

**EAGLE MOUNTAIN CITY  
CITY COUNCIL MEETING  
FEBRUARY 16, 2015**

<b>TITLE:</b>	<u>ORDINANCE – Parks Impact Fee Enactment.</u>		
<b>FISCAL IMPACT:</b>	N/A		
<b>APPLICANT:</b>	Christopher T. Trusty, City Engineer		
<b>GENERAL PLAN DESIGNATION</b> N/A	<b>CURRENT ZONE</b> N/A	<b>ACREAGE</b> N/A	<b>COMMUNITY</b>

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage
- Notice to newspapers

**REQUIRED FINDINGS:**

**Public Works Board  
Recommendation**

**Vote: N/A**

**Prepared By:**  
Chris T. Trusty  
City Engineer

**NOTES/COMMENTS:**

**RECOMMENDATION:**

Staff recommends that the City Council enacts the Parks Impact Fee ordinance and begins the 90-day grace period on assessing this impact fee.

**BACKGROUND:**

The Parks Impact Fee Enactment adopts the Impact Fee Facilities Plans (IFFP) and Impact Fee Analysis (IFA) and implements the recommended impact fees through ordinance.

Eagle Mountain City contracted with Horrocks Engineers to update the Parks IFFP. This document calculates the existing level of service for the parks in the City. It inventories current City-owned open spaces, parks, and amenities. It also includes current City demographics and projected growth patterns. The plan then uses this information to establish pattern by which new amenities are added to the system to accommodate expected growth patterns. This is used as the basis for which future growth can be assessed for its fair share of future park amenities.

The Parks IFA, completed by Lewis and Young, takes the information provided in the IFFP and performs a fiscal analysis. The analysis includes recommendations for funding the projects included in the IFFP. Projects which are identified in the IFFP as system deficiencies, meaning that they are required to accommodate existing residents and not for future growth, cannot be included in impact fees and must be funded from other sources. The IFA makes a recommendation for revised impact fees if it determines that there is a higher level of service than what could be paid for with current impact fees. State law requires that all impact fees collected by the City are spent or otherwise encumbered within 6 years of being collected.

Once adopted, there is a 90-day waiting period before the revised impact fees can be assessed to new building permits. The IFA recommends the maximum reasonable impact fees that could be charged to new development based on provisions in the State Code. The City Council has the discretion to reduce that fee, although other funding sources would need to be used to finance needed infrastructure or amenities.

This analysis includes two scenarios; one scenario excludes land value in the impact fee calculation, while the other scenario includes the land value. If the first scenario is adopted, impact fees could increase from \$382 for a single family home to \$1,158. If the second scenario is adopted, fees could increase from \$382 to \$6,333.

**ORDINANCE NO. O- -2016**

**AN ORDINANCE ADOPTING AN IMPACT FEE ENACTMENT FOR A PARK  
IMPACT FEE; PROVIDING FOR THE CALCULATION AND COLLECTION OF  
SUCH FEES; PROVIDING FOR APPEAL, ACCOUNTING, AND SEVERABILITY OF  
THE SAME AND OTHER RELATED MATTERS**

The City Council (“Council”) of Eagle Mountain City, Utah (the “City”), finds that it is in the public interest to adopt this Impact Fee Enactment to address impacts of development upon the City; impose park impact fees; provide for the calculation and collection of such fees; provide for appeal, accounting, and severability of the same and other related matters.

**WHEREAS**, the City is a local political subdivision of the State of Utah and has authority pursuant to Utah Code Ann. § 11-36a-101, *et seq.* (the “Impact Fee Act”) to mitigate the impact of new development on public facilities by enacting an impact fee; and

**WHEREAS**, the City has caused to be prepared a Capital Facilities Plan Including Impact Fee Facilities (the “Impact Fee Facility Plan”), a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Council finds that the Impact Fee Facility Plan identifies demands placed upon existing public facilities by new development activity and proposes means by which the City will meet those demands and has generally considered all revenue sources, including impact fees, and anticipated dedication of in-system improvements to finance the impacts on system improvements; and

**WHEREAS**, the Council finds that the Impact Fee Analysis, a copy of which is attached hereto as Exhibit B, identifies the anticipated impacts on or consumption of existing capacity of public facilities by anticipated development activities, identifies impact on system improvements required by anticipated development activities to maintain the established level of service for each public facility, demonstrates how those anticipated impacts are reasonably related to the anticipated development activities and estimates the proportionate share of the cost for existing capacity that will be recouped and the cost of impacts on system improvements that are reasonably related to the new development activity; and

**WHEREAS**, the Council finds that the impact fees which are enacted pursuant to this Ordinance (“Impact Fee Enactment”) are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received; and

**WHEREAS**, in accordance with Utah Code Ann. § 11-36a-504, the City has complied with the notice requirements to adopt this Impact Fee Enactment; and

**WHEREAS**, after careful consideration and review of the comments at the public hearings, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of the City to adopt this Impact Fee Enactment.

**BE IT ORDAINED** by the City Council of Eagle Mountain City, Utah:

Section 1. Findings; Authority; Purpose.

The Council finds and determines that growth and development activities in the City will create additional demand and need for park facilities, and the Council finds that persons responsible for growth and development activities should pay a proportionate share of the costs of such planned facilities needed to serve the growth and development activity. The Council further finds that, based on the Impact Fee Facility Plan and Impact Fee Analysis, impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received. The provisions of this Impact Fee Enactment shall be liberally construed in order to carry out the purpose and intent of the Council in establishing the impact fee program.

Section 2. Definitions.

Except as provided below, words and phrases that are defined in the Impact Fee Act shall have the same meaning in this Impact Fee Enactment.

2.1 Allowable Credits. The dollar value a developer may be allowed as an offset or a credit against an impact fee if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement, or dedicates a public facility that the City and the developer agree will reduce the need for a system improvement. A credit against an impact fee shall be granted for any dedication of real property for, improvements to, or new construction of, any system improvements provided by the developer if the facilities are system improvements, or are dedicated to the Public and offset the need for identified system improvements.

2.2 Applicant. A person or entity required to pay an impact fee under this Impact Fee Enactment.

2.3 Gross Impact Fee. The stated impact fee assessed (prior to the computation of allowable credits, exemptions, or adjustments) for system improvements based on the requirements of this Impact Fee Enactment.

2.4 Impact Fee Agent. The person or persons designated by the City Council to evaluate impact fee applications and calculate gross impact fees, allowable credits, exemptions, adjustments, and net impact fees.

2.5 Impact Fee Applicant or Impact Fee Applications. An application submitted by an applicant for development approval that is required to pay an impact fee prior to

obtaining subdivision approval or other development approval from the City Council or the building official of the City prior to issuance of a building permit.

2.6 Net Impact Fee. The gross impact fee less all allowable credits, exemptions, adjustments, and credit adjustments required by this Impact Fee Enactment.

