

**CITY OF LOGAN
RESOLUTION NO. 22-29**

**A RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT PLANNING
FEE SCHEDULE TO ADOPT AN ANNEXATION APPLICATION FEE**

WHEREAS, the Municipal Council passed Resolution #22-20 adopting the 2022 Annexation Policy Plan and Ordinance #22-13 adopting new Land Development Code provisions for annexations enhancing the City's review process for annexation requests; and

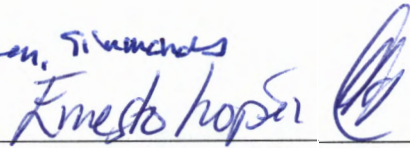
WHEREAS, the Municipal Council determined that the current fee schedule for reviewing annexation petition applications is inadequate to fund the administration of the current program; and

NOW THEREFORE, BE IT RESOLVED THAT THE LOGAN MUNICIPAL COUNCIL, hereby amends the 2022 Community Development Planning Fee Schedule hereto as Exhibit A.

This resolution shall take effect immediately upon its adoption and approval.

PASSED BY THE LOGAN MUNICIPAL COUNCIL THIS 2 DAY
OF August, 2022.

Ayes: A. Anderson, M. Anderson, Lopez, Simmonds
Nays: none
Absent: Simmonds


Ernesto López, Vice Chair

ATTEST:


Teresa Harris, City Recorder



EXHIBIT A

2022 Community Development Fee Schedule Planning Fees

Planning Fees	Current	Proposed
Annexation Petitions		\$350.00 + \$25.00/acre up to 50 acres and \$10.00/ac thereafter
Design Review Permit	\$350.00	
Track I Design Review (Administrative)	\$250.00	
Track II Design Review (PC Process)	\$350.00	
Conditional Use Permit	\$350.00	
Subdivision (Preliminary Plat)	\$300.00 + \$25.00/lot	
Subdivision (Final Plat)	\$200.00 + \$20.00/lot	
Zone Changes	\$400.00	
Code Amendment	\$400.00	
Comprehensive Plan Amendment	\$400.00	
Land Use Appeals Board	\$200.00	
Grandfathering	\$50.00	
On-street Winter Parking Permit	\$75.00	
Fence Permit	No Charge	
Historic Preservation (COA)	\$200.00	
Permit Extension Request Fee	Amount same as original application fee	
Public Notice Fee (Assess on all actions requiring a public hearing and excluding annexations)	\$150.00	
Ordinance Violation Fines (Hearing)	\$300.00	

DATE: July 19, 2022

TO: Logan Municipal Council

FROM: Mike DeSimone, Director

RE: Resolution No. 22-29 (Community Development Fee Schedule Update)

Attached is a proposed change to the Community Development Fee Schedule adding a new fee for Annexation Applications. The proposal is to set a base fee of \$350.00 with a \$25.00 per acre fee for the first 50 acres and \$10.00 per acre thereafter.

We currently do not charge an application fee for annexation requests. With recent changes to State Law, we are required to do extensive public notification for each annexation application including publishing multiple legal notices in the paper, mailing public notices to landowners and residents within ½ mile of an annexation site, site postings, and postings on the City's and State's websites. The hard costs for each annexation are approximately \$450 - 500 in legal noticing (newspaper legal notice publication costs) and another \$200 - \$300 in public notice mailings (postage/materials to surrounding owners). These figures will vary depending upon the size, location, etc., of the annexation request, and do not include any staff time in preparing notices nor reviewing the actual application. In addition, the recent changes to Logan's annexation requirements also expanded the review process to require a recommendation from the Planning Commission which triggers additional noticing, staff time, PC board time, etc., along with an expanded review checklist which will also increase staff workloads and time spent on these annexations. These minimum fees will help to offset the City's costs associated with reviewing annexation request.

If you have any questions regarding this matter, please let me know at (435) 716-9022 or mike.desimone@loganutah.org.

Attachments:
Resolution No. 22-29

ANNEXATION PETITION Application

THE ANNEXATION PROCESS (Utah Code 10-2-401 et seq.)

