

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Town Council Meeting on Wednesday, June 11, 1997
at 7:30 p.m. at the Leeds Town Hall, 218 North Main Street. Public welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of May 14 and 28, 1997 meetings
5. Public Hearing regarding the Fiscal Year 1997-98 Budget
6. Vote on Public Hearings:
 - F.Y. 1997-98 Budget
 - Impact Fee Procedure Ordinance
7. Seth Larson
8. Update on Council Assignments:
 - Charlie Scott
 - Joanne Thornton
 - 4th of July
 - Update on Sewer
 - Steve Westhoff
 - Kay Fairbanks
 - Mayor Evans
9. Discussion of Impact Fee Enactments
10. Other Business
11. Adjournment

POSTED THIS 9th DAY OF JUNE 1997


Patrick J. Franks, Manager / Clerk

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

**THIS NOTICE MUST BE POSTED UNTIL
JUNE 12, 1997. IT IS AGAINST UTAH STATE
LAW TO REMOVE IT BEFORE THE DATE
INDICATED.**

**TOWN OF LEEDS
PUBLIC HEARING**

The Town Council of Leeds will hold a Public Hearing to adopt the 1997-98 Fiscal Year Budget on Wednesday, June 11, 1997 at 7:45 p.m. at the Leeds Town Hall, 218 North Main Street. This will be during the regular Town Council Meeting and time will be given for comment on the proposed budget. Public welcome to attend. For a copy of the proposed 1997-98 Budget please contact Mayor Mel Evans at 879-2989.


POSTED THIS 5th DAY OF JUNE 1997


Patrick J. Franks, Manager / Clerk

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

**THIS NOTICE MUST BE POSTED UNTIL JUNE 12, 1997.
IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE
DATE INDICATED.**


 In compliance with the Americans with Disabilities Act, The Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public hearing. Persons requesting assistance are asked to call Patrick Franks at 680-2261 at least 48 hours prior to the meeting.

**TOWN OF LEEDS
PUBLIC HEARING**

The Town Council of Leeds will hold a Public Hearing to adopt Impact Fee Procedures Ordinance #5-97 on **Wednesday, June 11, 1997** at 7:15 p.m. at the Leeds Town Hall, 218 North Main Street. Public welcome to attend.

This ordinance is designed to describe the means by which the Town Council will set, and then manage, Impact Fees after July 1 1997. The ordinance does not establish the Fees. Rather, it enables the Town Council to follow its procedures in the establishment of the Fees. It is expected that it will be used in the establishment of Park and Public Safety Impact Fees for new development units.


POSTED THIS 28th DAY OF May 1997


Patrick J. Franks, Manager / Clerk

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

**THIS NOTICE MUST BE POSTED UNTIL June 12, 1997.
IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE
DATE INDICATED.**

 In compliance with the Americans with Disabilities Act, The Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public hearing. Persons requesting assistance are asked to call Patrick Franks at 879-2447 at least 48 hours prior to the meeting.

Town of Leeds

**Minutes for the
Public Hearing & Town Council Meeting
of June 11, 1997**

**Public Hearing to adopt Impact Fee Procedures
Ordinance #5-97**

Mayor Evans opened the public hearing at 7:15 PM. He read Ordinance #5-97 and explained to Jim Parnell that we are voting tonight on the procedures for Impact Fees and not what the fees will be. Mayor Evans explained there are 2 kinds of fees, Park fees and Public Safety Facilities fees. He explained this ordinance is designed to describe the means by which the Town Council will set, and then manage, Impact Fees after July 1, 1997. The ordinance does not establish the Fees. Rather, it enables the Town Council to follow its procedures in the establishment of the Fees. It is expected that it will be used in the establishment of Park and Public Safety Impact Fees for the new development units. There was no discussion. The hearing closed at 7:40 PM.

1. CALL TO ORDER: Mayor Melvin J. Evans called the meeting to order at 7:40 p.m.

2. ROLL CALL: Mayor Melvin J. Evans and Council Members Charlie Scott, Stephen Westhoff, Joanne Thornton and Marilyn Kay Fairbanks were present. Patrick Franks was absent.

3. PLEDGE: Joan Thornton.

**4. APPROVAL OF AGENDA AND MINUTES OF MAY 14 AND 28, 1997
MEETINGS:**

Council Member Charlie Scott made a motion to approve with corrections made. Seconded by Steve Westhoff. Passed unanimously.

**5. PUBLIC HEARING REGARDING THE FISCAL YEAR 1997-98 BUDGET:
Modifications to the budget:**

(1) EMT contributions from \$2000.00 to \$3000.00, EMT Travel/Training from \$700.00 to \$1200.00, and EMT Medical Supplies from \$4000.00 to \$4500.00.

(2) Line 316 Title changed to Fire Department Debt Service.

(3) Must have an audit now because we are over \$150,000.00. So line # 199 increased to \$4500.00.

(4) Animal Control Line 266.

(5) Capital Funds reviewed.

(6) Line 393 proposed should be \$65,000.00.

(7) Line 430 should show \$95,000.00.

Open for discussion on Budget. Joan Thornton indicated she would like to see the legal review if we can afford it. Charlie Scott indicated that there is going to be a reevaluation of property taxes. Elvin Braman comments concerning the Cops Grants. Costs of \$11,208.00 in wages, \$3050.00 for gas, oil, maintenance, and uniforms total of \$14,158.00. The grant paid \$5,604.00 and the Town paid \$8,554.00. Fines and fees brought in \$10,776.00. Maintenance and repair last year \$1439.00 Budget shows \$500.00. Elvins car is broke down and already has a bill for \$300.00. Elvin indicated he will already be over budget. Mel said then we will have to "moth ball" one car. Steve indicated he would rather cut the fire from going up the highway and put that money into the Police Department. Mel indicated that a purchase order or request must be submitted for any expenditure.

6. VOTE ON PUBLIC HEARINGS:

F. Y. 1997-98 Budget- Motion made by Steve Westhoff. Seconded by Joan Thornton. Passed unanimously.

Impact Fee Procedure Ordinance- Motion made by Joan Thornton. Seconded by Kay Fairbanks. Passed unanimously. Mel will be posting a Notice for June 26th on Impact Fees and Ordinances. Joan asked about Impact fees for Sewer. Mel said that would be a new enactment when the time comes.

7. SETH LARSEN:

Seth Larsen submitted plot plans. Mel indicated he did not pay enough impact fees. He paid \$1000.00 and should have paid \$1400.00.

8. UPDATE ON COUNCIL ITEMS:

Charlie had nothing. Joan stated July 4th the Lions will do breakfast. Joan and Kay will meet with them. July 24th is going to be done by the Historical Society. Kay reported on fire hydrants at Center and Beals. Steve had nothing. Mel passed out a map of acre that want to be developed. A letter mailed to Leany's and Walton's. Mel suggested to go to one meeting a month after June. Pat is not able to come in as scheduled. Might have to look for someone if Pauline doesn't want to do it. Elvin brought to our attention he got a grant for a computer but the Town has to match it 25%. Elvin said we will have a problem getting out of the Cop Grant but they are sending paper work.

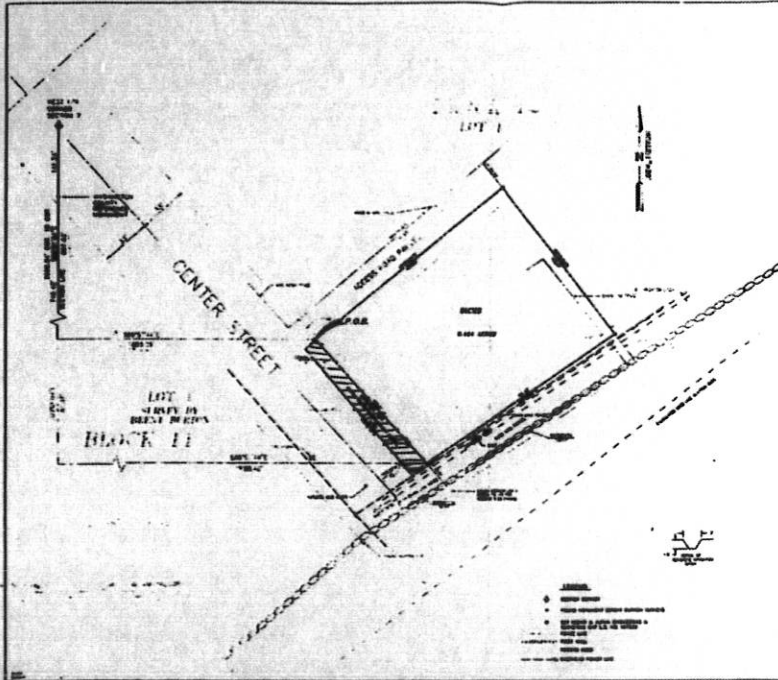
14. ADJOURNMENT:

The meeting was adjourned at 9:00 p.m.

APPROVED AND SIGNED THIS 25th DAY OF MARCH 1998

Ron Mosher
Ron Mosher, Mayor

attest: Joy Stevens
Joy Stevens, Clerk/Recorder



SURVEYOR GENERAL
 STATE OF WASHINGTON
 1-11-27. *Jay Adams*

PRELIMINARY DESCRIPTION

WASHINGTON COUNTY RECORD OF SURVEY
 BLOCK 13, LEWIS TERRACE & FIELD SURVEY
 SECTION 7, T49S-R24E, S34M.