2.7 Single Family Residential Unit or Equivalent Residential Unit or ERUs. The system improvement capacity required for a dwelling unit intended for the use and occupancy of a single family with no restriction on time of use.

Section 3. Impact Fees Imposed.

3.1 Impact Fees. Based on the Council approval and adoption of the Impact Fee Facility Plan and Impact Fee Analysis, attached hereto as Exhibits A and B, the City Council hereby adopts a Park Impact Fee in the amounts set forth in the Impact Fee Analysis.

3.2 Impact Fees Accounting. The City will establish a separate interest-bearing ledger account for each type of public facility for which impact fees are collected. Interest earned on such account shall be allocated to that account.

(a) *Reporting.* At the end of each fiscal year, the City shall prepare a report on each fund or account showing the source and amount of all monies collected, earned, and received by the fund or account and each expenditure from the fund or account. The report shall identify impact fees by the year in which they were received, the project from which the funds were collected, the system improvements for which the funds were budgeted, and the projected schedule for expenditures. The report shall be in a format developed by the State Auditor that is certified by the City's Chief Financial Officer and shall be transmitted annually to the State Auditor.

(b) *Impact Fee Expenditures.* The City may expend impact fees collected pursuant to this Impact Fee Enactment only for systems improvements that are (i) public facilities identified in the Impact Fee Facility Plan; and (ii) of the specific public facilities type for which the fee was collected.

(c) *Time of Expenditure.* Impact fees collected pursuant to this Impact Fee Enactment are to be expended or encumbered for a permissible use within six (6) years of the receipt of those funds by the City. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

(d) *Extension of Time.* The City may hold unencumbered fees for longer than six (6) years if the Council identifies in writing (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

3.3 Refunds. The City shall refund any impact fees paid by a developer, plus interest actually earned when (i) the developer does not proceed with the building activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; (iii) the developer has contributed in excess of their proportional costs; and (iv) no impact has resulted.

3.4 Additional Fees and Costs. The impact fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City, such as engineering and inspection fees, building permit fees, review fees, and other fees and costs that may not be included as itemized component parts of the impact fee.

3.5 Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the impact fee shall be determined in accordance with the provisions of Section 5 below.

Section 4. Impact Fee Amount and Procedure.

4.1 Impact Fee Imposed. Impact fees are hereby imposed on the basis of the Impact Fee Analysis and shall be paid either as a condition of plat approval, as a condition of the issuance of a building permit, or as a condition to connecting to any current or future system improvements if a plat or building permit is not required in an amount set forth in the Impact Fee Analysis.

4.2 Application Procedure. Each Applicant for development approval shall make application in writing to the City on forms provided for the City for determination of the amount of the required impact fees payable by the Applicant. Each Applicant shall provide all information requested by the City to allow the City to verify the accuracy of the information presented by the Applicant. The Impact Fee Agent shall consider the information presented by the Applicant and determine the gross impact fee, allowable credit, exemptions, adjustments, and net impact fee.

4.3 Impact Fee Amount. The amount of the impact fees imposed hereby shall be the gross amount as set forth in the Impact Fee Analysis.

Section 5. Exemptions, Adjustments, and Credits.

5.1 Exemption. The Council may, on a project-by-project basis, authorize exemptions to the impact fee imposed for development activity that the Council determines to be of broad public purpose to justify the exception, development activities attributable to low-income housing, the state, a school district, or a charter school (the school district and charter school on the same basis).

5.2 Adjustments. The Council shall ensure that the impact fees are imposed fairly and may adjust impact fees at the time the fee is charged to (i) respond to unusual circumstances in specific cases, (ii) respond to a request for a prompt and individualized impact

review for the development activities of the state or a school district or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected, and (iii) permits adjustments of the amount of the impact fee to be imposed on a particular development based upon studies and data submitted by the developer.

5.3 Credits. A developer, including a school district or charter school, shall receive a credit against or proportionate reimbursement of an impact fee if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement, or dedicates a public facility that the City and the Developer agree will reduce the need for a system improvement. A credit against the impact fee shall also be given for any dedication of land for, improvements to, or new construction of, any system improvements provided by the developer if the facilities are system improvements, or are dedicated to the public and offset the need for identified system improvements.

Section 6. Service Area.

Service areas are hereby established as set forth on the Impact Fee Facility Plan and Impact Fee Analysis.

Section 7. Appeal Procedures.

7.1 Application. The appeal procedure applies to challenges to the legality of impact fees, the interpretation and/or application of those fees.

7.2 Request for Information Concerning the Fee. Any person or entity required to pay an impact fee pursuant to this Impact Fee Enactment may file a written request for information concerning the fee with the City. The City will provide the person or entity with the Impact Fee Analysis, Impact Fee Facility Plan, and other relevant information relating to the impact fee within two weeks after receipt of the request for information.

7.3 Appeals to City Before Payment of Impact Fees. Any affected or potentially affected person or entity who wishes to challenge an impact fee imposed pursuant to this Impact Fee Enactment prior to payment thereof may file a written request for information concerning their fee and the process under the City's appeal procedure.

7.4 Appeal to City After Payment of Impact Fees; Statute of Limitations for Failure to File. Any person or entity that has paid an impact fee pursuant to this Impact Fee Enactment and wishes to challenge the fee shall file a written request for information concerning the fee after having paid the fee and proceed under the City's appeal process. The deadline for filing an appeal shall be as follows:

(a) Within 30 days after the person making the appeal pays the impact fee, they may challenge whether the City complied with the notice requirements of the impact fee with respect to imposition of the impact and the procedure.

(b) Within 180 days after the person making the appeal pays the impact fee, they may challenge whether the city complied with other procedural requirements of the impact fee

(c) Within one (1) year after the person making the appeal pays the impact fee, they may challenge the impact fee.

7.5 Appeal to City. Any developer, landowner, or affected party desiring to challenge the legality of any impact fee, or related fees or exaction under this Impact Fee Enactment, may appeal directly to the City by filing a written challenge with the City before the deadlines provided above.

(a) *Hearing.* An informal hearing will be held not sooner than five (5) days nor more than 25 days after the written appeal to the City is filed.

(b) *Decision.* After the conclusion of the informal hearing, the City shall affirm, reverse, or take action with respect to the challenge or appeal as the City deems appropriate. The decision of the City will be issued within 30 days after the date the written challenge was filed. In light of the statutorily mandated time restrictions, the City shall not be required to provide more than three (3) working days' prior notice of the time, date, and location of the informal hearing, and the inconvenience of the hearing to the challenging party shall not serve as a basis of appeal of any final determination.

7.6 Denial of Due Process. If the City for any reason fails to issue a final decision on a written challenge to an impact fee, its calculation or application, within 30 days after the filing of the challenge with the City, the challenge shall be deemed to have been denied.

7.7 Judicial Review. Nothing in this Impact Fee Enactment shall be interpreted to alter the statutory deadlines before which an action to challenge an impact fee must be initiated in the district court. After having been served with a copy of the pleadings initiating a court review, the City shall submit to the court the records of the proceedings before the City, including minutes, and if available, a true and correct transcript of any proceedings.