- Submit Annexation Petition signed by owners of real property within the area being considered for annexation (***Signatures include all joint owners of property that will be included in the annexation.***)
 - ✓ Owners signing must represent a majority of the private land area within the area proposed for annexation; and
 - ✓ Owners signing must represent at least 1/3 of the value of all property within the area proposed for annexation.
 - ✓ If the area is within an Agricultural Protection Areas (Utah Code 17-41), then the petition shall contain signatures of all owners of the private land area within the annexation area.
 - ✓ Designate a contact sponsor and up to 4 additional signers of the petition as sponsors and indicate the mailing address of each sponsor.
- Annexation Petition must be accompanied by an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation.
- Submit a copy of the Annexation Petition to the Cache County Recorder's Office using their on-line annexation portal (***Same day as petition filed with City.***)
- Once the Annexation Petition is filed with the Cache County Recorder's Office, the City will send a Notice of Intent to annex to all Affected Entities (***The City's Annexation Petition filing date will not be established until the County Recorders public notification process is completed per UC 10-2-403.***)
- Following receipt of the County's certification of public mailing, the City Council accepts the Annexation Petition (***at the next Council meeting that is at least 14 days from Petition filing date following the County certification.***)
- City Recorder certifies the petition meets the requirements of Utah Code 10-2-403(3) & (4) (***within 30 days of Council acceptance.***)
- City Recorder sets public hearing date with City Council and initiates the public notification process for the Notice of Certification and the public hearing. Notices are sent to all property owners within the annexation area, all property owners within ½ mile of the proposed annexation area, all affected entities, and posted on the Utah Public Notice website, the City's website, and in the local newspaper (***noticing initiated within 10 days following Notice of Certification.***)
- Protest period is established with noticing (***written protests may only be filed by County legislative body or governing board of affected entity and are filed with the Boundary Commission with a copy sent to the City.***)
- The City Recorder refers the Annexation Petition to Community Development Director for:
 - ✓ City Department Review;
 - ✓ Affected Entities Review;
 - ✓ Planning Commission Review and Recommendation;
 - ✓ Staf. Review and Recommendation.
- Community Development Director will prepare a staff recommendation for City Council public hearing that includes Planning Commission recommendations for zoning.
- If no valid protests are filed, City Council proceeds with public hearing. If valid protests are filed, the City Council can either deny the Annexation Petition or wait for a decision from the Boundary Commission.
- Public hearing held and Ordinance adopted annexing property.
- Annexation Ordinance, including copy of Annexation Plat, sent to Lt. Governor for certification.
- Annexation Plat recorded at Cache County Recorder.

APPLICATION FEES

Type of Application	Fee
Annexation Petition	\$350.00 + \$25.00 per acre up to 50 acres and \$10.00/acre thereafter.

Checks, cash, and credit cards (Visa, Mastercard, Discover) accepted. Make checks payable to City of Logan.

No refunds are given for annexation requests that are denied or withdrawn after the public hearing. Failure to meet minimum deadlines established by State Law will result in a rejection of the annexation petition and forfeiture of all fees.

APPLICATION SUBMITTAL

- Email application and applicable documents (PDF format) to planning.commission@loganutah.org.
- Payment may be collected over the phone by calling 435-716-9021, in person, or mailed to the following address:

Logan City Department of Community Development
Attn: Amanda Pearce
290 N 100 W
Logan, UT 84321

Annexation Petition Submittal Requirements

- Application with complete and detailed project description.
- Property Owners Signatures.
- Plat Maps showing all of the land included in the proposed annexation (obtained from Cache County Recorder's Office).
- Copies of the current year Cache County Tax Roll Report for each property (obtained from the Cache County Recorder's Office).
- Annexation Plat in a format acceptable for recording shall be prepared, stamped and signed by, or under the supervision of, a professional who is appropriately licensed to prepare annexation plat maps in the State of Utah.
- Annexation Feasibility Report addressing the following:
 - Existing and proposed population density;
 - General site characteristics including topography, slopes, water bodies, floodplains, wetlands, riparian areas;
 - Determination of islands or peninsulas remaining in the unincorporated area as a result of this annexation petition;
 - Preliminary development plans for the property, including conceptual lot layout, street network, anticipated uses, and if a residential project, the anticipated densities and housing types;
 - Projected five year growth for the proposed annexation area and surrounding unincorporated areas;
 - Projected buildout of the area proposed for annexation;
 - Analysis of the anticipated demand & timing for municipal services for the proposed annexation area;
 - Analysis of the traffic generated by the expected land uses at buildout;
 - Distances to public schools, parks, & commercial areas;
 - Current and five year projections of the cost of government services for the proposed annexation area;
 - Fiscal impact of the proposed annexation on the unincorporated area, other municipalities, other government entities, special districts, and school districts;

- Current and five year projections of revenue to be received by the City resulting from the annexation; and
- Projected tax impact the annexation will have on affected property owners.