PREPARED FOR: **WILSON BROS**
 DATE: **1/14/27**
 DRAWN: **H.C.** CHECKED: **J.M.W.**

ADAMS SURVEYING INC.
 400 WEST 10TH STREET SUITE 201
 SEASIDE, CALIF. 94134
 TEL: 415-442-1000
 FAX: 415-442-1001

COPY

LEEDS TOWN, UTAH
ORDINANCE No. 97-10

AN ORDINANCE AMENDING THE LEEDS TOWN CODE; ESTABLISHING PROCEDURES FOR THE IMPOSITION, CALCULATION, COLLECTION, EXPENDITURE AND ADMINISTRATION OF IMPACT FEES; PROVIDING A PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS AND APPLICABILITY; PROVIDING PROCEDURES FOR THE IMPOSITION, CALCULATION AND COLLECTION OF IMPACT FEES; PROVIDING FOR THE ESTABLISHMENT OF IMPACT FEE ACCOUNTS, THE APPROPRIATION OF IMPACT FEE FUNDS, AND FOR REFUNDS; PROVIDING FOR EXEMPTIONS AND FOR APPEALS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Utah has established requirements for the imposition, administration and use of impact fees, the Impact Fees Act, Utah Code Ann. § 11-36-101, et seq.; and

WHEREAS, pursuant to the Impact Fees Act, Leeds Town is required to comply with its requirements; and

WHEREAS, the Town Council has considered and evaluated the procedures for the administration and operation of the Leeds Town impact fee system; and

WHEREAS, the Town Council finds it necessary and appropriate to establish procedures, not only pursuant to the Impact Fees Act, Utah Code Ann. § 11-36-101, et seq., but also to ensure the fair, equitable and efficient administration of the Leeds Town impact fee system;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH, as follows:

Section 1.0. Impact Fee Administration System. The Leeds Town Code is hereby amended by adding an Impact Fee Administration System to read as contained in Attachment A.

Section 2.0. Conflict. Neither this Ordinance nor any applicable specific impact fee ordinance shall affect, in any manner, the permissible use of property, density/intensity of development, design and improvement standards or other applicable standards or requirements of the Town. To the extent of any conflict

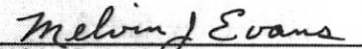
between other Town Ordinances or regulations and this Ordinance, the more restrictive is deemed to be controlling.

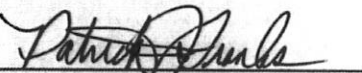
Section 3.0. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED this 11th day of June, 1997.

Town Council of
Leeds Town, State of Utah

ATTEST:


Melvin J. Evans, Mayor


Patrick J. Franks, Town Clerk

ATTACHMENT A

LEEDS TOWN IMPACT FEE ADMINISTRATION SYSTEM

SECTION 1.0 PURPOSE AND INTENT

(a) The purpose and intent of the Impact Fee Administration System is:

- (1) To establish uniform procedures for the imposition, calculation, collection, expenditure and administration of impact fees imposed on new development by Leeds Town;
- (2) To facilitate the implementation of the goals, objectives and policies of the Leeds Town Plan, Capital Facilities Plans, and Leeds Zoning Ordinance, assuring that new impact-producing development contributes its fair share towards the costs of providing capital facilities reasonably necessitated by such development;
- (3) To ensure that new development is reasonably benefitted by the provision of capital facilities provided by impact fees; and
- (4) To ensure that all applicable legal standards as required by Federal and State statutory law and all applicable case law standards are properly incorporated.

SECTION 2.0 DEFINITIONS

The words or phrases used herein shall have the meaning prescribed herein:

- (1) **Applicant.** A person, company or corporation who has filed an application for preliminary or final subdivision approval, preliminary or final site plan approval, conditional use approval or building permit approval.
- (2) **Application for Development Approval.** An application for development approval that is subject to this Chapter as set forth in Section 5.0(A)(1) herein.
- (3) **Appropriation, To Appropriate, Encumber.** An action by the Leeds Town Council to identify capital facilities for which impact fee funds may be utilized. Appropriation shall include, but shall not be limited to: inclusion of a capital facility in the adopted Town budget or capital facilities plan; execution of a contract of other legal encumbrance for the provision of a capital facility using impact fee funds; and expenditure of impact fee funds through payments made from an impact fee account.

- (4) **Capital Facilities.** Shall include "system improvements" as defined in the Utah Code, and also includes amounts appropriated in connection with the planning, design, engineering and construction of such facilities; planning, legal, appraisal and other costs related to the acquisition of land, financing and development costs including debt service charges; the costs of compliance with purchasing procedures and applicable administrative and legal requirements; and all other costs necessarily incident to the provision of a capital facility as allowed by the Utah Code.
- (5) **Capital Facilities Plan.** A document, required by the Utah Code identifying the demands placed upon existing public facilities by new development activity; and the proposed means by which Leeds Town will meet the demands created by new development. The Town Capital Facilities Plan(s) of Leeds Town identify the anticipated demand for Town provided capital facilities over a specified plan period.
- (6) **Credit.** A reduction in the impact fee calculated to be due from new development for the provision of new capital facilities, including the dedication of land and/or improvements to Leeds Town when the new capital facilities are identified in the Capital Facilities Plan, or are required by the Town as a condition of approval for the proposed development activity.
- (7) **Development Activity, Impact-Producing Development.** Any construction, expansion, change in use of buildings, or change in use of land that has the effect of:
 - (1) increasing the need or demand for a capital facility; or
 - (2) utilizing existing capital facility capacity; or
 - (3) causing an existing capital facility level of service standard to decline.
- (8) **Development Approval.** Any final authorization provided by Leeds Town permitting the commencement of a development activity including, but not limited to; final subdivision plat approval, final site plan approval, and issuance of a valid building permit.
- (9) **District or Impact Fee District.** A defined geographic area or subarea of Leeds Town within which impact fees are collected, appropriated, and expended for capital facilities serving new development within such area or subarea.
- (10) **Fee Adjustment.** A factor included within the capital facility impact fee calculation methodology, to avoid a potential double-charging for prior taxes paid, and taxes anticipated to be paid in the future for the provision of capital facilities required to serve impact-producing development and included in a capital facilities plan.

- (11) **Impact Fee.** A monetary exaction imposed in connection with and as a condition of development approval and calculated to defray all or a portion of the costs of capital facilities necessary to accommodate new development activity and reasonably benefiting the new development activity.
- (12) **Impact Fee District Map(s).** The map(s) defining the geographical extent of the impact fee districts and subdistricts for each adopted impact fee.

SECTION 3.0 GENERAL PROVISIONS

- (a) **Term.** This Chapter shall remain in effect unless and until repealed, amended or modified by the Town Council in accordance with applicable State law, local ordinances and procedures.
- (b) **Annual Review.** At least once every year and prior to the Town Council adoption of the Town Budget, the Town shall review the Leeds Town Impact Fee System and may prepare a Report on the subject of impact fees.

The Report shall include:

- [a] recommendations on amendments, if appropriate, to Town requirements imposing and setting impact fees for each category of capital facilities;
- [b] proposed changes to the Leeds Town Capital Facilities Plan(s), including the identification of capital facility projects anticipated to be funded wholly or partially by impact fees;
- [c] proposed changes to the boundaries of impact fee districts or subdistricts;
- [d] proposed changes to impact fee calculation methodologies as contained in the Ordinance(s) imposing and setting impact fees;
- [e] proposed changes to levels of service standards for capital facilities;
- [f] other data, analysis or recommendations as may be deemed appropriate.

(c) **Request for Information.** Any person may request, and the Town shall provide within fourteen (14) days, all information and other materials related and relevant to the imposition, calculation and collection of impact fees. The Town may recover all costs generally incurred to provide the information requested.

SECTION 4.0 AFFECTED AREA

(1) Impact Fee District. Impact fees shall be imposed on all impact-producing development activity within the Leeds Town Impact Fee District, which may be divided into impact fee subdistricts. The Leeds Town Impact Fee District shall include all areas within the corporate limits of Leeds Town, Utah.

(2) Change in Boundaries of Impact Fee Districts. The Town Council may amend the boundaries of the Impact Fee District, or subdistricts, at such times as may be deemed necessary to carry out the purposes and intent of this Chapter and applicable legal requirements for the use of impact fees. In the event of annexation of unincorporated Washington County land by the Town, the Impact Fee District boundaries shall be deemed to have been changed by operation of law.

SECTION 5.0 TYPE OF DEVELOPMENT AFFECTED

(A) Development Affected.

These requirements shall apply to all impact-producing residential and non-residential development activity for which the following permits are required, unless the development is a development activity that is Not Affected;

- (1) A building permit for a lot or parcel within the Leeds Town Impact Fee District which has the effect of creating increased needs for capital facilities.

(B) Type of Development Not Affected.

- (1) Prior Building Permits. Proposed development for which a building permit has been issued prior to the effective date of this Chapter.
- (2) Previous Payment of Impact Fees. No impact fees for a specific capital facility shall be due at a later stage of the development approval process if impact fees for that specific capital facility have been paid earlier and the applicable impact fee has not increased.
- (3) Public Facilities of the County, State, school district, special service districts, municipalities or political subdivisions of the State of Utah or the Federal government.
- (4) Replacement Residential Unit. Redevelopment or rehabilitation which replaces but which does not increase the number of residential dwelling units above that existing on the site prior to redevelopment or rehabilitation.
- (5) Replacement Nonresidential Development. Redevelopment or rehabilitation which replaces, but which does not increase the intensity

of development above that existing on the site prior to redevelopment or rehabilitation nor changes the use to one which has a greater impact-producing effect with respect to any capital facility than that existing on the site prior to redevelopment or rehabilitation.

- (6) Any other use, development, project, structure, building, fence, sign or other activity which is not impact-producing..

SECTION 6.0 PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF IMPACT FEES.

- (1) **Imposition.** After the effective date of this Chapter, no application for a building permit, as set forth in Section 5.0 (A)(1) shall be approved by the Town for any impact-producing residential or non-residential activity unless the applicant has paid the applicable impact fees in accordance with these procedures and requirements.
- (2) **Calculation.**
 - (i) Upon receipt of an application for a building permit, the Building Official shall determine whether the proposed project is impact-producing and, if so, (a) whether it is a residential or non-residential activity, (b) the class of residential or non-residential development, and if residential, the number of dwelling units, (c) if non-residential, the intensity of development, and (d) the impact fee district in which the proposed project is located.
 - (ii) After making these determinations, the Building Official shall determine the demand for capital facilities required by the proposed impact-producing development activity and calculate the applicable impact fee, multiplying the demand of the proposed impact-producing development by the impact fee per demand unit, as set forth in the calculation methodology.
 - (iii) If the type of land use proposed for development is not expressly listed in the specific impact fee ordinance, the Building Official shall (a) identify the most similar land use type listed and calculate the impact fee based on the impact fee per demand unit for that land use, or (b) identify the broader land use category within which the specific land use would fit and calculate the impact fee based on the impact fee per demand unit for that land use category.
 - (iv) If neither of the alternatives set forth above are appropriate, the demand may be determined by an Individual Impact Analysis performed by the applicant.

