed.

This adjustment may result in a higher impact fee if the Town determines that a user would create a greater than normal impact on any of the systems. The Town may also decrease the impact fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36-202(3)(a)).

Impact Fee Schedules:

CULINARY WATER IMPACT FEES. The impact fees for culinary water as set forth in the attached Table 1, shall be paid at the time of application for a building permit.

Table 1 - Culinary Water Maximum Impact Fees

Land Use	Units	Demand	ERUs	Unadjusted Impact Fee	Adjusted Impact Fee	Adopted Impact Fee
Residential	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
Multi-unit	Dwelling	800	1.000	\$5,631	\$5,677	\$1,000
High School	Person	15	0.0188	\$106	\$107	\$21
Middle School	Person	15	0.0188	\$106	\$107	\$21
Elementary School	Person	15	0.0188	\$106	\$107	\$21
Hotel	Room	150	0.1875	\$1,056	\$1,064	\$213
Service Station	Pump	250	0.1325	\$1,760	\$1,774	\$355
Restaurant	Seat	35	0.0438	\$247	\$249	\$50
RV Park	Vehicle	100	0.1250	\$704	\$710	\$142
Church	Seat	5	0.0063	\$35	\$36	\$7
Nursing Home	Bed	200	0.25	\$1,480	\$1,420	\$284
Doctor's Office	Patient	10	0.0125	\$70	\$71	\$14
	Staff	35	0.0438	\$247	\$249	\$50
Dentist Office	Chair	200	0.25	\$1,408	\$1,419	\$284
	Staff	35	0.044	\$248	\$250	\$50
Store	Toilet Rm	500	0.625	\$3,519	\$3,548	\$710
	Employee	11	0.014	\$79	\$79	\$16
Commercial	Building	1,600	2.000	\$11,262	\$11,354	\$2,271
Industrial	Building	3,200	4.000	\$22,524	\$22,708	\$4,542

WASTEWATER IMPACT FEES. The impact fees for wastewater facilities as set forth in the attached Table 2, shall be paid at the time of application for a building permit.

Table 2 - Wastewater Maximum Impact Fee

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Type	Units	ERUs	Adjusted Impact Fee / Unit	Adopted Impact Fee / Unit
Permanent residence	Residence	1.000 0	\$2,875	\$1,500
Hotels & motels	Room	0.375 0	\$1,078	\$216
RV parks	Space	0.250 0	\$719	\$144
Airports	Passenger	0.007 5	\$22	\$4
	Employee	0.037 5	\$108	\$22
Boarding houses	Residents	0.125 0	\$359	\$72
	Nonresidents	0.025 0	\$72	\$14
Bowling alleys w/snack bar	Alley	0.250 0	\$719	\$144
Bowling alleys w/o snack bar	Alley	0.212 5	\$611	\$122
Churches	Person	0.012 5	\$36	\$7
Country clubs	Resident member	0.250 0	\$719	\$144
	Non-resident member	0.062 5	\$180	\$36
	Employee	0.037 5	\$108	\$22
Dentist's office	Chair	0.500 0	\$1,438	\$288
	Staff member	0.087 5	\$252	\$50
Doctor's office	Patient	0.025 0	\$72	\$14
	Staff member	0.087 5	\$252	\$50

Fairgrounds	Person	0.0025	\$7	\$1
Fire station w/ food preparation	Full-time employee	0.1750	\$503	\$101
Fire station w/o food preparation	Full-time employee	0.0125	\$36	\$7
Gyms	Participant	0.0625	\$180	\$36
	Spectator	0.0100	\$29	\$6
Hairdresser	Chair	0.1250	\$359	\$72
	Operator	0.0875	\$252	\$50
Hospitals	Bed	0.6250	\$1,797	\$359
Industrial buildings w/ showers (exclusive of industrial waste)	Employee per shift	0.0875	\$252	\$50
Industrial buildings w/o showers (exclusive of industrial waste)	Employee per shift	0.0375	\$108	\$22
Jail facilities	Inmate	0.2875	\$827	\$165
	Employee	0.0250	\$72	\$14
Laundrette	Washer	1.4500	\$4,169	\$834
Movie Theaters (auditorium)	Seat	0.0125	\$36	\$7
Movie Theaters (drive-in)	Car	0.0250	\$72	\$14
Nursing Homes	Bed	0.7000	\$2,013	\$403
Office buildings w/ cafeteria	Employee	0.0625	\$180	\$36
		0.037		

Office buildings w/o cafeteria	Employee	5	\$108	\$22
Picnic parks	Person	0.012 5	\$36	\$7
Restaurants w/ 24 hour service	Seat	0.125 0	\$359	\$72
Restaurants w/o 24 hour service	Seat	0.087 5	\$252	\$50
Restaurants – single service utensils	Customer/day	0.025 0	\$72	\$14
Rooming house	Person	0.100 0	\$288	\$58
Schools – boarding	Person	0.187 5	\$539	\$108
Schools w/o cafeteria & showers	Person	0.037 5	\$108	\$22
Schools w/ cafeteria w/o showers	Person	0.050 0	\$144	\$29
Schools w/ cafeteria & showers	Person	0.062 5	\$180	\$36
Service stations	Vehicle/day	0.025 0	\$72	\$14
Skating rinks & dance halls w/ kitchen	Person	0.032 5	\$93	\$19
Skating rinks & dance halls w/o kitchen	Person	0.025 0	\$72	\$14
Ski areas w/o kitchen	Person	0.025 0	\$72	\$14
Stores	Toilet stall	1.250 0	\$3,594	\$719
	Employee	0.027 5	\$79	\$16
Swimming pools & bath houses	Person	0.025 0	\$72	\$14
Taverns, bars, cocktail lounges	Seat	0.050 0	\$144	\$29
		0.012		

Visitor centers	Visitor day	5	\$36	\$7
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STORMWATER IMPACT FEES. The impact fees for stormwater as set forth in the attached Table 3, shall be paid at the time of application for a building permit for any property located within the drainage boundary.

