IVINS CITY STORM DRAIN IMPACT FEE FACILITIES PLAN

APRIL 2024

NOTICE DRAFT

PREPARED FOR:

IVINS CITY

PREPARED BY:

BOWEN COLLINS & ASSOCIATES

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INTRODUCTION

Ivins City (City) has retained Bowen Collins & Associates (BC&A) to prepare an Impact Fee Facility Plan (IFFP) for the storm drain utility. The purpose of an IFFP is to identify demands placed upon City facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

WHY IS AN IFFP NEEDED?

The IFFP provides a technical basis for assessing updated impact fees throughout the City. This document will address the future infrastructure needed to serve the City with regard to current land use planning. The existing and future capital projects documented in this IFFP will ensure that level of service standards are maintained for all existing and future residents who reside within the service area. Local governments must pay strict attention to the required elements of the Impact Fee Facilities Plan which are enumerated in the Impact Fees Act.

PROJECTED FUTURE GROWTH

To evaluate the use of existing capacity and the need for future capacity, it is first necessary to calculate the demand associated with existing development and projected growth. Using available information for existing development and expected growth, projected growth in impervious developed acreage for the City's 10-year growth projections are summarized in Table ES-1.

Table ES-1
Projected 10-Year Developed Acreage
(Impervious Acres)

Development Type	Acreage
Existing Development	530
10-Year Development	271
Greater than 10-Year Development	268
Total Developed Impervious Acreage at Buildout	**1,070**

EXISTING CAPACITY AVAILABLE TO SERVE FUTURE GROWTH

Projected future growth will be met through a combination of available excess capacity in existing facilities and construction of additional capacity in new facilities. The calculated percentage of existing capacity currently in use by existing development is 48.1 percent. Growth during the next 10 years is calculated to use an additional 27.2 percent, with the remaining 24.6 percent of existing capacity to be used by growth beyond the 10-year planning window.

REQUIRED SYSTEM IMPROVEMENTS

Beyond available existing capacity, additional improvements required to serve new growth are summarized in Table ES-2.

Table ES-2
Impact Fee Facilities Plan - Costs Required for Future Growth

Project ID	Project Location	Construction Year	Estimated 2023 Construction Cost	Percent of Cost Attributable to:		
				Existing	10-Year Growth	Growth Beyond 10 Years
P-08	400 West, Center St.	2032	$517,000	66.2%	5.6%	28.1%
P-15	100 West/200 South	2026	$50,000	85.0%	9.6%	5.4%
P-19	250 East, 200 South	2034	$593,000	77.2%	15.2%	7.6%
P-20	250 East, 400 South	2028	$473,000	47.7%	7.4%	44.9%
P-23	Park Avenue Way	2030	$437,000	42.6%	10.5%	47.0%
P-24	Hwy 91 and Red Mtn. Blvd.	2026	$70,000	20.9%	56.0%	23.1%
P-25	Hwy 91 and Red Mtn. Blvd.	2024	$707,000	20.9%	56.0%	23.1%
P-26	Flood Street (400 East)	2027	$609,000	80.5%	3.5%	15.9%
P-28	RV Park @ Hwy 91	2033	$70,000	0.0%	100.0%	0.0%
P-29	200 North, 400 West	2031	$319,000	20.0%	30.0%	50.0%
P-30	265 West, Center Street	2026	$190,000	50.0%	25.0%	25.0%
DB-4	400 East, 400 South	2029	$445,000	47.7%	7.4%	44.9%
DB-6	600 West, 200 North	2026	$272,000	0.0%	32.9%	67.1%
C-4	450 South, Wash	2033	$100,000	0.0%	100.0%	0.0%
C-5	Dry Wash (West Side)	2033	$200,000	0.0%	50.0%	50.0%
Inlets	450 North, 400 West	2026	$50,000	100.0%	0.0%	0.0%
PW	Public Works Yard*	2025	$603,000	45.3%	27.5%	27.1%
		Total	**$5,705,000**	**45.6%**	**23.9%**	**30.5%**

* Cost for Public Works Yard is based on the portion of the total project that is attributable to storm drain (5%).