- (v) The calculation of impact fees due from a multiple-use impact-producing development activity shall be based upon the aggregated demand for each capital facility generated by each land use type in the proposed development.
- (vi) The calculation of impact fees due from a phased impact-producing development shall be based upon the demand generated by each phase for which building permit applications are received.
- (vii) All impact fees shall be calculated based on the impact fee per demand unit in effect at the time of building permit issuance.

(3) Credits.

- (i) Credits against the amount of an impact fee due from a proposed impact-producing development shall be provided for the dedication of land and/or the provision of capital facilities by an applicant when such land or capital facilities are determined to provide additional capacity to meet the demand generated by the development and when either; (a) the costs of such land or facilities have been included in the fee calculation methodology for the applicable category of capital facilities or (b) the land dedicated or capital facilities provided is determined by the Town Council to be a reasonable substitute for the cost of facilities which are included in the applicable fee calculation methodology.
- (ii) Applications for credit shall be made to the Town Council and shall be submitted at or before the time of building permit application. The application for a credit shall be accompanied by relevant documentary evidence indicating the eligibility of the applicant for the credit. When an application for a credit accompanies an application for a building permit, the Building Official shall calculate the applicable impact fee without any credit. Any credit determined appropriate by the Town Council shall be applied against the impact fee calculated to be due; provided, however, that in no event shall a credit be granted in an amount exceeding the impact fee due.
- (iii) Credits for dedication of land or provision of capital facilities shall be applicable only against impact fees for the same category of capital facilities. If the value of the dedication of land or provision of a capital facility exceeds the impact fee due for that capital facility category, the excess value may not be transferred to impact fees calculated to be due from the applicant for other categories of capital facilities nor may the excess value be transferred to other applicants or properties.

(4) Collection

- (i) The Town shall collect all applicable impact fees at the time of building permit issuance unless:
 - [a] the applicant is determined to be entitled to a full credit; or
 - [b] the applicant is not subject to the payment of impact fees; or
- (5) **Individual Impact Analysis.**
 - (1) The applicant may request, and the Town Council may approve or require the submittal by the applicant of an Individual Impact Analysis if the proposed impact-producing development is a land use type generating unusual demand for one or more types of capital facilities or is a land use type for which the Town does not have adequate and current demand data.
 - (2) An Individual Impact Analysis shall be performed by an independent consultant agreed upon by the applicant and the Town, and shall include:
 - [a] the demand generated by the impact-producing development and the methodology used to calculate the demand;
 - [b] copies of any recorded conditions on the property operating to limit the demand for capital facilities generated by the proposed development;
 - [c] information and data which may be required by a specific impact fee ordinance; and
 - [d] any additional information, data or analysis deemed necessary by the Town.
 - (3) All costs for the preparation, submittal and review of an Individual Impact Analysis shall be borne by the applicant. The costs incurred shall be charged to the applicant regardless of whether the applicant proceeds to building permit issuance, or whether the demand as calculated in the Individual Impact Analysis is accepted or rejected by the Town.
 - (4) Following the receipt of an Individual Impact Analysis, the Town shall provide a written determination of the demand generated by the proposed impact-producing development and may (a) find that the impact fee shall be calculated based on the demand as set forth in the Individual Impact Analysis, (b) find that the impact fee shall be

calculated based on the demand, as set forth in the individual Impact Analysis, as modified by the Town, or (c) find that the Individual Impact Analysis does not support a different demand and, therefore, that the impact fee should be calculated based on the demand as calculated pursuant to the impact fee ordinance. The findings of the Town shall be set forth in writing and provided to the applicant.

SECTION 7.0 ESTABLISHMENT OF IMPACT FEE ACCOUNTS; AND APPROPRIATION OF IMPACT FEE FUNDS

(1) **Impact Fee Accounts.** An impact fee account shall be established by the Town for each category of capital facilities for which impact fees are collected. All impact fees collected by the Town shall be deposited into the appropriate impact fee account, which shall be interest bearing. All interest earned shall be considered funds of the account. The funds of these accounts shall not be co-mingled with other funds or revenues of the Town. The Town shall establish and implement necessary accounting controls to ensure that the impact fee funds are properly deposited and appropriated in accordance with this Chapter and other applicable legal requirements.

(2) **Appropriation of Impact Fee Funds.**

- (i) **General.** Impact fee funds may be appropriated for capital facilities and for the payment of principal, interest and other financing costs on contracts, bonds, notes or other obligations issued by or on behalf of the Town to finance capital facilities.
- (ii) **Appropriations and Encumbrances.** Impact fees shall be appropriated or encumbered only for the category of capital facility for which they were imposed, calculated and collected, and within six (6) years of the beginning of the Fiscal Year in which the fees were collected. Impact fees shall not be appropriated for funding maintenance, operation or repair of capital facilities.
- (iii) **Appropriation of Impact Fee Funds Beyond Six (6) Years of Collection.** Notwithstanding this Section impact fee funds may be appropriated or encumbered beyond six (6) years from the beginning of the Fiscal Year in which the fees were collected if the appropriation is for a capital facility which requires more than six (6) years to plan, design, finance and construct. The Town Council shall identify in writing the reasons for the appropriation of impact fee funds beyond six (6) years of collection, and establish a date certain for their expenditure.

(3) **Procedure for Appropriation of Impact Fee Funds.**

- (i) The Town Council, as part of the annual budget process, will identify capital facility projects anticipated to be funded in whole or in part with impact fees. The Town Council shall specify the nature of the capital facility, its location, the system capacity added by the improvement, the service area of the improvement, and the timing of completion of the improvement.
- (ii) The Town Council may authorize impact fee-funded capital facilities at such other times as may be deemed necessary and appropriate. Such capital facilities shall also be described, as set forth above.
- (iii) The Town Council shall verify that adequate impact fee funds are, or will be, available from the appropriate impact fee accounts for the proposed capital facilities.

SECTION 8.0 REFUNDS.

- (1) **Application Required.** For efficiency in the processing of refunds the applicant is required to file a written request for a refund with the Town Council and provide the necessary information as identified herein. Except as provided, refunds shall be made only to the current owner of property on which the development activity was proposed or occurred.
- (2) **Payment.** Refunds shall only be made following an affirmative action by the Town Council with the finding that: (a) the fees have not been appropriated, encumbered or spent, and (b) that no impact has occurred that would; (i) increase the need or demand for a capital facility; or (ii) utilize existing capital facility; or (iii) cause an existing capital facility level of service standard to decline. The Town may, at its option, make refunds of impact fees by direct payment, or by other means subject to agreement with the property owner.
- (3) **Interest Payable.** All impact fee refunds authorized by an affirmative vote of the Town Council shall include a pro rata share of interest earned by the applicable impact fee account calculated at the average annual rate of interest for the period the applicant's impact fees were in the account.
- (4) **Eligibility for Refund:**
 - (i) **Expiration or Revocation of Building Permit.** An applicant who has paid an impact fee for a proposed impact-producing development activity for which the applicable building permit has been revoked shall be eligible to apply for a refund of impact fees paid.

- (ii) Failure of the Town to Appropriate Impact Fee Funds Within Time Limit. An applicant may apply for a refund of impact fees paid if the Town has failed to appropriate or encumber the impact fees collected within the time limits established in Section 7.0.
- (iii) Abandonment of Development After Initiation of Construction. An applicant who has paid an impact fee for a proposed impact-producing development activity for which a building permit has been issued and construction initiated, but which is abandoned prior to issuance of a certificate of occupancy shall not be eligible for a refund unless the uncompleted building is completely demolished and removed.
- (5) Processing of Applications for a Refund. Applications for a refund shall include all information required by Section 8.0(6) or Section 8.0(7) whichever is applicable. Upon receipt of a complete application for a refund, the Town Council shall review the application and all documentary evidence submitted by the applicant, as well as such other information and evidence as may be deemed relevant, and make a decision by majority vote of whether a refund is due.
- (6) Applications for refunds due to abandonment of a development shall be made within sixty (60) days following expiration or revocation of the development permit or demolition of the structure. The applicant shall submit; (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the expiration or revocation of the development permit or demolition of the structure.
- (7) Applications for refunds due to the failure of the Town to appropriate fees collected within the time limits established in Section 7.0 shall be made within ninety (90) days following the expiration of such time limit. The applicant shall submit; (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fee paid and receipts evidencing the impact fee payments, and (c) description and documentation of the Town's failure to appropriate impact fee funds for relevant capital facilities.

SECTION 9.0 APPEALS

- (1) An appeal from any decision of the Building Official pursuant to this Chapter shall be made in writing within 30 days to the Town Council. Within thirty (30) days from the date the appeal is filed, the Town

Council shall: (i) conduct an appeal hearing, and (ii) make a final decision on the appeal. The Town Council will ensure that all minutes, findings, orders, transcripts and other materials are correct and represent the true and complete record of the proceedings of the appeal hearing. If the notice of the appeal is accompanied by a bond or other sufficient surety satisfactory to the Town Attorney in an amount equal to the impact fee due, the application for a building permit for the development activity may be issued by the Town. The filing of an appeal shall not stay the collection of the impact fee due unless a bond or other sufficient surety has been provided.

- (2) The burden of proof shall be on the applicant to demonstrate that the decision of the Building Official is erroneous.