Table 3 - Storm Water Impact Fee

Zoning		Adopted Impact Fee Per Acre within Drainage Boundary
Residential		\$2,885.79/acre
Commercial		\$2,885.79/acre

PARKS, TRAILS, AND OPEN SPACE IMPACT FEES. The impact fees for parks, trails and open space as set forth in the attached Table 4, shall be paid at the time of application for a building permit.

Zoning		Adopted Impact Fee Per Household (2.38 Persons)
Residential		\$725
Commercial		None

NON-STANDARD PARK IMPACT FEES: The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a land-use will have upon public facilities. The adjustment for Non-Standard Park Impact Fees could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use. The non-standard impact fee is calculated based on the following formula:

$$\text{Estimated Population per Unit} \times \text{Estimate of Impact Fee Per Capita } (\$305) = \text{Impact Fee per Unit}$$

POLICE SAFETY IMPACT FEES. The impact fees for public safety as set forth in the attached Table 5, shall be paid at the time of application for a building permit.

	Zoning		Adopted Impact Fee
POLICE	Residential		\$114/unit
	Commercial		\$1,844/acre

FIRE AND EMS IMPACT FEES. The impact fees for public safety as set forth in the attached Table 6, shall be paid at the time of application for a building permit.

	Cost per SFE	SFE Conversion	Total Impact Fee per Unit
Residential			
Single Family Dwelling Unit	\$844	1.00	\$844
Multi-Family Dwelling Unit	\$844	0.68	\$571
Non-Residential			
Shopping Center (per 1K SF)	\$11,443	2.81	\$32,117
General Office (per 1K SF)	\$11,443	1.43	\$16,413
Light Industrial (per 1K SF)	\$11,443	0.84	\$9,594

NON-STANDARD FIRE AND EMS IMPACT FEES: The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities. This adjustment could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use. To determine the impact fee for a non-standard use, the City should use the following formula:

Formula for Non-Standard Fire Impact Fees: Residential Fee: SFE Conversion x \$844
 = Recommended Impact Fee Non-Residential Fee: SFE Conversion x \$11,443 =
 Recommended Impact Fee

TRANSPORTATION IMPACT FEES. The impact fees for transportation as set forth in the attached Table 7, shall be paid at the time of application for a building permit.

LAND USE:	Impact Fee per Unit
Singe Family Residential	\$2,660
Multi-Family Residential	\$1,800
Shopping Center	\$7,466
Light Industrial	\$2,230
Office	\$3,816

NON STANDARD IMPACT FEES: The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a specific land use will have upon the City's transportation system. This adjustment could result in a different impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. The City may adjust the impact fee if the developer can provide documentation, evidence, or other credible analysis that the proposed impact will be different than what is proposed in this analysis.

Formula for Non-Standard Transportation Impact Fees: Total Units x Estimate of PM Peak Hour Trips per Unit x Adjustment Factor x \$2,687 = Impact Fee per Unit

AFTER AMENDMENT

14.02.080 Impact Fee Schedules And Formulas

Maximum Supportable Impact Fees. The fee schedules included herein represent the maximum impact fees which the Town may impose on development within the defined Impact Fee Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The Town reserves the right under the Impact Fees Act (Utah Code § 11-36-202(2)(c,d)) to assess an adjusted fee to respond to unusual circumstances to ensure that fees are equitably assessed.

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Table 13 - Storm Water Impact Fee

Zoning		Adopted Impact Fee Per Acre within Drainage Boundary
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Commercial		\$2,885.79/acre

PARKS, TRAILS, AND OPEN SPACE IMPACT FEES. The impact fees for parks, trails and open space as set forth in the attached Table 24, shall be paid at the time of application for a building permit.

Zoning		Adopted Impact Fee Per Household (2.38 Persons)
Residential		\$725
Commercial		None

NON-STANDARD PARK IMPACT FEES: The Town reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a land-use will have upon public facilities. The adjustment for Non-Standard Park Impact Fees could result in a different impact fee if the TownCity determines that a particular user may create a different impact than what is standard for its land use. The non-standard impact fee is calculated based on the following formula:

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	Zoning		Adopted Impact Fee
POLICE	Residential		\$114/unit
	Commercial		\$1,844/acre

FIRE AND EMS IMPACT FEES. The impact fees for public safety as set forth in the attached Table 36, shall be paid at the time of application for a building permit.

	Cost per SFE	SFE Conversion	Total Impact Fee per Unit
Residential			
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LAND USE:	Impact Fee per Unit
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Shopping Center	\$7,466
Light Industrial	\$2,230
Office	\$3,816

NON STANDARD IMPACT FEES: The TownCity reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that a specific land use will have upon the TownCity’s transportation system. This adjustment could result in a different impact fee if evidence suggests a particular user will create a different impact than what is standard for its category. The TownCity may adjust the impact fee if the developer can provide documentation, evidence, or other credible analysis that the proposed impact will be different than what is proposed in this analysis.

Formula for Non-Standard Transportation Impact Fees: Total Units x Estimate of PM Peak Hour Trips per Unit x Adjustment Factor x \$2,687 = Impact Fee per Unit

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from October 19, 2022.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Frank Lindhardt, Mayor,, Apple Valley