To satisfy the requirements of state law, Table ES-2 provides a breakdown of the percentage of the project costs attributed to existing and future users. For future use, capacity has been divided between capacity to be used by growth within the 10-year planning window of this IFFP and capacity that will be available for growth beyond the 10-year window.

SECTION 1
INTRODUCTION

Ivins City (City) has retained Bowen Collins & Associates (BC&A) to prepare an Impact Fee Facility Plan (IFFP) for storm drain services provided by the City. The purpose of an IFFP is to determine the public facilities required to serve development resulting from new development activity. The IFFP is also intended to outline the improvements which may be funded through impact fees.

Much of the analysis forming the basis of this IFFP has been taken from the City's storm drain master plan. The master plan was prepared by BC&A in 2024. For the purposes of this report, subsequent references to the master plan will simply be identified as the "Storm Drain Master Plan". The reader should refer to the City's 2024 Storm Drain Master Plan for additional discussion of planning and evaluation methodology beyond what is contained in this IFFP.

Requirements for preparing an IFFP are outlined in Title 11, Chapter 36a of the Utah Code (the Impact Fees Act). Under these requirements, an IFFP shall accomplish the following for each facility:

1. Identify the existing level of service
2. Establish a proposed level of service
3. Identify excess capacity to accommodate future growth at the proposed level of service
4. Identify demands placed upon existing public facilities by new development
5. Identify the means by which demands from new development will be met
6. Consider the following additional issues
    a. revenue sources to finance required system improvements
    b. necessity of improvements to maintain the proposed level of service
    c. need for facilities relative to planned locations of schools

The following sections of this report have been organized to address each of these requirements.

SECTION 2
EXISTING LEVEL OF SERVICE - 11-36a-302(1)(a)(i)

Level of service is defined in the Impact Fees Act as "the defined performance standard or unit of demand for each capital component of a public facility within a service area". This section discusses the level of service currently provided to existing users.

PERFORMANCE STANDARD

The performance standard defines the level of service the City has established to satisfy City and/or State performance requirements. There is no minimum State standard for storm drain as there are with some other utilities. Every city desires to protect their residents and infrastructure from flooding and attempts to balance the cost of storm drainage improvements with the amount of flow in the streets. The evaluation criteria for this study were provided by Ivins City personnel as documented in their Storm Drain Master Plan. The level of service adopted by Ivins City is similar to the level of service provided by neighboring cities.

STORM DRAIN CONVEYANCE

Storm drain pipelines are not allowed to flood into the street during the 10-year storm event. If storm water discharge is greater than the 10-year event, the pipes will pressurize and eventually flood into the streets. It is important to note that roadways become the major storm water conveyance facility during storms that are larger than the 10-year design event and should be designed to convey flows up to the 100-year event. Storm drain pipe materials and minimum sizes are defined in the "Ivins City's Standard Specifications".

While the City does use some open channels for storm drain conveyance, no open channel costs are proposed to be recovered as part of impact fees. As a result, open channels will not be considered further as part of this IFFP.

Culverts should be designed to safely convey the 100-year storm event. Design standards required for culverts including minimum size can be found in Ivins City's Standard Specifications.

DETENTION BASINS

Detention facilities are routinely used in the City to reduce maximum flow rates. In Ivins City, both regional and local detention facilities are used. Regional basins need to have capacity for the 100-year storm and are used to detain flows from all types of developments. Local detention basins have been designated as project level improvements to be constructed by a single developer or consortium of neighboring developers. Local detention is required for areas having an impervious area greater than the typical single lot residential unit. This allows for similar rates of runoff for all development. All detention basins should have an emergency overflow designed to convey runoff from storms larger than the design storm event. The overflow should direct water toward secondary conveyance facilities, such as a right-of-way or open channel, and away from private property and areas of potential property damage.