Section 8. Severability. If any section, subsection, paragraph, clause, or phrase of this Impact Fee Enactment shall be declared invalid for any reason, such decision shall not affect the remaining provisions of this Impact Fee Enactment, which shall remain in full force and effect, and for this purpose, the provisions of this Impact Fee Enactment are declared to be severable.

Section 9. Effective Date. The Impact Fee Enactment pursuant to this Impact Fee Ordinance shall not take effect until 90 days after its enactment.

ADOPTED by the City Council of Eagle Mountain City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**EAGLE MOUNTAIN CITY, UTAH**

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Chris Pengra, Mayor

**ATTEST:**

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Fionnuala B. Kofoed, MMC  
City Recorder

**CERTIFICATION**

The above ordinance was adopted by the City Council of Eagle Mountain City on the 16<sup>th</sup> day of February, 2016.

Those voting aye:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

Those voting nay:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

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Fionnuala B. Kofoed, MMC  
City Recorder

# EXHIBIT A

# **PARKS and RECREATION**

## **Impact Fee Facilities Plan**

**December 2015**



**EAGLE**  
M O U N T A I N

**HORROCKS**  
  
E N G I N E E R S

## Impact Fee Facilities Plan Certification Page

I certify that the attached impact fee facilities 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;
  - d. existing deficiencies documented as such and not meant for inclusion in impact analysis.
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;
  - 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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Brent R. Ventura, P.E.

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### Introduction

Eagle Mountain City is a growing city. As a result, it will need to construct more recreational facilities to accommodate future growth. This plan will outline the City's recreation infrastructure needs to accommodate future growth and prepare an Impact Fee Facilities Plan in accordance with Title 11, Chapter 36a of the Utah Code. It should be updated regularly

### Demographics

Demographics form the basis of the projections in this study. Demographic data and projections were obtained from the City. Eagle Mountain City is a city of approximately 26,200 residents. It is expected to grow to approximately 152,500 in the future.

### Existing Facilities

Current population estimates were used to determine the Level of Service (LOS). Eagle Mountain City currently provides \$540,268 of recreational facilities per 1,000 residents. These facilities cover 477.42 acres of which 152.47 is active recreational space. The City documents 50 facilities that it currently owns, valued at \$14,155,032. Some of these facilities were financed with SID bonds and be developers that require reimbursement.

### Future Facilities

As Eagle Mountain approaches build-out, it will need to have constructed \$68,235,848 of additional recreational facilities to maintain its current level of service. The City has already master planned some of those facilities in the Wride Memorial Park Master Plan. It has begun construction on another named Wren's Roost Park. Other trails and parks have been included conceptually in the Capital Facilities Plan.

### Impact Fee Facilities Plan

The City has identified four parks that will need to be constructed in the next six years to maintain the current level of service for new development. The projects total approximately \$6,970,000.

Eagle Mountain City is a growing community located on the west side of Utah County and lying between the Oquirrh and Lake Mountains. The nearest communities to the west are Cedar Fort and Fairfield. To the east lies Saratoga Springs. Currently, Eagle Mountain has approximately 26,200 residents. As growth continues in the region, Eagle Mountain is projected to grow to as many as 152,500 residents. However, future population growth will depend largely upon densities of new developments that are approved by the City.

In an effort to properly plan and prepare for increased growth, Eagle Mountain officials are seeking to update their Parks and Recreation impact fees so that they can provide the needed infrastructure improvements to accommodate new development. This plan analyzes the City's future growth patterns and its projected Parks and Recreation infrastructure needs. The existing master plan will be used to create an Impact Fee Facilities Plan (IFFP) based upon development driven infrastructure projects anticipated in the next six years, including a prioritized schedule for construction and cost estimates in planning-year dollars required for future projects.

Since the basis for this plan is demographic projections, it is recommended that it be updated every three to five years. Zoning maps should be updated, along with population projections and land use plans. Facilities plans should be updated to delete projects that have been completed or re-prioritized, add new projects that were not previously identified, and adjust the costs of any projects that may have changed in scope or nature.

### *Proportionate Share*

This document attempts to assign only a proportionate share of costs for future improvements due to anticipated future development. In accordance with the Utah Impact Fees Act, Title 11, Chapter 36a, every effort has been made to include accurate values of parks and recreation infrastructure installed in the past. Likewise, the IFFP only includes projects that are attributable to future growth within the next six years. As such, a current Level of Service (LOS) has been defined for maintaining the existing standards.

The first step in updating an Impact Fee Facilities Plan (IFFP) is to identify and verify the City’s current demographics and future population projections. Demographics for this IFFP were provided by the City and coincide with the demographic projections in the Eagle Mountain 2014 Impact Fees Facilities Plan. They have been approved for use in this update. Therefore, this section will outline and reference population estimates, growth trends, and projected population at key milestones from the City’s approved demographic data.

## 2.1 Existing Conditions

### *Current Population*

In the approved demographics, Eagle Mountain’s 2015 population was projected to be 26,186. Upon review this number appears to be relatively close to the actual population and does not warrant a lengthy demographic study and update using census data and building permits. Therefore, for purposed of this study, 26,200 will be used as the current population of Eagle Mountain.

### *Average Residents per Household*

Using previous demographics data, the current average household density has been estimated at 4.06 residents per household, which compares favorably to the 2010 Census numbers.

## 2.2 Build-out Population

Total build-out for a city is reached when all vacant land within city boundaries has been developed to the current zoning and land use plans. Build-out population has been estimated at approximately 152,500 for Eagle Mountain City as illustrated below in Table 2-1.

**Table 2-1: Eagle Mountain Build-out Projection**

Land Use Classification	Area (acre)	Total Units	Residents per Unit*	Residents
Civic Institutional	94	0	0.00	0
Commercial/Residential	1,530	4,463	4.06	18,123
Mixed Use Residential	16,000	31,066	3.48	108,110
Mixed Use Commercial	2,375	898	3.48	3,125
Rural Residential	5,826	5700	4.06	23,142
Airport	1,890	0	0.00	0
Agricultural	2,475	0	0.00	0
Industrial	649	0	0.00	0
<b>Projected Build-Out Population</b>				<b>152,500</b>

\*Varying densities used are based on dwelling unit types, as discussed in Section 2.3

### 2.3 Current & Future Growth

#### Current Growth Trends

The City’s future needs were recently forecasted using multiple sources including:

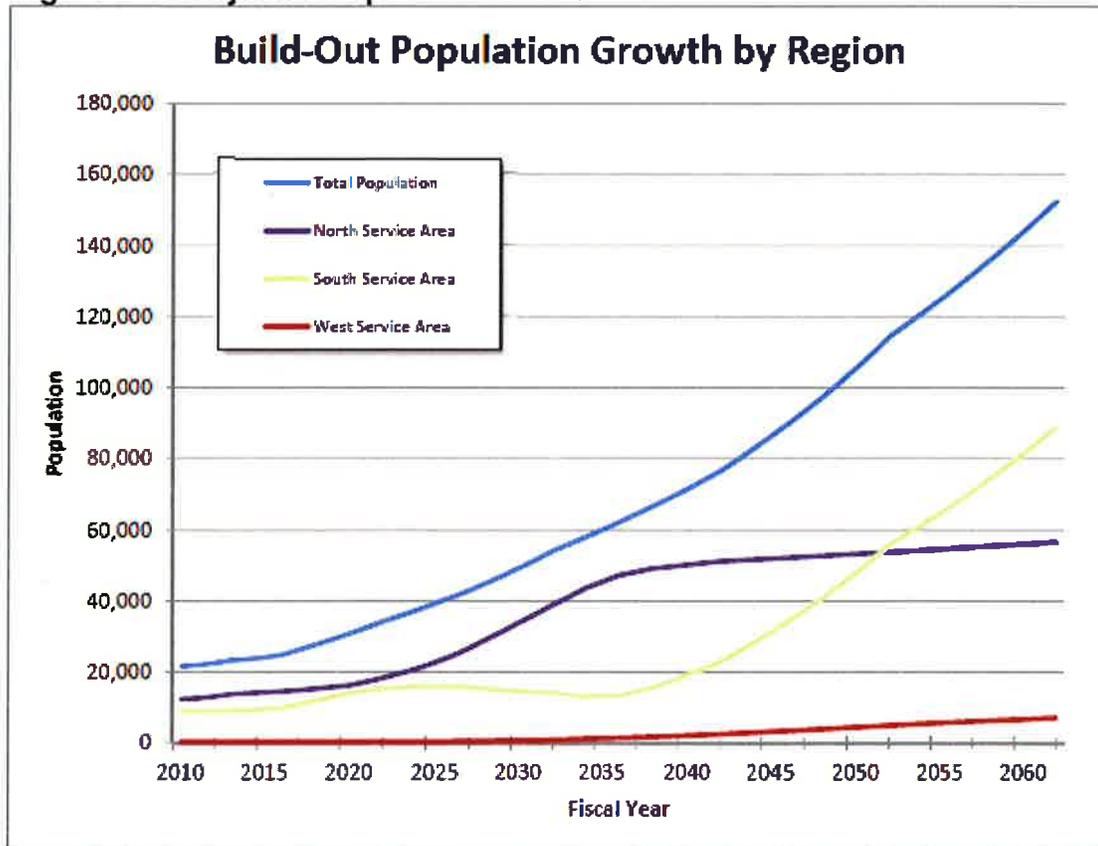
- Building Permits Issued
- 2010 Census Information
- Governor’s Office Projections
- Regional Population Patterns
- Forecasted Build-out Population
- Current Developments Seeking Approval

This report uses the accepted densities previously assigned by City staff to evaluate future infrastructure needs. The number of residents per single family dwelling has been calculated to be 4.06 by Eagle Mountain City staff, while mixed use zones are considered as half single family dwellings and half multifamily dwellings. Thus, the mixed use zones have been considered as 3.48 residents per unit (average of 4.06/single family and 2.90/multifamily).

#### Future Growth Trends

The approved demographics projects build-out to be realized by approximately 2060. Figure 2-1 illustrates total growth and growth of each region over that time period.

Figure 2-1: Projected Population Growth



*New Units*

Table 2-2 gives a numeric representation of Figure 2-1. It provides both Eagle Mountain demographics and Governor’s Office projections for comparison purposes. It also illustrates the number of single residential units represented by the population and number of new units generated by projected growth.

**Table 2-2: Eagle Mountain Growth Projections**

<b>Year</b>	<b>GOPB Population Projections</b>	<b>Eagle Mountain Population Projections</b>	<b>Total Park ERU’s</b>	<b>New Park ERU’s</b>
2015		26,186	6,450	
2016		27,615	6,802	352
2017		29,121	7,173	371
2018		30,710	7,564	391
2019		32,385	7,977	413
2020	34,152	34,152	8,412	435
2021		35,759	8,808	396
2022		37,442	9,222	414
2023		39,205	9,656	434
2024		41,050	10,111	455
2030	54,095	54,095	13,324	
2035		64,315	15,841	
2040	76,469	76,469	18,834	
2045		93,531	23,037	
2050	114,400	114,400	28,177	
2055		132,083	32,532	
2060	152,500	152,500	37,561	

\* Assuming all ERU’s are single family homes

Eagle Mountain City provides high quality of life and health to the community through its parks and recreation facilities. This chapter outlines the level of service currently provided by the City.

### 3.1 Level of Service (LOS)

As Eagle Mountain City has grown, it has become apparent that the City will need to provide its citizens with recreation facilities that are not all measurable by acreage. Therefore, Eagle Mountain will define its level of service in terms of value of recreational facilities per 1,000 residents.

Eagle Mountain's current LOS is based on its historic expenditures on recreation facilities. As defined in Table 3-1, Existing Parks Inventory, the value of the existing parks and recreation facilities, is documented as \$14,155,030. Since the current population is estimated at 26,200 residents, the LOS is calculated to be:

$$\$14,155,032 / 26,200 \text{ residents} = \mathbf{\$540,268/1,000 \text{ residents}}$$

### 3.2 Existing Facilities

Currently, the City provides approximately 477 acres of open space throughout the city. Of that acreage, the City has developed 152 acres of active recreational space including 39 city parks, 9 regional parks, a rodeo facility, a baseball complex and a splash pad. Therefore, Eagle Mountain provides a total of:

$$477.42 \text{ acres} / 26,186 \text{ residents} = 18.23 \text{ acres of per } 1,000 \text{ residents}$$

Active open space is provided at a rate of:

$$152.47 / 26,186 \text{ residents} = 5.82 \text{ acres of per } 1,000 \text{ residents}$$

At each update of this document, the acreage per 1,000 residents that is currently available will depend on how recently a park was constructed, at times calculating to greater than or less than the current amount of acreage provided per resident.

Table 3-1 summarizes the current inventory of parks within the city as illustrated in Figure 3-1. Cost estimates include land, infrastructure and amenities, but no operation, personnel or maintenance costs. More detailed estimates on infrastructure are provided in the Appendix in Figure B.1.