LEEDS TOWN, UTAH
ORDINANCE No. 97-11

AN ORDINANCE ADOPTING THE PUBLIC SAFETY CAPITAL FACILITIES PLAN; ADOPTING A PUBLIC SAFETY FACILITIES LEVEL OF SERVICE FOR ALL DEVELOPMENT WITHIN LEEDS TOWN; ESTABLISHING A PUBLIC SAFETY FACILITIES IMPACT FEE METHODOLOGY PURSUANT TO THE LEEDS TOWN IMPACT FEE PROCEDURES ORDINANCE AND SEC.11-36-101 ET. SEQ.(U.C.A.) AND ESTABLISHING A PUBLIC SAFETY IMPACT FEE; PROVIDING THAT A PORTION OF THE COSTS OF PUBLIC SAFETY FACILITIES REQUIRED TO SERVE NEW DEVELOPMENT TO BE PROVIDED BY NEW DEVELOPMENT; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Leeds Town has, and continues to experience population growth and development pressures for residential and non-residential activities; and

WHEREAS, Leeds Town desires to provide adequate public safety facilities and services to its residents and Leeds Town provides public safety facilities and services to residents of the Town and areas outside the Town and the Town Council has determined it to be sound public policy to adopt a Public Safety Facilities Capital Facilities Plan and to adopt a Level of Service for the provision of Public Safety Facilities; and

WHEREAS, all new development within the Town must be accompanied and supported by adequate Public Safety Facilities in order to maintain the adopted Level of Service; and

WHEREAS, it is the intent of the Town Council that, by the establishment of a Public Safety Facilities Impact Fee, new development will pay its proportionate share of the costs to provide the Public Safety Facilities, the need for which is occasioned by the demand generated by new development; and

WHEREAS, it is the intent of the Town Council that the Public Safety Impact Fee be one of several techniques utilized as part of a Town development management and financing system to implement the goals and policies of the Town General Plan; and

WHEREAS, the Town Council has presented the Public Safety Facilities Capital Facilities Plan and Impact Fee methodology at a public hearing held on June 25, 1997; and

WHEREAS, the Town Council has now considered the matter of financing a portion of the Public Safety Facilities required by new development through the imposition of a Public Safety Facilities Impact Fee at a public hearing also held on June 25, 1997; and

WHEREAS, the Leeds Town Council has now considered all the items for the adoption of a Public Safety Facilities Capital Facilities Plan and for the adoption of a Public Safety Facilities Impact Fee; and

WHEREAS, the Town Council deems it advisable to adopt a Public Safety Facilities Capital Facilities Plan to identify public safety facility needs of the Town and to promote the efficient delivery of public safety facilities and services; and

WHEREAS, a Public Safety Facilities Capital Facilities Plan has been formulated, although not required, consistent with the provisions of Sec 11-36 et. Seq. (U.C.A.).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH THAT:

1. The Leeds Town Public Safety Facilities Capital Facilities Plan and Impact Fee methodology, as attached hereto be adopted.
2. The Level of Service for Public Safety Facilities be established and adopted at 13.0 square feet of Public Safety Facilities per each Equivalent Residential Unit.
3. For the purposes of the efficient and equitable administration of the Leeds Town Public Safety Facilities Impact Fee system and in the legislative discretion of the Town Council, as allowed by State law, the Public Safety Impact Fee for all new residential development located within Leeds Town is adopted at \$ 750 per residential unit and \$ 75 per square foot for all nonresidential uses and activities.
4. The administration of the Public Safety Facilities Impact Fee shall be in accordance with all the requirements of the Leeds Town Impact Fee Procedures Ordinance (Ordinance No. 97-10).
6. This Ordinance shall take effect upon its adoption by a majority vote of the Leeds Town Council and following required notice and publication.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH,
THIS 25 DAY OF JUNE, 1997.

Melvin J. Evans
Melvin J. Evans, Mayor

ATTEST:

Patrick J. Franks, Town Clerk

LEEDS, UTAH

**PUBLIC SAFETY FACILITIES
CAPITAL FACILITIES PLAN AND
IMPACT FEE METHODOLOGY**

Prepared for:
LEEDS TOWN

by:
PLANNING AND DEVELOPMENT SERVICES
SALT LAKE CITY, UTAH
(801) 277-4435

June 1997

LEEDS TOWN
PUBLIC SAFETY CAPITAL FACILITIES PLAN 1997 – 2010
AND
PUBLIC SAFETY FACILITIES IMPACT FEE METHODOLOGY

PART I
CAPITAL FACILITIES PLAN 1997 – 2010

INTRODUCTION

Leeds Town provides police and fire services to the incorporated area of Leeds Town, Utah and to other areas outside the Town on an as needed basis. The Town maintains a Capital Facilities Plan for the provision of Public Safety Facilities within the annual budgeting structure of the Town but does not currently impose an impact fee as a funding option for Public Safety Facilities eligible under the State of Utah Impact Fees Act, §11-36 et.seq. Utah Code Annotated (U.C.A.). This Capital Facilities Plan (CFP) is formulated for the identification and future planning for the provision of Leeds Town provided Public Safety Facilities and is developed pursuant to the requirements of §10-9-101 et.seq. and §11-36-101 et.seq. (U.C.A.) and other statutory requirements of Utah law.

Additional residential and nonresidential development in the area served by Leeds Town will place additional demands on services provided by the Police and Fire Departments for the period 1997 – 2010. Increased calls for Police and Fire Department services will increase the need for additional Department personnel, equipment and buildings.

The Leeds Town Public Safety Capital Facilities Plan 1997 – 2010 identifies the need for Public Safety Facilities for 1997 – 2010 and identifies the cost of providing the required facilities. The Capital Facilities Plan also establishes a Level of Service for Town provided Public Safety Facilities for 1997 – 2010.¹

¹ A Public Safety Facility is defined as any building constructed and owned by, or leased to Leeds Town to house police, fire or other public safety services (§11-36-102(12)(a) U.C.A.).

EXISTING PUBLIC SAFETY FACILITIES

In 1997 Leeds Town provides 1,400 square feet of Public Safety Facilities located at the Leeds Town Hall for the housing of Police and Fire Department personnel, police and fire vehicles, equipment, training facilities and related administrative space. In 1997 Leeds Town is also constructing a new Public Safety Facility of approximately 4,800 square feet, which will be available for the housing of Police and Fire vehicles, equipment and personnel. With the completion of the new Public Safety Facility, during 1997, Leeds Town will provide approximately 6,200 square feet of Public Safety Facilities. This amount of Public Safety Facilities is provided to not only meet the needs of Leeds Town but also to provide public safety services to areas outside the corporate boundaries of the Town under the provisions of a service agreement with Washington County.

PUBLIC SAFETY DEPARTMENT SERVICE AREA POPULATION 1997 - 2010

From information provided by the U.S Bureau of the Census, Governor's Office of Planning and Budget (GOPB) and building permit information provided by Leeds Town the population of Leeds Town and the area served by the Leeds Town Police and Fire Departments has an estimated population of 403 persons in 1997. Table 1 identifies the 1997 Town population and a population projection for 2010. Table 2 identifies the total number of dwelling units within the Town in 1997 and provides a total dwelling unit projection for 2010.

**Table 1
LEEDS TOWN
PUBLIC SAFETY FACILITIES
POPULATION 1990 - 2010**

Town Population			
1990	1994	1997	2010
2541	3872	4033	4714

- Source:
1. U.S. Bureau of the Census.
 2. Utah Demographic Report July 1996, (Table 24) Demographic and Economic Analysis, Governor's Office of Planning and Budget.
 3. Extrapolated from 1994 population estimate and 2010 population projection.
 4. Governor's Office of Planning and Budget.

**Table 2
LEEDS TOWN
PUBLIC SAFETY FACILITIES
OCCUPIED DWELLING UNITS 1990 - 2010**

Total Occupied Dwelling Units			
1990	1994	1997	2010
99	151	157	183

NONRESIDENTIAL USES AND ACTIVITIES

Table 3 identifies the total number of dwelling units located within Leeds Town in 1997. To establish a Level of Service for Public Safety Facilities it is also necessary to identify the amount of Nonresidential uses located within Leeds Town in 1997. In 1997 approximately 60,000 square feet of nonresidential buildings are located within the Town and served by the Police and Fire Departments.

PUBLIC SAFETY FACILITIES LEVEL OF SERVICE

At the end 1997 Leeds Town will provide approximately 6,200 square feet of Public Safety Facilities. This amount of facilities space will provide services to 412 residents and approximately 60,000 square feet of nonresidential buildings within Leeds Town at the close of 1998. This amount of facilities space also provides services to additional areas of unincorporated Washington County.

To establish a Level of Service for Public Safety Facilities it is appropriate to establish the total number of residential units and total amount of nonresidential buildings in equivalent residential units.² Using the information presented in Table 2 and the total nonresidential building square footage located within the Town, a total of approximately 220 Equivalent Residential Units (ERU's) will be located within Leeds Town January 1, 1998. Table 3 following presents the Public Safety Facilities Level of Service and the square footage of Public Safety Facilities for existing residential and nonresidential uses in 1998 and available to the year 2010.

² For the purpose of establishing Equivalent Residential Units (ERU) it was determined that 1,000 square feet of nonresidential building equaled one (1) Equivalent Residential Unit.

**Table 3
LEEDS TOWN
PUBLIC SAFETY FACILITIES
LEVEL OF SERVICE AND REQUIRED FACILITIES**

Year	Residential Units		Nonresidential Units		Total ERUs	Public Safety Facilities (sq. ft.)	Level of Service (Public Safety Facilities square footage per ERU)
	Proposed	Existing	Buildings (sq. ft.)	Equivalent Residential Units (ERUs)			
1998	412	160	60,000	60	220	6,200	28.2
2010	471	183	69,000	69	252	6,200	24.6

Notes:

1. An Equivalent Residential Unit (ERU) equals 1,000 square feet non residential building.
2. Nonresidential ERU's projected at the same proportion as the Residential : Nonresidential proportion that exists in 1998.

The information presented in Table 3 only identifies the Total Equivalent Residential Units existing, and anticipated, within the Leeds Town boundaries by the year 2010. Leeds Town does not maintain an inventory of residential units and nonresidential outside the Town boundaries which may be provided "first-response" services from the ~~Leeds Town Police Department~~ or the Leeds Town Fire Department. It is estimated that existing and anticipated Total Equivalent Residential Units provided public safety services by Leeds Town may be actually twice the Total Equivalent Residential Units identified in Table 3. The provision of public safety services by Leeds Town to areas outside the Town boundaries are subject to change but for the purposes of this plan it is established that the existing Total Equivalent Residential Units served by the Town approximates 450 ERUs. This establishes an existing Level of Service for Leeds Town Public Safety Facilities of 13.8 square feet of Public Safety Facilities for each Equivalent Residential Unit serviced by the Leeds Town Police and Fire Departments.

From the information presented in Table 3, and recognizing the estimated service demands of the Leeds Town Police and Fire Departments, and for the purposes of providing Public Safety Facilities for the future, in its legislative authority the Leeds

Town Council establishes a Public Safety Facilities Level of Service for the future of 13.0 square feet of Public Safety Facilities per Equivalent Residential Unit located within Leeds Town.