DESIGN STORM PARAMETERS

The design storm defines how much precipitation falls and at what rate for a projected precipitation event. Rainfall data for system evaluation is based on the National Oceanic and Atmospheric Administration (NOAA) Atlas 14. This data is commonly used by professionals in the industry and

has been shown to produce accurate results in studies conducted in neighboring communities. The Farmer Fletcher Storm distribution was used to simulate a cloudburst event which is typical for cities in Southern Utah.

UNIT OF DEMAND

Impact fees will be calculated based on total impervious acreage. This approximately reflects the potential volume of runoff associated with each property.

SECTION 3
PROPOSED LEVEL OF SERVICE - 11-36a-302(1)(a)(ii)

The proposed level of service is the performance standard used to evaluate system needs in the future. The Impact Fee Act indicates that the proposed level of service may:

1. diminish or equal the existing level of service; or
2. exceed the existing level of service if, independent of the use of impact fees, the City implements and maintains the means to increase the level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.

No changes in the level of service are proposed for Ivins City. Future facilities will be constructed to meet the same performance standards identified for the existing level of service.

SECTION 4
EXCESS CAPACITY TO ACCOMMODATE FUTURE GROWTH - 11-36a-302(1)(a)(iii)

Projected future growth will be met through a combination of available excess capacity in existing facilities and construction of additional capacity in new facilities.

EXISTING STORM DRAIN INFRASTRUCTURE

Existing storm drain infrastructure in Ivins City includes conveyance pipelines, open channels, culverts, and detention basins. As noted previously, no improvements to open channels were recommended and will not be included in the calculation of impact fees. In areas where existing facilities exist, future growth will utilize a portion of excess capacity in existing facilities.

EXISTING DEMAND AND DETERMINATION OF EXCESS CAPACITY

To calculate the percentage of existing capacity to be used by future growth in existing facilities, existing and future development patterns were examined. The method used to calculate excess capacity available for use by future development is as follows:

- **Group Facilities as Necessary for Analysis –** While Ivins has good records of past projects and can document actual expenditures for many storm drain facilities, the available records do not identify the specific locations of all projects. As a result, it is necessary to group some facilities for analysis purposes.
- **Calculate Potential Drainage Area of the Facilities –** The drainage area contributing to each facility or group of facilities was calculated for both existing and future development scenarios (see Section 5). Land use was then analyzed for each drainage area to determine the impervious areas for both existing and future development scenarios.
- **Identify Existing Development –** Based on GIS records and available aerial photography, existing impervious areas within each drainage area have been identified.
- **Identify 10-year Growth** – Population projections were made for Ivins City through buildout. Projects selected for the next 10 years are based on areas where projected growth is expected.
- **Calculate Percent of Excess Capacity Used by Growth** – The percent of excess capacity being used in each facility was calculated by dividing the growth in use in the facility (growth in developed impervious area less existing impervious area) by the maximum use of capacity at buildout (total impervious drainage area for the facilities).
- **Calculate Cost Weighted Average for System** – Each facility in the system has a different quantity of excess capacity to be used by future growth. To develop an estimate of excess capacity for the system as a whole, the capacities of each of these facilities and their contribution to the system must be considered. To do this, each component has been weighted based on its calculated actual cost. The capacity of the system as a whole is then calculated as the sum of the weighted capacity used by future growth divided by the sum of total weighted capacity in the system.

Based on the method described above, the calculated percentage of existing capacity currently in use by existing development is 48.1 percent. Growth during the next 10 years is calculated to use an additional 27.2 percent, with the remaining 24.6 percent of existing capacity to be used by growth beyond the 10-year planning window.

In considering available capacity in existing storm drain facilities, it should be remembered that available capacity can only serve growth in the areas for which it was constructed. In other words, an existing pipeline that has available capacity for future growth in one area of the City can provide no benefit for projected growth in another area of the City. Thus, it is common for projects to be needed in one area, even though available capacity may exist in another area. By following the procedure to calculate use of capacity as described above, only the existing capacity that will actually be used by 10-year growth has been identified as reimbursable through impact fees.