**Table 3-1: Existing Parks Inventory**

<b>Recreation Facility</b>	<b>Size (acres)</b>	<b>Estimated Value (2015)</b>
Autumn Ridge	9.26	\$315,149.75
Eagle Park Commons	26.78	\$438,343.50
Eagle Point Park A	28.56	\$365,503.95
Eagle Point Park B	6.56	\$285,793.00
Eagle Point Park C	5.02	\$218,706.00
Meadow Ranch Autumn	13.24	\$212,815.00
Meadow Ranch Hidden	15.68	\$295,329.60
Overland Park	5.54	\$241,319.00
Sage Valley Park	12.26	\$468,209.25
Westview Heights Park	4.62	\$159,223.05
White Hills Park	2.22	\$96,538.00
Pioneer Addition 5 pocket park	1.43	\$62,442.00
Pioneer Addition 6 pocket park	1.34	\$58,319.00
Pioneer Addition 7 pocket park	1.27	\$55,241.00
Lone Tree park	3.35	\$100,187.50
Ruby Valley park	2.16	\$93,933.00
Liberty Farms park	3.03	\$131,852.00
Saddle Back park	3.01	\$130,999.00
Porters Crossing park	5.63	\$245,271.00
Rush Valley park	2.50	\$108,941.00
Kiowa (Ute Dr) park	1.84	\$80,355.00
Silverlake PUE park	2.07	\$89,989.00
Silverlake 8 park	0.69	\$30,000.00
Southmoor park	2.54	\$64,999.85
Northmoor park	1.04	\$45,296.00
Plum Creek park	0.00	\$0.00
Highland @ the Ranches park	0.63	\$27,418.00
Highland on the Green park	0.81	\$35,192.00
Mt. Airey Village park	0.80	\$35,000.00
Meadow Ranch 5 park	0.86	\$37,500.00
Cedar Pass park	7.33	\$291,412.10
Stonebridge park	3.41	\$148,714.00
Chimney Rock park	0.30	\$13,182.00
Kiowa Valley pond park	4.16	\$181,152.00

**CHAPTER 3- EXISTING FACILITIES**

Evans Ranch park	0.34	\$15,000.00
Kennekuk park	0.11	\$4,750.00
Eagles Gate entrance park	3.29	\$143,234.00
Eagles Gate east park	3.39	\$147,599.00
Heatherwood park	0.41	\$18,011.00
Walden Park	12.60	\$490,231.95
Smith Ranch Regional Park	23.53	\$497,155.55
Bike park	72.99	\$827,109.00
Nolan Park	37.40	\$1,629,022.00
Nolan Park Pavilion	10.25	\$446,603.00
Pioneer Park	23.34	\$653,000.75
North Ranch	5.94	\$176,524.80
Midvalley Regional Baseball/Soccer	44.17	\$1,541,168.75
Midvalley Regional Soccer	7.37	\$320,916.00
Pony Express Regional Park	36.27	\$1,483,766.25
Silverlake Amphitheater	16.09	\$596,611.65
<b>Total</b>	<b>477.42</b>	<b>\$14,155,029</b>

Many of these existing parks and recreation facilities were funded by Special Improvement Districts (SID) bonds or reimbursement agreements. Table 3-2 and 3-3 identify the necessary reimbursements required to satisfy the SID's and the reimbursement agreements.

**Table 3-2: Parks and Recreation SID Bonds**

Construction Year	Project Name	Cost (Construction Year)	Original Estimated Capacity	Existing Used Capacity	Current Remaining Capacity
1998	Landscaping	\$196,793	6,000	200	5,800
2000	Ranches and PE Landscape	\$1,378,801	7,000	2,325	4,675
2000	Paul Evans Trailways	\$311,249	6,300	2,325	3,975
2000	Grant Smith Trail	\$159,291	6,300	2,325	3,975
2000	Red Hawk Ranch Park	\$338,554	2,000	2,325	0
2000	Meadow Ranch Trails	\$154,633	6,300	2,325	3,975
2000	Ranches Entrance Monument	\$160,000	6,300	2,325	3,975
2000	Eagle Mountain Entrance Sign	\$58,500	6,300	2,325	3,975

**Table 3-3: Recreation Reimbursement Agreements**

Construction Year	Project Name	Cost (Construction Year)	Original Estimated Capacity	Existing Used Capacity	Current Remaining Capacity
2002	Mid- Valley Reginal Park	\$1,100,000	10,000	6,936	3,064

