

South Davis Water District

Requirements to Charge Impact Fees — Checklist and Current Status

What Utah Law Requires Before a District May Charge Impact Fees

1. Threshold Determination

- ☒ Confirm whether the District meets or is subject to the population/revenue thresholds that trigger IFFP requirements, and confirm special-district applicability under the Act.

2. Impact Fee Facilities Plan (IFFP) — § 11-36a-302

- ☒ Identify the existing level of service (LOS). This was already done in the Asset Management Plan.
- ☐ Establish a proposed level of service.
- ☐ Identify excess capacity available to accommodate future growth at the proposed LOS. *(Substantial progress.)*
- ☐ Identify the demands anticipated development activity will place on existing public facilities at the proposed LOS. *(Substantial progress, not final.)*
- ☐ Identify the means by which the District will meet those growth demands. *(Capital plan exists; growth-share allocation not yet calculated.)*
- ☐ Generally consider all revenue sources available to finance the system improvements.

3. Public Notice — Intent to Prepare the IFFP — § 11-36a-501

- ☐ Publish notice of intent to prepare an IFFP before formally beginning the plan.
 - Content requirements: the notice must (a) state that the District intends to prepare or amend an IFFP, and (b) describe or provide a map of the geographic area where the proposed impact fee facilities will be located.
 - Must be posted as a "Class A notice" (defined below) for at least 10 days.
 - Publish on the Utah Public Notice Website (pmn.utah.gov).
 - Publish on the District's own official website.
 - Physically post the notice in a public location within or near the affected area.

4. Written Impact Fee Analysis (IFA) — § 11-36a-304

- ☐ All five core elements, plus additional factors to consider (financing manner, extraordinary costs, credits, time-price differential).

5. Basis for the Fee Calculation Itself — § 11-36a-305

- ☐ Eligible cost categories and disclosed, realistic assumptions.

6. Lay-Person Summary — § 11-36a-503

- ☐ Prepare a non-technical summary of the IFA.

7. Public Notice — Intent to Prepare the IFA

- ☐ Publish notice of intent to prepare the IFA.

8. Public Hearing and Adoption

- ☐ Hold the required public comment period / hearing; Board adopts the IFFP, IFA, and fee schedule.

9. Ongoing Compliance (After Adoption)

- ☐ Spend collected fees only on identified, facility-type-matched system improvements; do not use fees to raise LOS for existing development.