SECTION 5
DEMANDS PLACED ON FACILITIES BY NEW DEVELOPMENT - 11-36a-302(1)(a)(iv)

The planning period to be used for this IFFP is 10 years. Table 5-1 lists the population projections for the City for the 10-year planning window. The population projections are based on a report provided by Ivins City personnel which uses projections from the Governor's Office of Management and Budget (GOMB). Growth in Ivins will come in the form of both residential and n commercial/industrial grwoth. It is anticipated that a larger proportion of growth in the near future will be commercial/industrial compared to the historic development distribution in Ivins City. Commercial/industrial poperties generally have a higher proportion of impervious area when compared to residential properties. For these reasons, it is important that growth be deifined in terms of Equivalent Residential Units (ERUs) and not just population. This provides a better representation of growth in impervious area in the City. Projected ERUs based on both residential and commercial/industrial growth are provided in Table 5-1.

Table 5-1
Projected 10-Year Growth

Year	Ivins City Population Projection	ERU Growth Projection
2023	10,484	5,011
2033	13,500	8,019
2050	19,500	11,051

CONVERSION OF GROWTH AND DEVELOPMENT PROJECTIONS TO IMPERVIOUS ACRES

To evaluate the use of existing capacity and the need for future capacity, it is first necessary to calculate the impervious acreage associated with existing development and projected growth. Using available information for existing development, BC&A calculated the average impervious acreage associated with existing and future development. Using ERU projections, the impervious acreages for 10-year and greater than 10-year growth were estimated. Table 5-2 lists the impervious acreage associated with existing, 10-year, and greater than 10-year growth.

Table 5-2
Developed Acreage for Existing and Future Development (Impervious Acres)

Development Type	Impervious Acreage
Existing Development	530
10-Year Development	271
Greater than 10-Year Development	268
Total Developed Impervious Acreage at Buildout	**1,070**

As shown in Table 5-2, it is projected that approximately 271 impervious acres of new development will occur over the next 10 years. It should be emphasized that this is impervious acreage directly associated with developed lots and does not include public roads. Inherent to land development is

the creation of impervious areas, such as parking lots, driveways, and rooftops which make up the calculated impervious areas. This will be accounted for separately.

SECTION 6
INFRASTRUCTURE REQUIRED TO MEET DEMANDS OF NEW DEVELOPMENT - 11-36a-302(1)(a)(v)

To satisfy the requirements of state law, demand placed upon system facilities by future development was projected using the process outlined below.

1. **Existing Capacity** – The capacities of the existing facilities were evaluated using a hydraulic storm water model as part of the master plan.
2. **Existing Deficiencies** – Existing deficiencies in the system were identified by comparing defined levels of service against calculated capacities.
3. **Future Demand** - The demand that future development will place on the system was estimated based on development projections as discussed in Section 5.
4. **Future Deficiencies** - Future deficiencies in the storm drain infrastructure were identified based on the defined level of service.
5. **Recommended Improvements** – Needed storm drain improvements were identified to resolve the projected deficiencies.

The steps listed above describe the "demands placed upon existing public facilities by new development activity at the proposed level of service; and… the means by which the political subdivision or private entity will meet those growth demands" (Section 11-36a-302-1.a of the Utah Code).

10-YEAR IMPROVEMENT PLAN

Planned improvements to satisfy level of service requirements for projected demands at build out have been identified in the City's Storm Drain Master Plan. These improvements will be constructed in phases as development occurs. Only infrastructure to be constructed within a ten-year horizon will be considered in the calculation of these impact fees to avoid uncertainty surrounding improvements further into the future.

To identify improvements to be built within the 10-year window, prioritization of projects was based on the likelihood of flooding and the extents of the damage which could occur. The highest priority projects were added to the City's 10-year improvement plan. Table 6-1 summarizes the projects that are projected to be needed within the next ten years. The location of these projects is shown in Figure 6-1.