Basic Criteria for Annexing Unincorporated Property in Logan City:

- Property must be contiguous to Logan City.
- Annexing the property will not result in the creation of an unincorporated island or peninsula.
- The property must be within the Logan City Annexation Expansion Area.
- The annexation request must be consistent with Logan’s Annexation Policy Plan.
- Annexation requests adjacent to a public roadway shall include to the centerline of the road.
- All annexation requests will be reviewed by the Planning Commission for a recommendation on the proposed zoning.

Notes:

- Applicants are encouraged to work with staff prior to submitting the Annexation Petition to ensure that the proposal is consistent with applicable plan and code requirements.

ANNEXATION PETITION CONTACTS:

<u>Logan City Planning</u>	716-9021
<u>Logan City Engineer</u>	716-9160
<u>Logan Public Works</u>	716-9151
<u>Logan City Recorder</u>	716-9002
<u>Logan Municipal Council</u>	716-9002
<u>Cache County Recorder</u>	755-1530 (179 North Main St. Suite 101)
<u>Cache County Development Services</u>	755-1640 (179 North Main St. Suite 305)



APPLICATION FOR ANNEXATION PETITION

For Staff Only			
Date Received	Annexation Petition Date Set	Fee amount	Fee paid
NAME OF PROPOSED ANNEXATION			
ADDRESS OR LOCATION OF PROPOSED ANNEXATION			TOTAL ACREAGE INVOLVED: COUNTY PLAT TAX ID #
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER(S)			PHONE #
MAILING ADDRESS	CITY	STATE	ZIP
EMAIL ADDRESS			
WHAT PERCENT OF THE PRIVATE REAL PROPERTY WITHIN THE PROPOSED ANNEXATION IS REPRESENTED BY THE SIGNATURES OF THE OWNERS?			
WHAT PERCENT OF THE VALUE OF PRIVATE REAL PROPERTY WITHIN THE ANNEXATION PLAT IS REPRESENTED BY THE SIGNATURES OF THE OWNERS?			
CURRENT USE OF THE PROPERTY			
PROPOSED USE OF THE PROPERTY			
ZONING REQUESTED WITH ANNEXATION			
WHAT IS THE ANTICIPATED TIMELINE FOR NEW DEVELOPMENT?			
WHAT ARE THE ANTICIPATED DEMANDS ON CITY SERVICES AND INFRASTRUCTURE?			
HAS A COPY OF THE ANNEXATION PETITION BEEN DELIVERED TO THE CACHE COUNTY RECORDER?			
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner(s).			Signature of Property Owner's Authorized Representative

ANNEXATION PETITION FOR:

“NOTICE: THERE WILL BE NO PUBLIC ELECTION ON THE ANNEXATION PROPOSED BY THIS PETITION BECAUSE UTAH LAW DOES NOT PROVIDE FOR AN ANNEXATION TO BE APPROVED BY VOTERS AT A PUBLIC ELECTION. IF YOU SIGN THIS PETITION AND LATER DECIDE THAT YOU DO NOT SUPPORT THE PETITION, YOU MAY WITHDRAW YOUR SIGNATURE BY SUBMITTING A SIGNED, WRITTEN WITHDRAWAL WITH THE RECORDER OR CLERK OF LOGAN CITY. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NOT LATER THAN 30 DAYS AFTER THE CITY OF LOGAN RECEIVES NOTICES THAT THE PETITION HAS BEEN CERTIFIED.”

WE HEREBY CERTIFY THAT ALL OF THE UNDERSIGNED TOGETHER CONSTITUTE THE OWNERS OF A MAJORITY OF SAID REAL PROPERTY TO BE ANNEXED, AND ALSO ARE THE OWNERS OF SAID REAL PROPERTY TO BE ANNEXED, AND ALSO ARE THE OWNERS OF MORE THAN ONE THIRD IN VALUE OF SAID REAL PROPERTY AS SHOWN BY THE LAST ASSESSMENT ROLLS FOR TAXES, AND THAT SAID LAND IS CONTIGUOUS TO THE CORPORATE LIMITS OF LOGAN CITY.

PRINTED NAME OF PROPERTY OWNER	TAX ID #	PROPERTY ADDRESS	ASSESSED VALUATION	PROPERTY SIZE
OWNERS SIGNATURE			DATE	
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