Existing Open Space Areas -  
North Eagle Mountain City

Legend

- Designated Park -
- Undeveloped or
- Developed

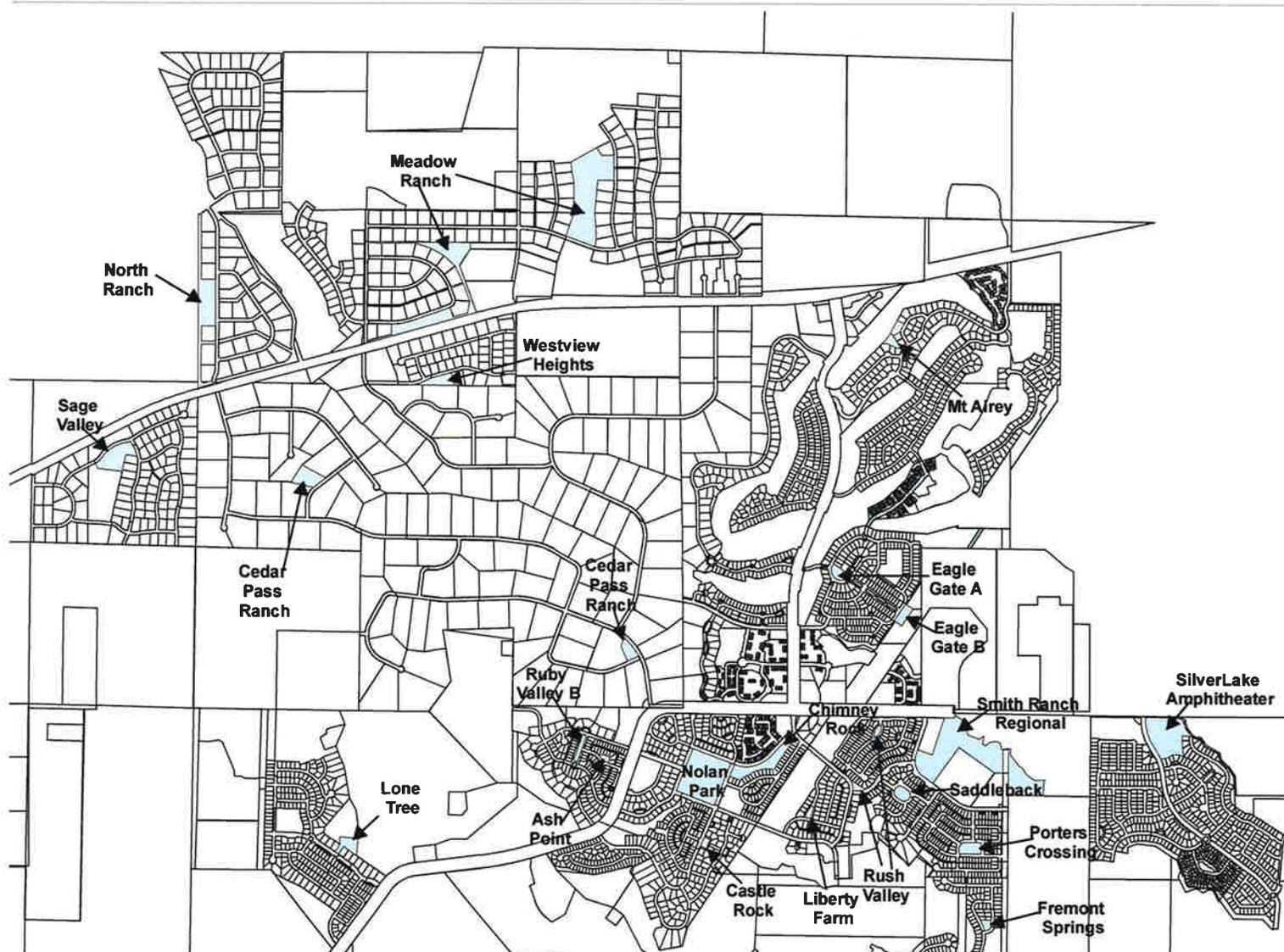


Figure 3-1

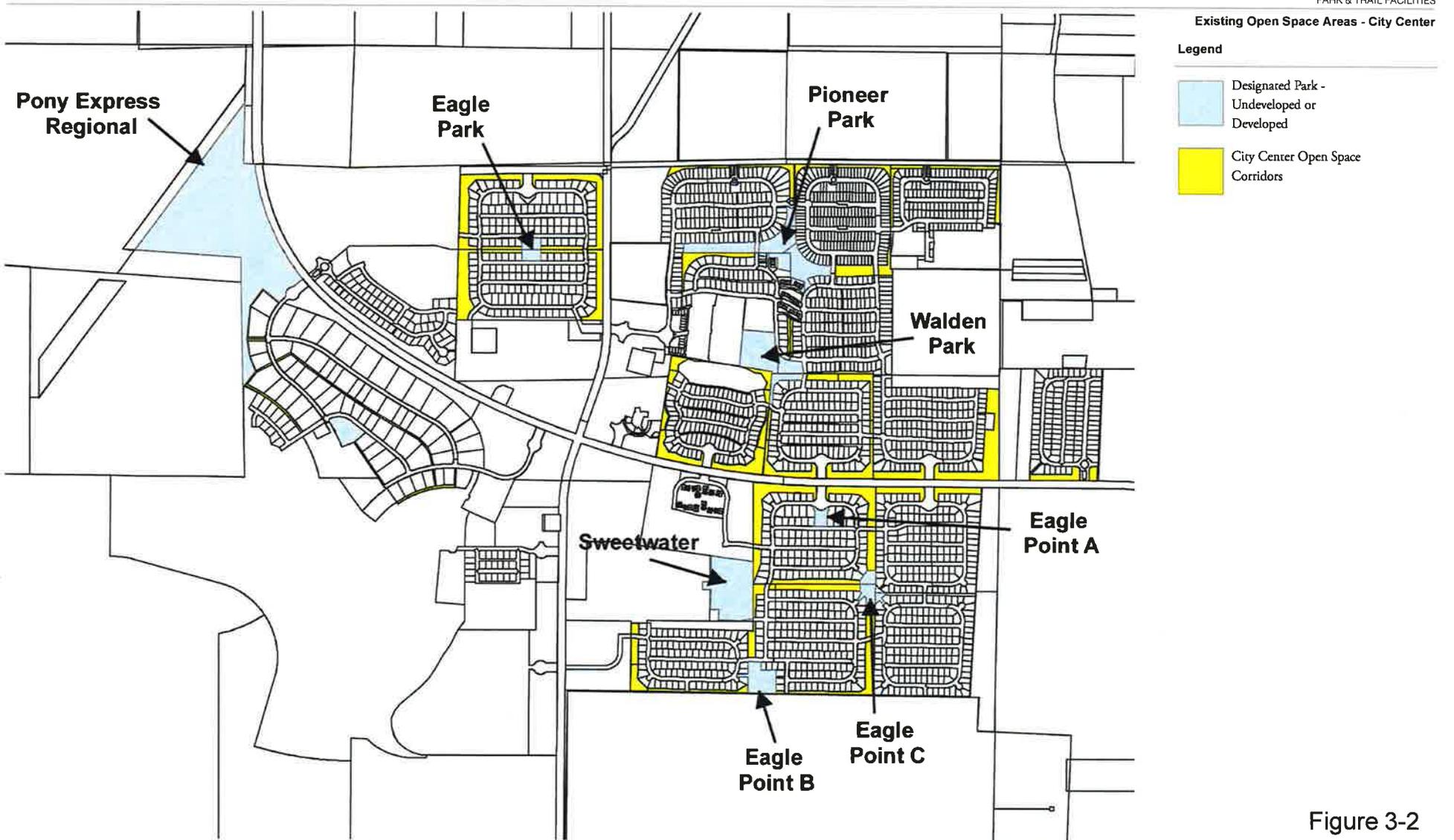


Figure 3-2

## CHAPTER 4- PARKS AND RECREATION PLANNING

In order to maintain its current quality of life, Eagle Mountain City must continue to provide new parks and recreation facilities as the population grows.

### 4.1 Future Facilities

This chapter analyzes the growth period of 2015 to 2060 (Build-out) when the projected population will be approximately 152,500. In order to maintain the existing LOS, Eagle Mountain will need to continue to provide recreational facilities valuing approximately \$540,268 per 1,000 residents. In other words, to provide the necessary facilities, Eagle Mountain will need to construct facilities valuing approximately \$68,235,848 (i.e. 126,300 x \$540,268/1,000) to provide for the future population.

### 4.2 Capital Facilities Plan

The city already has plans to develop additional parks and trails to help maintain its unique position as a leader in recreational properties and activities. As Eagle Mountain grows, it will need additional facilities like these to help meet the needs of a growing population. Table 4-1 outlines a conceptual plan for developing the required future parks to maintain its current LOS.

Wren’s Roost is currently under construction and is on track to be completed in 2016. The Wride Memorial Park Master Plan that includes a 60 acre plot of land that has been set aside for the development of a regional park. The maps for the Wride Memorial park phases can be found in Appendix B, Figure B.3. The recreational trails are conceptual and no land has been set aside at this time for their planning or construction.