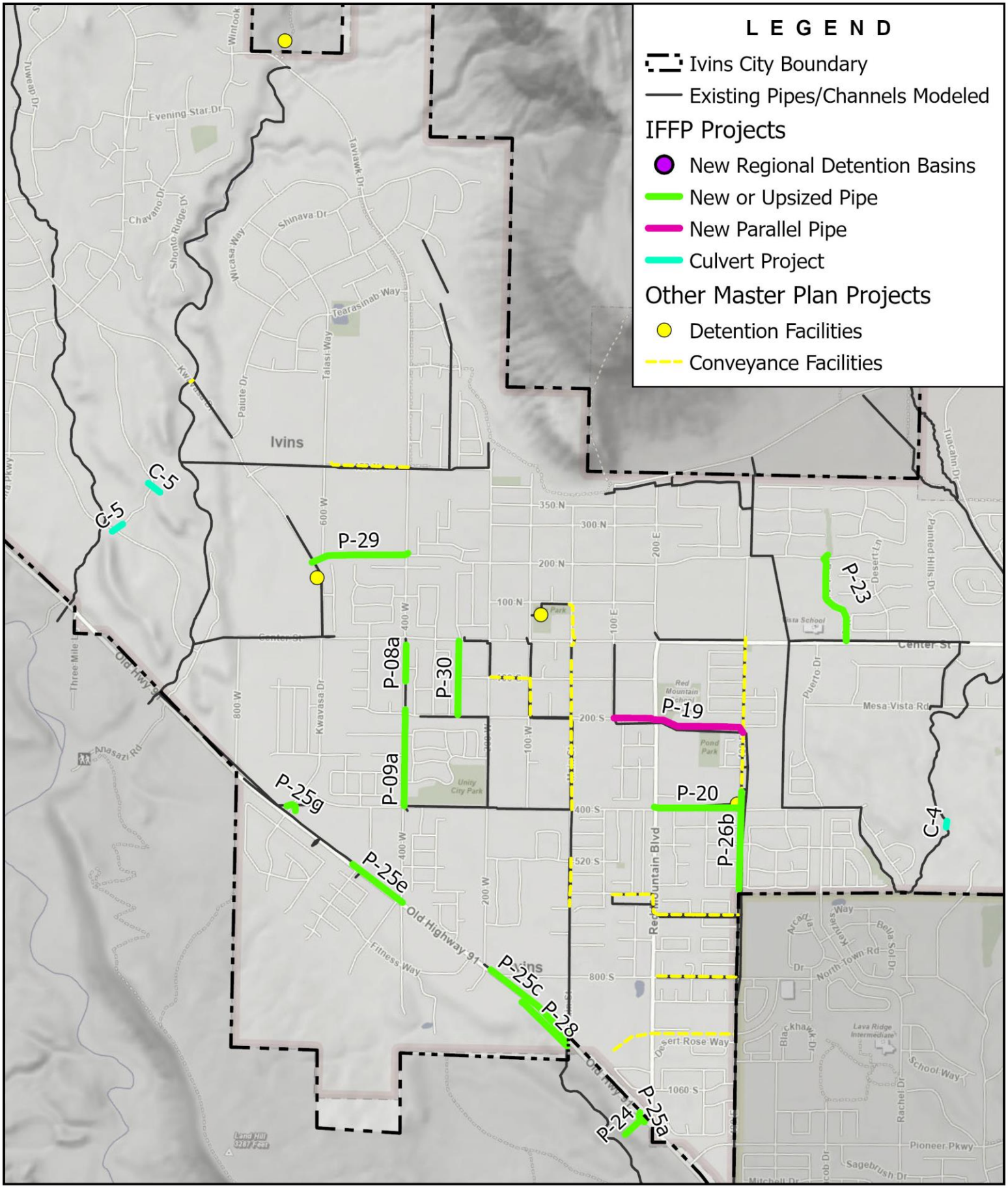

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Table 6-1
Summary of Future Storm Drain Impact Fee Facility Improvements