COST OF PROVIDING PUBLIC SAFETY FACILITIES 1997 - 2010

Leeds Town is constructing a new Public Safety Facility in 1997, principally designed to serve as a Fire Station. From information available to the Town Public Safety Facility costs can range from \$75 to \$190 per square foot. A portion of the funds required for the new Fire Station will be provided by a grant and other facility costs will be provided by donated labor. For the purposes of this Plan, the approach adopted to establish Public Safety Facility costs is the estimated replacement value of existing Facilities and the estimated non-grant and non-donated labor costs of the new Facility, including debt service costs.

With the completion of the new Fire Station the Leeds Police Department will occupy approximately 800 square feet of space within City Hall. With an estimated replacement value of \$100 sq. Ft. The total value of Public Safety Facilities dedicated to Police Services is \$80,000 (1997 dollars).

The new Fire Station is approximately 4,800 square feet and will be partially funded by a \$67,000 grant provided to the Town. It is also estimated approximately \$30,000 in construction costs will be provided by labor donated to Leeds Town. The new Fire Station will provide space for fire personnel, fire equipment and vehicles.

Using cost information available to the Town the anticipated replacement value for the new Leeds Town Fire Station, and providing administrative space, equipment storage and other required ancillary space is identified at \$80 square foot, including land costs. Subtracting grant funds and donated labor costs, Leeds Town can anticipate incurring a cost of \$287,000 to replace a 4,800 square foot Fire Station.³ This replacement cost excludes any debt service costs. For a \$287,000 loan at 5% interest for a period of 30 years, Leeds Town can anticipate incurring approximately \$200,000 in debt service costs. The total replacement costs for the new Fire Station, excluding grant funds and donated labor but including debt service is approximately \$487,000.00 or \$101.45 sq.ft (1997 dollars).

Table 4 identifies the total replacement cost for existing Public Safety Facilities, excluding financing costs for the Police Department portion of City Hall and

³ Public Safety Facility Costs; 4,800 square feet @ \$80/sq.ft. minus \$97,000 in grant funds and anticipated donated labor costs.

anticipated grants and donated labor for new Fire Station.

Table 4
LEEDS TOWN
PUBLIC SAFETY FACILITIES
PUBLIC SAFETY FACILITY COSTS
(1997 Dollars)

Building	Building Size (Sq. Ft.)	Building Cost (1997 Dollars)
Public Safety portion of City Hall (Police)	800	80,000
New Fire Station	4,800	486,960
Total	5,600	566,960

CONCLUSION

The Leeds Town Public Safety Capital Facilities Plan 1997 - 2010 has identified a Level of Service for Town provided Public Safety Facilities of 13.0 square feet per Equivalent Residential Unit. The costs incurred by the Town to provide the required facilities, to meet the demands of both existing residential and nonresidential uses within the area served by the Town, in 1997 dollars is approximately \$566,960.00 (Table 4). In the past Leeds Town has been able to provide a relatively high Level of Service for Public Safety Facilities, as demonstrated by the amount of Public Safety Facility space provided by the Town at the end of 1997, with the completion of a new 4,800 square feet Fire Station. Leeds Town has committed to providing a high Level of Service for Public Safety Facilities and wishes to maintain an acceptable and realistic Level of Service for Public Safety Facilities for the future. The Town Council has adopted a Level of Service for future Public Safety Facilities of 13.0 sq.ft. per Equivalent Residential Unit for all future developments located within the Town.

LEEDS TOWN
CAPITAL FACILITIES PLAN 1997 - 2010
AND
PUBLIC SAFETY FACILITIES IMPACT FEE METHODOLOGY

PART II
PUBLIC SAFETY FACILITIES IMPACT FEE METHODOLOGY

INTRODUCTION

Part I of this report details the Leeds Town Public Safety Capital Facilities Plan formulated to identify the Public Safety Facility needs of the Town for 1997 - 2010.⁴ The Capital Facilities Plan is also formulated as a prerequisite to the possible imposition by the Town of a Public Safety Facilities Impact Fee as a funding option available to Leeds Town for the provision of Public Safety Facilities required to serve new growth.⁵ The Leeds Town Public Safety Capital Facilities Plan 1997 - 2010 describes the Public Safety Facilities requirements of the Town and identifies the costs of providing the required facilities.

The Leeds Town Public Safety Facilities Impact Fee methodology is based upon the

⁴ Pursuant to the provisions of §11-36 et. seq. (U.C.A.) "Public Safety Facility" means a building constructed or leased by Leeds Town to house police, fire or ambulance vehicles, equipment and personnel. Facilities do not include any Public Safety vehicles or equipment.

⁵ It is worth noting that since Leeds Town is not a community of 5,000 persons, as recorded by the 1990 Census, a Capital Facilities Plan need not be formulated and adopted prior to the imposition of a Public Safety Facilities impact fee (§11-36-201(2)(e)(U.C.A.). However, there remains a requirement that the Public Safety Facilities impact fee be based on a reasonable plan. Leeds Town believes it represents sound public policy that the Town formulate a capital facilities plan as required by §11-36 et.seq. (U.C.A.) to efficiently provide Public Safety Facilities to existing and new residents and identify the proportionate cost of providing this service.

information contained in the Public Safety Capital Facilities Plan 1997 - 2010 (Part I) and specifically the following components of that Plan:

- the Level of Service (LOS) standard for Public Safety Facilities (established at 13.0 square feet of Facilities per Equivalent Residential Unit).
- the Facility needs, addressing the needs of both existing residential and nonresidential development and new growth.

The Public Safety Capital Facilities Plan, and accompanying impact fee methodology is based upon the requirements of §11-36 et. seq. U.C.A. and legal principles applicable to impact fees by virtue of Utah and U.S. Supreme Court case law and State and Federal constitutional law.

PUBLIC SAFETY FACILITIES IMPACT FEE CALCULATION

The Leeds Town Public Safety Facilities impact fee is designed to impose the pro rata costs of Town provided Public Safety Facilities on new residential and nonresidential development located within Leeds Town. In 1997 Leeds Town provides approximately 28 sq.ft of Public Safety facilities per Equivalent Residential Unit within Leeds Town. However, Leeds Town also provides public safety services to areas outside the Town and it is estimated that just over half the Public Safety Facilities are required to meet these services. So as not to incur proposed new development within the Town more than their fair share, the Public Safety Facilities impact fee is based on the proportionate share of such costs attributable to new development determined by the established Level of Service standard of 13.0 square feet of Public Safety Facilities per Equivalent Residential Unit (ERU). The Public Safety Facilities impact fee represents the average cost of providing Public Safety Facilities to each Equivalent Residential Unit located within the Town and served by the Town's Police and Fire Departments. The Public Safety Facilities impact fee calculation places on new development the fair-share cost, incurred by the Town, to provide facilities necessary to accommodate the demands generated by each type of new development activity.

The Public Safety Capital Facilities Plan (Table 3) has identified that Leeds Town presently provides (beginning 1998 with the completion of the new Fire Station) 6,200 square feet of Public Safety Facilities. At the adopted Level of Service of 13.0 sq. ft. of Public Safety Facilities a requirement exists for approximately 2,860 sq. ft. of Public Safety Facilities to meet existing needs within the Town. The additional Public Safety Facilities capacity provided by Leeds Town is required to meet the needs of development located outside the Town and provided with public safety

services by Leeds Town. The existing Public Facility capacity has been principally funded by the Town through property tax receipts and fees for service.

It is the policy of the Leeds Town Council that Public Safety Facilities required to meet the needs of new growth will be provided at the adopted level of Service of 13.0 square feet per Equivalent Residential Unit (ERU) and funded by property tax assessments and a Public Safety Facilities impact fee imposed and expended by the Town in accordance with §11-36 et, seq. (U.C.A.) and the Leeds Town Impact Fee Procedures Ordinance (Ordinance #10-97). Funds required to provide Public Safety Facilities to areas outside Leeds Town will be provided by fees for service charges.

The formula used to identify the Leeds Town Public Safety Facilities impact fee is as follows:

Public Safety Facilities Impact Fee = **Facility Costs per Dwelling Unit or
Facility Costs per 1,000 sq.ft of
Nonresidential Development**

where:

Facility Costs per Dwelling Unit is the cost of providing Public Safety Facilities at the established Level of Service to the average dwelling unit.

Facility Costs per 1,000 sq. ft. of Nonresidential Development is the cost of Public Safety Facilities at the established Level of Service.

Table 5 following presents the calculation methodology and information used in determining the Leeds Town Public Safety Facilities Impact Fee.

**Table 5
LEEDS TOWN
PUBLIC SAFETY FACILITIES
IMPACT FEE CALCULATION**

Public Safety Facilities Impact Fee = **Facility cost at adopted Level of Service
per Equivalent Residential Unit
minus necessary Fee Adjustment(s)**

Where:

**Public Safety Facility
Level of Service** = **13.0 square feet per ERU**

Facility Costs per square foot	=	\$101.00 (1997 dollars Table 4)
Public Safety Facilities Impact Fee (unadjusted)	=	\$1,313.00
Public Safety Facility Impact Fee (Adjusted) (adjusted for past and anticipated future taxes paid by each new ERU and allocated to new facilities)	=	\$788.17*

Note:
Fee Adjustment(s) = the present value of past contributions which have been made and future contributions which may be made by each new Equivalent Residential Unit towards the funding of Public Safety Facilities. Total fee adjustments provided = \$524.83.

Total Fee Adjustments

During the Town Budgeting period 1990 - 1996 Leeds Town has not expended any funds for Public Safety Facilities. No fee adjustment is required for 1990 - 1996 past contributions made and used to fund Public Safety Facilities.