**Table 4-1: Conceptual Parks and Recreation Capital Facilities Plan**

Project	Construction Year	Estimated Cost (2015)
Wren’s Roost	2015	\$ 143,034
Recreational Trail	2017	\$ 1,340,807
Wride Memorial Park Phase 1	2019	\$ 4,142,953
Recreational Trail	2021	\$ 1,340,807
Wride Memorial Park Phase 2	2023	\$ 4,376,345
Wride Memorial Park Phase 3	2025	\$ 3,055,672
Recreational Trail	2025	\$ 1,340,807
Wride Memorial Park Phase 4	2026	\$ 2,189,420
Wride Memorial Park Phase 5	2027	\$ 3,304,296
Wride Memorial Park Phase 6	2028	\$ 3,040,838
Recreational Trail	2029	\$ 1,340,807
Wride Memorial Park Phase 7	2029	\$ 2,827,987
Various Future Facilities	2030+	\$39,792,075
<b>Total</b>		<b>\$ 68,235,848</b>

Impact fees provide communities with a legal means to obtain funds from new developments to finance the construction of infrastructure improvements that are needed to serve new growth. State law requires that impact fees be used only for projects made necessary by new growth and not for existing deficiencies. Throughout this study, existing conditions have been analyzed as well as future needs due to development and growth. This section defines the financial impact that new development will have on Eagle Mountain City in the next six years and recommends impact fees for park and recreation element analyzed in this study. These fees will be needed to maintain the existing level of service throughout the City. It does not include existing deficiencies.

### 5.1 Parks and Recreation IFFP

The Parks and Recreation Capital Facilities Plan illustrates proposed improvements that future development will require. Table 4-1 outlines the proposed projects and their costs in 2015 dollars. Projects that are projected to be constructed within the next six years and are eligible to be funded by impact fees total \$6,967,601 are detailed below and summarized in Table 5-1. These projects and costs were taken from the Eagle Mountain City Wride Memorial Park Master Plan prepared by MGB+A from May 2015 and the Eagle Mountain City master plan 2009

#### Eligible Projects

*Wren's Roost* – is a new park in eagle mountain that is currently under construction and should be finished early next year. The need of this park is driven by the development of housing around the Wren's Roost area.

*Recreational Trail* – The new recreational trail will include buying and devolping new property. It will include benches and a paved path along with landscaping. Since this trail is conceptual it will be development driven and could be placed anywhere in the city as needed. The trail is needed to help Eagle Mountain City maintain its current LOS.

*Wride Memorial Park Phase 1* –This is the first phase of the master plan for Wride Memorial Park. It provides pedestrian amenities, parking elements, as well as revitalization of the existing fields. This will be a development driven park. Since it is a regional park it can service any new development in Eagle Mountain.

*Recreational Trail* – The new recreational trail will include buying and devolping new property. It will include benches and a paved path along with landscaping. Since this trail is conceptual it will be development driven and could be placed anywhere in the city as needed. The trail is needed to help Eagle Mountain City maintain its current LOS

**Table 5-1: Parks and Recreation Impact Fee Facilities Estimates**

<b>Future Facility</b>	<b>2015 Estimate (Millions)</b>	<b>Construction Year</b>	<b>Funding Source</b>
Wren's Roost	\$143,034	2015	Impact Fees
Recreational Trail	\$1,340,807	2017	Impact Fees
Wride Memorial Park Phase 1	\$4,142,953	2019	Impact Fees
Recreational Trail	\$1,340,807	2021	Impact Fees
<b>Total</b>	<b>\$6,967,601</b>		

Appendix "A"  
**Demographics**  
**(Not Used)**

Appendix "B"

**Parks and Recreation**

Figure B.1

Eagle Mountain Park Amenities																				Facility Value & Size															
Area	Large Pavilion	Medium Pavilion	Small Pavilion	Restrooms (Perm.)	Restrooms (Temp.)	Skatepark	Splash Pad	Tot Lots/Playgrounds	Drinking Fountains	Bike Racks	Picnic Tables	Garbage Cans	Benches	1/2 Court Basketball	Full Court Basketball	Soccer Fields	Baseball Diamonds	Swimming Pool	Volleyball Pit	Teetherball	Bleachers	Swing Set	Parking Lot	Barbeque's	Horseshoe Pits	Tennis Court	Rodeo Grounds	Irrigated Open Space	Unimproved Open Space	2015 Value	Improved		Total Acres		
																															Acres	Acres		Acres	
Autumn Ridge			1				1			2	2	2	1															104845	88285	\$	315,150	2.03	7.23	9.26	
Eagle Park Commons			1				1			1	1	1								1		1						68091	728090	\$	438,344	16.71	10.06	26.78	
Eagle Point Park A																												29036	878377	\$	365,504	20.16	8.39	28.56	
Eagle Point Park B							1				1	6																124374		\$	285,793	0.00	6.56	6.56	
Eagle Point Park C			1				1			4	2	8													2			72538		\$	218,706	0.00	5.02	5.02	
Meadow Ranch Autumn							1		1		1	1																26570	363800	\$	212,815	8.35	4.89	13.24	
Meadow Ranch Hidden	1								2	6	3												1					44242	387716	\$	295,330	8.90	6.78	15.68	
Overland Park			1				1			4	1	2												2	1			94742		\$	241,319	0.00	5.54	5.54	
Sage Valley Park			1				1			4	1					1			1									182927	65915	\$	468,209	1.51	10.75	12.26	
Westview Heights Park							1		2	10		5																48300	41923	\$	159,223	0.96	3.66	4.62	
White Hills Park			1				1					3											1					25019		\$	96,538	0.00	2.22	2.22	
Pioneer Addition 5 pocket park							1					2																15221		\$	62,442	0.00	1.43	1.43	
Pioneer Addition 6 pocket park							1				1	3																12137		\$	58,319	0.00	1.34	1.34	
Pioneer Addition 7 pocket park							1				1	3																10598		\$	55,241	0.00	1.27	1.27	
Lone Tree park							1		1	3	2	2											1	1				20418	45590	\$	100,188	1.05	2.30	3.35	
Ruby Valley park							1		1	2	1	2																29059		\$	93,933	0.00	2.16	2.16	
Liberty Farms park			1				1			5	3	6																36771		\$	131,852	0.00	3.03	3.03	
Saddle Back park							1			4	1	1													1			46857		\$	130,999	0.00	3.01	3.01	
Porters Crossing park				1			1		1	6	3	3			1											1		61563		\$	245,271	0.00	5.63	5.63	
Rush Valley park							1				1	2																37948		\$	108,941	0.00	2.50	2.50	
Kiowa (Ute Dr) park							1		1	2	1	4																21270		\$	80,355	0.00	1.84	1.84	
Silverlake PUE park			1				1			1	1	1																22377		\$	89,989	0.00	2.07	2.07	
Silverlake 8 park							1																							\$	30,000	0.00	0.69	0.69	
Southmoor park																												24546	45451	\$	65,000	1.04	1.49	2.54	
Northmoor park																												22648		\$	45,296	0.00	1.04	1.04	
Plum Creek park																														\$	-	0.00	0.00	0.00	
Highland @ the Ranches park																												13709		\$	27,418	0.00	0.63	0.63	
Highland on the Green park																												17596		\$	35,192	0.00	0.81	0.81	
Mt. Airey Village park							1																	1						\$	35,000	0.00	0.80	0.80	
Meadow Ranch 5 park							1				2												1	1						\$	37,500	0.00	0.86	0.86	
Cedar Pass park			1				1			3	2	1			1									1	2				81184	27826	\$	291,412	0.64	6.69	7.33
Stonebridge park									1	2	9	2											1						30722		\$	148,714	0.00	3.41	3.41
Chimney Rock park												1																	6091		\$	13,182	0.00	0.30	0.30
Kiowa Valley pond park							1		1	3	1	2												1	1				69401		\$	181,152	0.00	4.16	4.16
Evans Ranch park			1									2																		\$	15,000	0.00	0.34	0.34	
Kennekuk park										3	1																			\$	4,750	0.00	0.11	0.11	
Eagles Gate entrance park				1			1		1	6	2	3													1				43567		\$	143,234	0.00	3.29	3.29
Eagles Gate east park							1		1	2	1	2								1									48392		\$	147,599	0.00	3.39	3.39
Heatherwood park							1		1	2	1														1				6948		\$	18,011	0.00	0.41	0.41
Totals	1	1	11	0	0	0	0	27	0	14	75	32	80	3	2	1	0	0	2	1	0	4	6	14	1	1	0	1499707	2672973	\$	5,492,920	61.36	126.10	187.46	