Project ID	Project Location	Year	Pipe Length (ft)	Diameter (in)	Volume (ac-ft)	Project Expense - 2023 Dollars	Construction Year Expense
P-08, P-09	400 West, Center St.	2032	2,120	30, 36, 42	-	$517,000	$675,000
P-15	100 West/200 South	2026	580	24		$50,000	$55,000
P-19	250 East, 200 South	2034	2,140	24	-	$593,000	$821,000
P-20	250 East, 400 South	2028	1390	36	-	$473,000	$549,000
P-23	Park Avenue Way	2030	1.58	24	-	$437,000	$538,000
P-24	Hwy 91 and Red Mtn. Blvd.	2026	360	24	-	$70,000	$77,000
P-25	Hwy 91 and Red Mtn. Blvd.	2024	3,100	18, 24, 30, 36	-	$707,000	$729,000
P-26b	Flood Street (400 East)	2027	1,560	42	-	$609,000	$686,000
P-28	RV Park @ Hwy 91	2033	1,000	18	-	$70,000	$95,000
P-29	200 North, 400 West	2031	1,570	18	-	$319,000	$405,000
P-30	265 West, Center Street	2026	1180	18	-	$190,000	$208,000
DB-4	400 East, 400 South	2029	-	-	3.4	$445,000	$532,000
DB-6	600 West, 200 North	2026	-	-	1.8	$272,000	$298,000
C-4	450 South, Wash	2033	-	-	-	$100,000	$135,000
C-5	Dry Wash (West Side)	2033	-	-	-	$200,000	$269,000
Inlets	450 North, 400 West	2026	-	-	-	$50,000	$55,000
PW	Public Works Yard*	2025	-	-	-	$603,000	$640,000
					Total Project Cost	**$5,705,000**	**$6,767,000**

*Cost for Public Works Yard is based on the portion of the total project that is attributable to storm drain (5%).

It should be noted that Table 6-1 only includes those projects with components of cost that are eligible to be included in the impact fee calculation. Other storm drain projects that may be completed over the next ten years but have not been shown in the table include: projects for maintenance and repair (to be paid for by existing users), enclosure of historic open channels for property owner

convenience (to be paid for by property owner), and project level improvements (to be paid for by individual developers).

PROJECT COST ATTRIBUTABLE TO FUTURE GROWTH

To satisfy the requirements of state law, Table 6-2 provides a breakdown of the impact fee facility projects and the percentage of the project costs attributed to existing and future users. As defined in Section 11-36-304, the impact fee facilities plan should only include "the proportionate share of the costs of public facilities [that] are reasonably related to the new development activity." While some projects from the capital facilities plan are required to meet future growth, some projects also provide benefit to existing users. Projects that benefit existing users include those projects addressing existing capacity deficiencies, maintenance related projects, or projects increasing the level of service for existing users.

For some projects, the division of costs between existing and future users is easy because 100 percent of the project costs can be attributed to one category or the other (e.g., infrastructure needed solely to serve new development can be 100 percent attributed to new growth). For projects needed to address both existing deficiencies and new growth, the costs were divided based on the area the pipe serves. For example, if a pipe is to be replaced and will cost $100,000 and it serves an area that was 80 percent developed. Existing users would be responsible to pay $80,000, while future users would be responsible for $20,000.

The method used to calculate flows associated with each type of development is as follows:

- **Calculate Potential Drainage Area of the Facilities –** The total drainage area contributing to each project at buildout was calculated.
- **Identify Existing Development –** Based on GIS records and available aerial photography, existing impervious areas within each drainage area were identified.
- **Identify 10-year Growth** – Using population projections, the impervious area associated with growth in the 10-year window has been calculated.
- **Calculate Percent of Excess Capacity Used by Future Growth** – The percent of capacity being used in each facility was calculated by dividing the impervious area of each type (existing, 10-year, and beyond 10-year) contributing to each facility by the total impervious area for the project.