For the period 1997 - 2010 it is anticipated that Leeds Town will be required to expend approximately 16,300 annually for Public Safety Facilities (new Fire Station at a total cost of \$487,000 financed for 30 years). With an average Town tax rate of 0.0014 1997 - 2010 and average assessed valuation of \$180,000 (1997 - 2010) per Equivalent Residential Unit it is projected Leeds Town will collect and expend approximately 28.98 per Equivalent Residential Unit (1997 Dollars) for Public Safety Facilities annually. At a Net Present Value Rate of 6% the Present Value of these expenditures per ERU is anticipated to total \$279.83. It is also anticipated that a portion of the Town's sales tax receipts will also be used to provide Public Safety Facilities 1997 - 2010. Total sales tax receipts per ERU and allocated for Public Safety Facilities are projected to be \$245.00 (1997 Dollars) The total fee adjustment required to account for future contributions per ERU and allocated to the provision of Public Safety Facilities is \$524.83.

* Adopted Fee may be less than this amount.

LEEDS TOWN, UTAH
ORDINANCE No. 97-12

AN ORDINANCE ADOPTING THE LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN; ADOPTING A PARK FACILITIES LEVEL OF SERVICE; ESTABLISHING A PARK FACILITIES IMPACT FEE METHODOLOGY PURSUANT TO THE LEEDS TOWN IMPACT FEE PROCEDURES ORDINANCE AND SEC.11-36-101 ET. SEQ.(U.C.A.) AND ESTABLISHING A PARK FACILITIES IMPACT FEE ON ALL NEW RESIDENTIAL DEVELOPMENT; PROVIDING A PORTION OF THE COSTS OF PARK FACILITIES REQUIRED TO SERVE NEW RESIDENTIAL DEVELOPMENT TO BE PAID BY NEW RESIDENTIAL DEVELOPMENT; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Leeds Town has, and continues to experience population growth and development pressures for residential and nonresidential activities; and

WHEREAS, Leeds Town provides Park Facilities and provides for the operation and maintenance of Park Facilities, the cost for which is provided from the general fund revenues of the Town paid by existing and new residents; and

WHEREAS, Leeds Town desires to provide adequate city provided Park Facilities to its residents and to achieve this goal the Town has formulated a Park Facilities Capital Facilities Plan; and

WHEREAS, as new development occurs the Town is also required to provide adequate Park Facilities in order to maintain the adopted Level of Service; and

WHEREAS, as contained in the Park Facilities Capital Facilities Plan the Level of Service Standard is 2.0 acres of Park Facilities per 100 Town residents; and

WHEREAS, the Park Facilities Capital Facilities Plan identifies that the cost to provide the required Park Facilities is approximately \$98,010.00 per acre; and

WHEREAS, in order to provide Park Facilities in a proactive and efficient manner the Town should identify the needs for future parks; and

WHEREAS, to provide the required parks the Town should also identify various funding options for the provision of the required Park Facilities; and

WHEREAS, as permitted by State law, Leeds Town may adopt a Park Facilities Capital Facilities Plan identifying the long range needs for the provision of city

provided park facilities and services, as identified in Sec.10-9-302 et.seq. U.C.A.; and

WHEREAS, the Town finds that a Park Facilities Capital Facilities Plan is necessary to adequately plan for the immediate and long-term provision of Park Facilities to meet the needs of present and future residents of Leeds Town; and

WHEREAS, to provide adequate Park Facilities for the residents of Leeds Town it is also deemed necessary to adopt a Level of Service for Park Facilities; and

WHEREAS, the Town Council deems it advisable to adopt a Park Facilities Impact Fee Methodology, consistent with the requirements of §11-36-101 et.seq. (U.C.A.) as a funding option for the provision of park facilities required to serve new growth at the adopted Park Facilities Level of Service; and

WHEREAS, a Capital Facilities Plan has been formulated, although not required, consistent with the provisions of Sec 11-36 et. seq. (U.C.A.); and

WHEREAS, it is the intent of the Town Council that, by the establishment of a revised Park Facilities Impact Fee Methodology, new development will pay its proportionate share of the costs to provide the required Park Facilities, the need for which is occasioned by the demand generated by new development; and

WHEREAS, it is the intent of the Town Council that the Park Facilities Impact Fee Methodology be one of several techniques utilized as part of a Town's development, management and financing system; and

WHEREAS, the Town Council has considered the matter of a Park Facilities Capital Facilities Plan and the financing of Park Facilities required by new development through the identification of a Park Facilities Impact Fee Methodology at a public hearing held on June 25, 1997; and

WHEREAS, the Leeds Town Council has now fully considered the Park Facilities Capital Facilities Plan and Park Facilities Impact Fee Methodology.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH AS FOLLOWS:

1. The Leeds Town Park Facilities Capital Facilities Plan (Part I), as attached hereto, be adopted.
2. The Level of Service Standard for Park Facilities be adopted at 2.0 acres per 100 residents and the Park Facility Improvement Standard be adopted at an anticipated cost of \$98,010.00 per acre including required land and park improvements.
3. That pursuant to, and in accordance with the Leeds Town Impact Fee

Procedures Ordinance, the Park Facilities Impact Fee Methodology (Part II), as attached hereto, be adopted and imposed on all new residential development within Leeds Town.

4. For the purposes of the efficient and equitable administration of the Leeds Town Park Facilities Impact Fee system and in the legislative discretion of the Town Council, as allowed by State law, the Park Facilities Impact Fee for all new residential development located within Leeds Town is adopted at \$_____ per residential unit.

5. The administration of the Park Facilities Impact Fee shall be in accordance with all the requirements of the Leeds Town Impact Fee Procedures Ordinance (Ordinance No. 97-10).

6. This Ordinance shall take effect upon its adoption by a majority vote of the Leeds Town Council and following required notice and publication.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH,
THIS _____ DAY OF JUNE, 1997.

Melvin J. Evans, Mayor

ATTEST:

Patrick J. Franks, Town Clerk

LEEDS TOWN, UTAH

PLANNING AND DEVELOPMENT SERVICES
211 LEEDS CITY, UTAH 84103
(801) 733-2425

June 1997

As a result of the study, the following findings were identified:

The study identified the need for a comprehensive plan for park facilities and impact fees. The study also identified the need for a methodology to determine the appropriate impact fees for park facilities.

LEEDS TOWN, UTAH

The study was conducted by Planning and Development Services, Salt Lake City, Utah. The study was funded by Leeds Town, Utah.

The study was completed in June 1997. The study report is available for review at the following address:

PARK FACILITIES CAPITAL FACILITIES PLAN AND IMPACT FEE METHODOLOGY

Leeds Town Clerk

Prepared for:
LEEDS TOWN, UTAH

by:
PLANNING AND DEVELOPMENT SERVICES
SALT LAKE CITY, UTAH 84109
(801) 277-4435

June 1997

**LEEDS TOWN, UTAH
PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY**

**PART I
CAPITAL FACILITIES PLAN**

INTRODUCTION

The Leeds Town Park Facilities Capital Facilities Plan (CFP) defines and describes the existing parks currently serving Leeds Town residents in 1997 and;

1. Establishes a Level of Service ("LOS") standard for park facilities.
2. Identifies the current population and the projected future population growth, both in population numbers and dwelling units within the boundaries of Leeds Town.
3. Identifies the cost of providing park facilities needed to meet the demands of the existing population and the projected future population to the year 2010 at the established Level of Service (LOS) standard.
4. Determines when park facilities should be provided to meet the Park Facilities Level of Service standard.

For the purpose of this Plan the definition of a Park Facility is "any area or facility, owned, leased, operated or managed by Leeds Town and providing opportunities for active and passive recreational pursuits and serving the immediate neighborhood in which the area or facility is located, or serving the community as a whole." The definition of a park facility includes all neighborhood and community parks owned and maintained by Leeds Town. The definition of a park facility does not include any areas devoted to trails or any other areas that may be required by the Town as a condition of any annexation or development approval.

Section 10-9-302(2)(g) (U.C.A) refers to, and allows the use of capital facility plans as a method of implementing the community's general plan. The Leeds Park Facilities Capital Facilities Plan (1997 - 2010) is presented and adopted by the Leeds Town Council pursuant to the provisions of §10-9-302(2)(g) (U.C.A) and is deemed to be an

action required by the Town to adequately plan for the provision of these publicly provided facilities and is necessary to effectively implement the goals and policies of the Leeds Town General Plan.

EXISTING PARK FACILITY NEEDS

Table 1 identifies the park facilities, including park facility acreage and park improvements that exist in Leeds Town in 1997. In 1997 Leeds Town has approximately 2.0 acres of park facilities. The Leeds Town Park areas contain various park improvements including lawn and grass areas, trees and shrubs, irrigation system, pavilion area and playground equipment, picnic facilities and various other park improvements and amenities.

FUTURE PARK FACILITY NEEDS

A. Current and Projected Leeds Town Population

The U.S. Bureau of the Census reported the 1990 Leeds Town population at 254 persons. The State of Utah Governor's Office of Planning and Budget (GOPB) establishes a population projection for Leeds Town for 2010 at 471 persons. The Bureau of the Census estimates the Leeds Town population for July 1, 1994 at 387 persons. Leeds Town provides a 1997 population estimate of 403 persons.¹ Table 2 following highlights the 1990 and 1994 Leeds Town population as reported by the Bureau of the Census, the 1997 population estimate as estimated by Leeds Town and the 2010 population projection as reported by GOPB.

Using the information provided in Table 2, Table 3 provides an estimate of anticipated dwelling units, including dwelling units for 1997 by applying the 1990 Census average number of persons per dwelling unit within Leeds Town of 2.57 (U.S. Bureau of the Census).

¹ The number of Persons per Occupied Housing Unit of 2.57, as reported by the 1990 Census of Population and Housing, Bureau of the Census (Summary Tape File 1A, Utah) has been used to estimate the Leeds Town Population for 1997.

Table 1
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
EXISTING PARK FACILITIES AND IMPROVEMENTS, 1997

Town Park	2.0	Ball Field. Playground. Pavilion. Playground Equipment. Water Fountain. Fencing. Security Lighting. Irrigation System. Picnic Tables.
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Table 2
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
LEEDS TOWN POPULATION

1990	254 ¹
1994	387 ²
1997	403 ³
2010	471 ⁴

Notes:

1. 1990 Bureau of the Census
2. Bureau of the Census (July 1 estimate)
3. Extrapolated from 1994 population estimate and 2010 population projection.
4. Governor's Office of Planning and Budget (GOPB)

4

Table 3
LEEDS TOWN
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
POPULATION AND DWELLING UNITS 1990 - 2010

1990	254	99
1994	387	151
1997	403	157
2010	471	183

B. Existing and Future City Park Facilities Needs

In 1997 Leeds Town provides approximately 2.0 acres of "Park Facilities." Based on the 1994 population data as provided by the Bureau of the Census, the projected population growth and the existing Park Facilities Level of Service (P-LOS) standard of 1.0 acre of park area per 200 residents it is possible to identify the future park facilities needs for Leeds Town. Table 4 indicates that a total of approximately 2.0 acres of park area with the necessary facilities and improvements are required to meet existing needs. With an anticipated increase of approximately 68 persons by the year 2010 an additional 0.34 acres of parks will be needed (at the existing P-LOS) by the year 2010 to serve projected new residential development anticipated in Leeds Town. The total acreage of city park facilities required to meet the needs of the total residents of the City by the year 2010, using the population projections as presented in Table 2 is approximately 2.36 acres.

Table 4
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
LEEDS TOWN PARKS FACILITY REQUIREMENTS 1997 - 2010

Existing Need (1997)	387	1.0	1.94
Future Need (2010)	471	1.0	2.36

COST OF PROVIDING PARK FACILITIES

A fully developed park is an expensive public facility. However, for Leeds Town, parks are vital elements of the existing Leeds Town quality of life and directly affects the Town's ability to meet the needs of residents, businesses and visitors. Residents of Leeds Town have expressed a desire for adequate and well maintained park areas. All existing developed park areas are improved with various facilities and amenities.

The estimated cost for acquiring the land necessary for, and developing one (1) acre of park, to the Leeds Town Park Facility improvement standard is shown in Exhibit 1. The first column in Exhibit 1 identifies the cost generally incurred by a community to provide the identified park facilities and improvements. However, Leeds citizens have displayed a high level of volunteer spirit in the past and have made significant contributions of labor and materials to provide park facilities and other recreational facilities. The second column of Exhibit 1 represents an estimate of the costs that may be incurred by Leeds Town to provide park amenities recognizing the community spirit of the Town. Several cost reductions have been identified particularly items requiring labor expenditures. The actual acquisition and improvement costs may vary from those presented in Exhibit 1 depending on the location, the exact amount of the park acreage improved and the specific park improvements provided. The costs of acquiring and developing park facilities may also depend on the timing of when the Town proceeds with park facility improvements.

As identified in Table 1 the existing park within Leeds Town has various improvements and facilities. To identify an accepted park facility "improvement standard" for future parks, and to ensure all future parks are developed to an acceptable standard comparable and consistent to the improvement standards of the existing park, a Leeds Town Park Facility improvement standard and associated cost schedule are presented in Exhibit 1, column 2. The information and cost estimates for park acquisition and improvements as identified in Exhibit 1, establishes an anticipated average cost per improved acre of park facilities in Leeds Town to be approximately \$98,010.00 (1997 dollars).

Exhibit 1
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
PARK IMPROVEMENTS STANDARD
AND COST ESTIMATES
(Costs Per Acre)

DESCRIPTION	COST ESTIMATE PER ACRE (1997)	
	Typical Cost	Leeds Cost
I Land		
Land Acquisition (serviced site with basic perimeter improvements and utilities)	\$50,000	\$50,000
II Improvements		
Surveying and Engineering	\$3,000	\$3,000
Clearing and Grubbing	\$2,500	\$1,000
Grading	\$4,000	\$2,000
Utilities and Hook-ups	\$4,000	\$4,000
Irrigation System	\$8,000	\$4,000
Lawn Planting/Sod	\$8,000	\$6,000
Trees (12 @ \$200)	\$2,400	\$1,000
Picnic Tables (4 units @ \$525/each)	\$2,100	\$2,100
Children's Playground Equipment (1.5 units @ \$3,000)	\$4,500	\$4,500
Concrete Work (sidewalks)	\$800	\$500
Baseball Backstop (1 unit @ \$5,000)	\$5,000	\$3,000
Small Pavilion (1 unit @ \$25,000/each 2 acres)	\$12,500	\$7,000
Security Lighting	\$2,000	\$1,000
Total Costs (land + improvements)	\$108,800	\$89,100
10% Contingency	\$10,880	\$8,910
Total Estimated Park Improvement Costs/Acre	\$119,680	\$98,010

REQUIRED PARK FACILITIES 1997 – 2010

Over the planning period of the Leeds Town Park Facilities Plan (1997-2010), Leeds Town should obtain land and construct and improve the following facilities at the existing Level of Service standards:

1. **Town Park Facilities;** Approximately 0.36 acres of improved parks at a Total Estimated Cost of approximately \$35,000.00.

The Park Facilities required to meet the demands of new growth should be planned and budgeted over the 1997 – 2010 planning and budgeting period. New Parks required for the 1997 – 2010 period will be provided, to the fullest extent possible, as park facilities funding becomes available to the Town. Possible funding sources may include general fund allocations, bonding, grants, and other sources.

Table 5 presents the new Park Facilities required for 1997 – 2010. This Table also presents the anticipated Town population increase, corresponding anticipated new dwelling units, and minimum funding requirements to maintain park facilities at the existing (1997) Park Facilities Level of Service. The Leeds Park Facilities Capital Facilities Plan is designed to identify and provide detailed improvement and budget requirements for the planning period of the Capital Facilities Plan 1997 – 2010. Table 5 also identifies whether the facilities are required to meet the needs of existing residents or are required to provide additional park facilities to serve new growth. The Leeds Town Park Facilities Capital Facilities Plan identifies in Table 5 the improvements required to provide new facilities, as much as possible, concurrently with new demand, at the adopted Level of Service standard.

Table 5
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
REQUIRED PARK FACILITIES 1997 - 2010
LEVEL OF SERVICE: 1.0 ACRE PER 200 POPULATION

1997	403	157	196,020	0	0
2010	471	183	221,013	0	24,996

Notes:

1. All Costs are expressed in 1997 dollars.
2. Parks Facility Improvement Costs determined by multiplying the anticipated park facility improvement costs by the Park Facilities Level of Service.

SUMMARY

The Leeds Town Park Facilities Capital Facilities Plan identifies the park facilities needs of Leeds Town, as measured by, and required to maintain the community accepted Level of Service standards of 1.0 acre per 200 persons.

The population projections contained in this document for anticipated new residential growth, dwelling units and resultant Park Facility demands are dependent upon a number of growth related variables, and should be regularly monitored, reviewed and updated. The Leeds Town Park Facilities Capital Facilities Plan identifies the anticipated need for park facilities for the 1997 - 2010 planning period. The Leeds Town Park Facilities Capital Facilities Plan identifies a total cost of approximately \$25,000.00 (in 1997 dollars) incurred over the 1997 - 2010 plan period to provide the required Park Facilities at the existing Levels of Service.

**LEEDS TOWN, UTAH
PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY**

**PART II
IMPACT FEE METHODOLOGY**

INTRODUCTION

The Leeds Town Park Facilities Impact Fee Calculation is based upon the Leeds Town Park Facilities Capital Facilities Plan and specifically the following components of the Capital Facilities Plan:²

- The adopted Level of Service (LOS) standard for Park Facilities (P-LOS), including park facility improvement standards.
- The anticipated Park Facility improvement costs at the established park facility improvement standard (1997 dollars).

As required by the statutory law requirement as contained in the "Impact Fees Act" (§11-36-101 et.seq. [U.C.A.]) the Leeds Town Park Facilities Impact Fee methodology is required to be based on a reasonable plan for the provision of Park Facilities. The Leeds Town Council has determined that a "reasonable plan" for the identification of the needs for Park Facilities for Leeds Town is the Leeds Town Park Facilities Capital Facilities Plan.

The Leeds Town Park Facilities Impact Fee is designed to impose the pro rata share of the cost of providing park facilities by the Town needed to serve new residential development as measured by the Level of Service standard (P-LOS). In this manner, impact fee funds will be generated as residential growth occurs and impact fee funds will be expended to provide park facilities necessary to serve the new residents of Leeds Town.

The information provided and utilized in the calculation of the Leeds Town Park

² The Leeds Town Park Facilities Impact Fee only includes within the impact fee methodology those facilities meeting the definition of Park Facilities. The Leeds Town Park Facilities Impact Fee does not include any Open Space and Trail Facility costs.

Facilities Impact Fee is as provided by Federal and State agencies and Leeds Town, and as contained in the Leeds Town Park Facilities Capital Facilities Plan. The Leeds Town Park Facilities Impact Fee calculation is the subject of regular review and update as information and other materials become available from time to time.

Table 6
LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY
KEY PARK FACILITY FACT SUMMARY

1. 1997 Leeds Town Population = 403 persons
2. 1997 Leeds Town Adopted Park Facilities Level of Service (P-LOS) (improved to park facility improvement standard) = 1 acre per 200 persons
3. Park Facilities required at Park Facilities Level of Service (P-LOS) = 2 acres
4. 1997 Park Facility Costs (1997 dollars) (2.0 acres x \$98,010 [Exhibit 1 Park Facilities CFP]) = \$196,020
5. Park Facility Costs per Leeds Town resident (1997) (Item #4/Item #1) = \$486.40

PARK FACILITIES IMPACT FEE CALCULATION

The Leeds Town Park Facilities Impact Fee Calculation describes the impact fee calculation methodology and the resultant Park Facility Impact Fee given the adopted Level of Service for Park Facilities (P-LOS) as established by the Leeds Town Park Facilities Capital Facilities Plan. The methodology employed here complies with all applicable standards and requirements as imposed by Utah statutory law and Utah and U.S. case law and constitutional law.

One important and critical element of the Leeds Town Park Facilities impact fee calculation methodology is that the adopted Level of Service (LOS) standard established by Leeds Town for new residents for park facilities is identical to the existing LOS standard established and provided for existing residents. This point relates to the alleviation of any existing park deficiencies. Any existing facility deficiencies must be financed with non-impact fee funds - typically, general revenues, bond funds, and state and federal grants, etc. If any existing deficiency is not alleviated within a reasonable time or is alleviated at a lower LOS standard than that upon which the Park Facilities impact fee is based, the effective result is a lower LOS for all residents, since all parks are open and available to all Town residents. The problem this creates is that new residents, upon which the Park Facilities impact fee is imposed do not really get the Park Facilities for which they have paid. Therefore, it is imperative that financing for Park Facilities necessary to serve existing and new residents proceed on a parallel track with the adoption and imposition of the Park Facilities impact fee. Any improvements required to bring any existing Park areas to the established improvement standard will proceed and be funded from non-impact fee revenues as quickly as practicable.