Table 6-2
Impact Fee Facilities Plan - Costs Required for Future Growth

Project ID	Project Location	Construction Year	Estimated 2023 Construction Cost	Percent of Cost Attributable to:		
				Existing	10-Year Growth	Growth Beyond 10 Years
P-08	400 West, Center St.	2032	$517,000	66.2%	5.6%	28.1%
P-15	100 West/200 South	2026	$50,000	85.0%	9.6%	5.4%
P-19	250 East, 200 South	2034	$593,000	77.2%	15.2%	7.6%
P-20	250 East, 400 South	2028	$473,000	47.7%	7.4%	44.9%
P-23	Park Avenue Way	2030	$437,000	42.6%	10.5%	47.0%
P-24	Hwy 91 and Red Mtn. Blvd.	2026	$70,000	20.9%	56.0%	23.1%
P-25	Hwy 91 and Red Mtn. Blvd.	2024	$707,000	20.9%	56.0%	23.1%
P-26	Flood Street (400 East)	2027	$609,000	80.5%	3.5%	15.9%
P-28	RV Park @ Hwy 91	2033	$70,000	0.0%	100.0%	0.0%
P-29	200 North, 400 West	2031	$319,000	20.0%	30.0%	50.0%
P-30	265 West, Center Street	2026	$190,000	50.0%	25.0%	25.0%
DB-4	400 East, 400 South	2029	$445,000	47.7%	7.4%	44.9%
DB-6	600 West, 200 North	2026	$272,000	0.0%	32.9%	67.1%
C-4	450 South, Wash	2033	$100,000	0.0%	100.0%	0.0%
C-5	Dry Wash (West Side)	2033	$200,000	0.0%	50.0%	50.0%
Inlets	450 North, 400 West	2026	$50,000	100.0%	0.0%	0.0%
PW	Public Works Yard*	2025	$603,000	45.3%	27.5%	27.1%
		Total	**$5,705,000**	**45.6%**	**23.9%**	**30.5%**

* Cost for Public Works Yard is based on the portion of the total project that is attributable to storm drain (5%).

It should be noted that Table 6-2 does not include bond costs related to paying for impact fee eligible improvements. These costs, if any, should be added as part of the impact fee analysis.

PROJECT COST ATTRIBUTABLE TO 10 YEAR GROWTH

Included in Table 6-2 is a breakdown of capacity associated with growth through the next 10 years and for growth beyond 10 years. A challenge with Storm Drain infrastructure is that it is not cost effective to add capacity in small increments. Once a pipeline is being built, it needs to be built to satisfy long-term capacity needs. As a result, the improvements proposed in the impact fee facility plan will include capacity for growth beyond the 10-year planning window. To most accurately evaluate the cost of providing service for growth during the next ten years, added consideration has been given to evaluating how much of each improvement will be used in the next 10 years. This has been done following the same methodology as described above.

BASIS OF CONSTRUCTION COST ESTIMATES

The costs of construction for projects to be completed within ten years have been estimated based on past BC&A experience with projects of a similar nature. Pipeline project costs are based on average per foot costs for pipes of a similar nature. Costs include consideration of other components of the storm drain system including manholes, catch basins, and surface restoration as appropriate for each project.

SECTION 7
ADDITIONAL CONSIDERATIONS

MANNER OF FINANCING - 11-36a-302(2)

The City may fund the infrastructure identified in this IFFP through a combination of different revenue sources.

FEDERAL AND STATE GRANTS AND DONATIONS

Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Ivins City has received federal funding for past projects, but none of the projects listed in this Impact Fee Facility plan are anticipated to be funded by federal or state grants or donations.

BONDS

None of the costs contained in this IFFP include the cost of bonding. The cost of bonding required to finance impact fee eligible improvements identified in the IFPP may be added to the calculation of the impact fee. This will be considered in the impact fee analysis.

INTERFUND LOANS

Because infrastructure must generally be built ahead of growth, there often arise situations in which projects must be funded ahead of expected impact fee revenues. In some cases, the solution to this issue will be bonding. In others, funds from existing user rate revenue will be loaned to the impact fee fund to complete initial construction of the project and will be reimbursed later as impact fees are received. Consideration of potential interfund loans will be included in the impact fee analysis and should also be considered in subsequent accounting of impact fee expenditures.

IMPACT FEES

It is recommended that impact fees be used to fund growth-related capital projects as they help to maintain the proposed level of service and prevent existing users from subsidizing the capital needs for new growth. Based on this IFFP, an impact fee analysis will be able to calculate a fair and legal fee that new growth should pay to fund the portion of the existing and new facilities that will benefit new development.

DEVELOPER DEDICATIONS AND EXACTIONS

Developer exactions are not the same as grants. Developer exactions may be considered in the inventory of current and future infrastructure. If a developer constructs a system improvement or dedicates land for a system improvement identified in this IFFP, or dedicates a public facility that is recognized to reduce the need for a system improvement, the developer will be entitled to an appropriate credit against that developer's impact fee liability or a proportionate reimbursement.

If the value of the credit is less than the development's impact fee liability, the developer will owe the balance of the liability to the City. If the recognized value of the improvements/land dedicated is more than the development's impact fee liability, the City must reimburse the difference to the developer.

It should be emphasized that the concept of impact fee credits pertains to system level improvements only. For project level improvement (i.e., projects not identified in the impact fee facility plan),

developers will be responsible for the construction of the improvements without credit against the impact fee. No developer dedications are expected for storm drain infrastructure.

NECESSITY OF IMPROVEMENTS TO MAINTAIN LEVEL OF SERVICE - 11-36a-302(3)

According to State statute, impact fees cannot be used to correct deficiencies in the City's system and must be necessary to maintain the proposed level of service established for all users. Only those facilities or portions of facilities that are required to maintain the proposed level of service for future growth have been included in this IFFP. This will result in an equitable fee as future users will not be expected to fund any portion of the facilities that will benefit existing residents.

SCHOOL RELATED INFRASTRUCTURE - 11-36a-302(2)

As part of the noticing and data collection process for this plan, information was gathered regarding future school district and charter school development. Where the City is aware of the planned location of a school, required public facilities to serve the school have been included in the impact fee analysis.

NOTICING AND ADOPTION REQUIREMENTS - 11-36a-502

The Impact Fees Act requires that entities must publish a notice of intent to prepare or modify any IFFP. If an entity prepares an independent IFFP rather than include a capital facilities element in the general plan, the actual IFFP must be adopted by enactment. Before the IFFP can be adopted, a reasonable notice of the public hearing must be published in a local newspaper at least 10 days before the actual hearing. A copy of the proposed IFFP must be made available in each public library within the City during the 10-day noticing period for public review and inspection. Utah Code requires that the City must post a copy of the ordinance in at least three places. These places may include the City offices and the public libraries within the City's jurisdiction. Following the 10-day noticing period, a public hearing will be held, after which the City may adopt, amend and adopt, or reject the proposed IFFP.

SECTION 8
IMPACT FEE CERTIFICATION - 11-36a-306(1)

This IFFP has been prepared in accordance with Utah Code Title 11, Chapter 36a (the "Impact Fees Act"), which prescribes the laws pertaining to the imposition of impact fees in Utah. The accuracy of this report relies upon the planning, engineering, and other source data, which was provided by the City and their designees.

In accordance with Utah Code Annotated, 11-36a-306(1), Bowen Collins & Associates makes the following certification:

I certify that this impact fee facility plan:

1. Includes only the costs of public facilities that are:
    a. allowed under the Impact Fees Act; and
    b. actually incurred; or
    c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
    a. costs of operation and maintenance of public facilities;
    b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
    c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.

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Cody Moultrie, P.E.