In 1997 all Park Facilities provided by Leeds Town are provided at the adopted Park Facility Level of Service, or at a higher standard. No existing Park Facility deficiencies exist in 1997 at the adopted Leeds Town Park Facilities Level of Service standard.

**LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN
AND IMPACT FEE METHODOLOGY**

PARK FACILITIES

The Leeds Town Park Facilities Capital Facilities Plan identifies a need for a total of 2.36 acres of park facilities (Table 4 Park Facilities CFP), improved to the established park facility improvement standard by the year 2010. In 1997 Leeds Town provides 2.0 acres of park areas to meet the needs of existing residents, with all areas improved to the improvement standard, or to a higher standard. Approximately 0.36 acres of new park facilities are required to meet the needs of anticipated new residential growth 1997 - 2010. Park Facilities required to meet the needs of existing residents have been provided by the Town through the expenditure of general fund revenues, grants, donations, or other funds. It is anticipated that the funds required to provide new park facilities required to meet the demands of future residents will be partly funded by the Park Facilities impact fee.

The decision of the Town of when to build a park and where to build a park will depend on several factors including, but not limited to, the availability and location of suitable land of a sufficient size, the distribution of the population, and the rate of accumulation of the necessary funds required to proceed with acquisition and park improvements.

The provision of Park Facilities is expensive. For Leeds Town it is estimated that for one (1) acre of park, total acquisition and facility improvement costs (in 1997 dollars) at the established "park facility improvement standard" will approximate \$98,010.00, excluding any financing costs. The provision of Park Facilities for Leeds Town will be accomplished in a responsible and diligent sequential manner as funds become available with the overall goal of maintaining the adopted Park Facilities Level of Service as new residents increase the demand for park facilities.

IMPACT FEE CALCULATION

The Leeds Town Park Facilities impact fee is designed to impose the pro rata costs of Park and Recreational Facilities on new residential development.³ The Leeds Town Park Facilities impact fee is based on the proportionate share of such costs attributable to new development determined by the adopted Park Facilities Level of Service (P-LOS) standard of 1.0 acre of park facilities, improved to the adopted park facility improvement standard, per 200 Town residents. The Leeds Town Park Facilities Impact Fee represents the average cost, in 1997 Dollars, of providing Park Facilities to the average new dwelling unit located in Leeds Town. Exhibit 2 shows the basic formula for calculating the Leeds Town Park Facilities impact fee.

Exhibit 2

LEEDS TOWN PARK FACILITIES CAPITAL FACILITIES PLAN AND IMPACT FEE METHODOLOGY

IMPACT FEE CALCULATION

Park Facilities Impact Fee per dwelling Unit = Park Facilities Costs per Dwelling Unit minus necessary Fee Adjustment(s)

Where:
1997 Leeds Town Population = 403 residents.

Park Facility Level of Service = \$98,010.00 per acre.
Costs per acre (P-LOS) improved to park facility improvement standard.

Total Park Facility Costs (1997) at Park Level of Service (P-LOS) = \$197,490.15.

Park Facility Costs per Leeds Town resident (1997) = \$490.05 per resident.

³ The Leeds Town Park Facilities Impact Fee is imposed on new residential development only. Leeds Town will not impose a Park Facilities Impact Fee on any new nonresidential activities or uses.

Number of Persons per Dwelling Unit (1990 Census)	=	2.57 persons
Park Facility Impact Fee per Dwelling Unit (unadjusted)	=	\$1,259.43 per dwelling unit.
Park Facility Impact Fee (Adjusted) (adjusted for past and anticipated future taxes paid by new residents and allocated to park facility improvements)	=	\$1,056.58*

Note:
 Fee Adjustment(s) = the present value of past contributions which have been made and future contributions which may be made by new residential development towards the funding of park facilities. Total Fee Adjustments provided \$202.85 (1997 Dollars)

Total Fee Adjustment

For the period 1990 - 1996 Leeds Town has not expended any Town revenues for the provision of Park Facilities.

Over the 1997 - 2010 period of the Park Facilities Capital Facilities Plan Leeds Town will expend approximately 4% of Total Town Revenues for Park Facilities. It is anticipated that the Leeds Town assessed property tax rate will average 0.0014 for 1997 - 2010. With an anticipated average assessed valuation of \$180,000 (1997 - 2010) for all dwelling units located within the Town it is projected Leeds Town will collect and expend approximately \$10.08 per Residential Unit (1997 Dollars) for Park Facilities annually. At a Net Present Value Rate of 6% the 1997 value of these anticipated expenditures totals \$92.85. It is also anticipated that a portion of sales tax receipts will also be used for the provision of Park Facilities. To account for these contributions it is estimated that approximately \$110.00 (1997 Dollars) of sales tax receipts per Residential Unit will be expended for Park Facilities 1997 - 2010 (estimate only). The total fee adjustment required is estimated to total approximately \$202.85 (1997 Dollars).

* Adopted Fee may be less than this amount.

PUBLIC NOTICE
TOWN OF LEEDS
TOWN COUNCIL MEETING

The Town Council of Leeds will hold a Town Council Meeting on Wednesday, June 25, 1997 at 7:30 p.m. at the Leeds Town Hall. Public welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Vote on: Documents and Ordinances required to establish Park Facility and Public Safety Facility Impact Fees (reviewed at the 7:00 pm Hearing this same evening).
5. Children's Justice Center - Mike Empey
6. Mayor Evans
 - Annexation update
 - Problem with Seth Larsen Building Plans
 - Volunteer Day
 - Plans for fiscal follow-up and Vacation Absence
 - Sidewalk Project status
7. Joanne Thornton, Council Member (10 minutes)
8. Kay Fairbanks, Council Member (10 minutes)
9. Charlie Scott, Council Member (10 minutes)
10. Stephen Westhoff, Council Member (10 minutes)
 - Noise Ordinance Progress
11. Patrick Franks - Clerk hours
12. New Meeting Schedule
13. Other Business
14. Adjournment

POSTED THIS 23rd DAY OF JUNE 1997

Melvin J. Evans

for Patrick J. Franks, Manager / Clerk by M. J. Evans, Mayor

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Cassidy's Country Store

Town of Leeds

**Minutes for the
Town Council Meeting
of June 25, 1997**

1. **CALL TO ORDER:** Mayor Melvin J. Evans called the meeting to order at 7:30 p.m.

2. **ROLL CALL:** Mayor Melvin J. Evans and Council Members Charlie Scott, Stephen Westhoff, Joanne Thornton and Marilyn Kay Fairbanks were present.

3. **PLEDGE:** Patrick Franks.

4. **VOTE ON: DOCUMENTS AND ORDINANCE REQUIRED TO ESTABLISH
PARK FACILITY AND PUBLIC SAFETY FACILITY IMPACT FEES:**

Mayor Evans explained the documents and what the ordinances would entail when in place. The first document is the Park Facilities Capital Facilities Plan. The second is the Public Safety Capital Facilities Plan. Each is designed to create Capital Facilities for each of the above named department of the Town for on going expansion in each area.

MOTION: Mayor Evans made a motion to adopt \$650 for Park Impact Fee which is half of the allowed amount (\$1,300.00) and adopt \$750.00 for the Public Safety impact fee's. They would total \$1,400.00 for a total residential impact fee. The Commercial Impact Fee is \$750.00 per 1,000 square feet for the Public Safety portion and no impact charge for Parks Impact Fee. Steve seconded the motion and all were in favor.

5. **CHILDREN'S JUSTICE CENTER--MIKE EMPEY:**

Mike Empey told a little about the Justice Center. He asked the Council to consider signing an Interlocal Agreement that states that Leeds Town will support and use the Children's Justice Center if the need ever arises.

MOTION: Charlie made a motion to accept the interlocal agreement with Washington County Children's Justice Center as written. Joanne seconded the motion and all were in favor.

6. **MAYOR EVANS:**

Annexation Update

North of Silver Reef. Washington D.C. Bureau of Land Management representative felt that the BLM wasn't getting enough money from the land trade. The deal is off for now.

Problem with Seth Larsen Building Plans

The Planning Commission has several problems with Mr. Larsen's Building Project. They have asked that everything be put on hold until they can discuss their concerns with Mr. Larsen.

Volunteer Day

July 19, 1997

Plans for fiscal follow-up and Vacation Absence

Mel will visit with the State Auditor's Office on his mini-vacation regarding the budget.

Sidewalk Project Status

The base is in. Dennis Kent and Rohn Losser are willing to help with the cement work and donating materials.

7. JOANNE THORNTON, COUNCIL MEMBER:

Joanne had nothing to report.

8. KAY FAIRBANKS, COUNCIL MEMBER

The Town will treat for Root Bear Floats on the 4th of July. Breakfast will be served at 7:00 a.m. at the Town Park.

The Historical Society will take care of the 24th of July Festivities.

LDWA has set a new meter at the well.

Kay will follow-up on the Swing Set at the Park.

9. CHARLIE SCOTT, COUNCIL MEMBER:

Charlie is upset with the letter Mel and Robert Weight wrote to Marell Walton. Charlie feels Mel is making decisions without the approval of the legislative body. Mel said he doesn't need legislative approval to enforce Town Ordinances.

10. STEVE WESTHOFF, COUNCIL MEMBER:

Steve will draft something on the Conditional Use Permits for Large Animals for the new Zoning Ordinance.

11. PATRICK FRANKS, MANAGER /CLERK:

Patrick had no business at this time.

12. NEW MEETING SCHEDULE:

The next Town Council Meeting will be the 16th of July at 7:30 p.m.

13. OTHER BUSINESS:

There was no other business at this time.

14. ADJOURNMENT:

The meeting was adjourned at 10:25 p.m.

APPROVED AND SIGNED THIS 12th DAY OF NOVEMBER 1997

Ron Mosher
Ron Mosher, Mayor

attest: Joy Stevens
Joy Stevens, Clerk/Recorder