**Figure B.2****Existing Recreational Facilities Inventory**

November 2015

<b>Recreation Facility</b>	<b>Size (acres)</b>	<b>Description</b>	<b>Estimated Value (2015)</b>
<b>Autumn Ridge</b>	9.26	Small Pavilion, Tot Lot, Picnic Tables, Benches, Basketball Court	\$315,149.75
<b>Eagle Park Commons</b>	26.78	Small Pavilion, Tot Lot, Picnic Tables, Benches, Tether Ball, Swing Set, BBQ	\$438,343.50
<b>Eagle Point Park A</b>	28.56	Tot Lot, Garbage Cans, Benches, Parking Lot	\$365,503.95
<b>Eagle Point Park B</b>	6.56	Tot Lot, Garbage Cans, Benches	\$285,793.00
<b>Eagle Point Park C</b>	5.02	Pavilion, Tot Lot	\$218,706.00
<b>Meadow Ranch Autumn</b>	13.24	Garbage Can, Tot Lot, Bike Rack	\$212,815.00
<b>Meadow Ranch Hidden</b>	15.68	Bike Racks	\$295,329.60
<b>Overland Park</b>	5.54	Pavilion, Tot lot, Picnic Tables, Benches, BBQ, Horse Shoes	\$241,319.00
<b>Sage Valley Park</b>	12.26	Tot Lot, Pavilion, Volleyball, Picnic Tables, Soccer, BBQ	\$468,209.25
<b>Westview Heights Park</b>	4.62	Picnic Tables, Tot Lot, Bike Racks, Benches	\$159,223.05
<b>White Hills Park</b>	2.22	Small Pavilion, Tot Lot, Benches, Swings	\$96,538.00
<b>Pioneer Addition 5 pocket park</b>	1.43	Tot Lot, Benches	\$62,442.00
<b>Pioneer Addition 6 pocket park</b>	1.34	Tot Lot, Benches, Garbage Cans	\$58,319.00
<b>Pioneer Addition 7 pocket park</b>	1.27	Tot Lot, Benches, Garbage Cans	\$55,241.00
<b>Lone Tree park</b>	3.35	Tot Lot, Bike Racks, Picnic Tables, Garbage Cans, Benches	\$100,187.50
<b>Ruby Valley park</b>	2.16	Picnic Tables, Tot Lot, Benches	\$93,933.00
<b>Liberty Farms park</b>	3.03	Tot Lot, Picnic Tables, Benches	\$131,852.00
<b>Saddle Back park</b>	3.01	Picnic Tables, Large Tot Lot, BBQ	\$130,999.00
<b>Porters Crossing park</b>	5.63	Pavilion, Picnic Tables, Tot Lot, BBQ, Volleyball	\$245,271.00

**Figure B.2**

<b>Rush Valley park</b>	2.50	Tot Lot	\$108,941.00
<b>Kiowa (Ute Dr) park</b>	1.84	Tot Lot, Bike Racks, Picnic Tables, Garbage Cans, Benches	\$80,355.00
<b>Silverlake PUE park</b>	2.07	Small Pavilion, Tot Lot, Picnic Table, Benches	\$89,989.00
<b>Silverlake 8 park</b>	0.69	Tot Lot	\$30,000.00
<b>Southmoor park</b>	2.54		\$64,999.85
<b>Northmoor park</b>	1.04		\$45,296.00
<b>Plum Creek park</b>	0.00		\$0.00
<b>Highland @ the Ranches park</b>	0.63		\$27,418.00
<b>Highland on the Green park</b>	0.81		\$35,192.00
<b>Mt. Airey Village park</b>	0.80	Tot Lot, Parking Lot	\$35,000.00
<b>Meadow Ranch 5 park</b>	0.86	Tot Lot, Benches, Swing Set, Parking Lot	\$37,500.00
<b>Cedar Pass park</b>	7.33	Small Pavilion, Tot Lot, Picnic Tables, Benches, Soccer Fields, Parking Lot, BBQ	\$291,412.10
<b>Stonebridge park</b>	3.41	Drinking Fountains, Picnic Tables, Garbage Cans, Benches, Swing Set, Tennis Court	\$148,714.00
<b>Chimney Rock park</b>	0.30	Pavilion, Trail, Benches	\$13,182.00
<b>Kiowa Valley pond park</b>	4.16	Tot Lot, Bike Racks, Picnic Tables, Garbage Cans, Benches	\$181,152.00
<b>Evans Ranch park</b>	0.34	Small Pavilion, Benches	\$15,000.00
<b>Kennekuk park</b>	0.11	Picnic Tables, Garbage Cans	\$4,750.00
<b>Eagles Gate entrance park</b>	3.29	Pavilion, Tot Lot, Benches, Picnic Tables, BBQ	\$143,234.00
<b>Eagles Gate east park</b>	3.39	Volleyball, Tot Lot, Benches, BBQ, Picnic Table	\$147,599.00
<b>Heatherwood park</b>	0.41	Bike Racks, Picnic Tables, Garbage Cans, BBQ	\$18,011.00
<b>Walden Park</b>	12.60	Pavilion, Basketball Court, Tot Lot, Garbage Cans, Soccer Field, Parking Lot	\$490,231.95
<b>Smith Ranch Regional Park</b>	23.53	Tot Lot, Garbage Cans, Benches, Swing Set, Parking Lot	\$497,155.55
<b>Bike park</b>	72.99	Restrooms, Picnic Tables, Benches	\$827,109.00
<b>Nolan Park</b>	37.40	Garbage Cans, Tot Lot, Restroom, Baseball Diamonds (2), Splash Pad	\$1,629,022.00

**Figure B.2**

<b>Nolan Park Pavilion</b>	10.25	Pavilion	\$446,603.00
<b>Pioneer Park</b>	23.34	Pavilion, Basketball Court, Tot Lot, Volleyball, Garbage Cans	\$653,000.75
<b>North Ranch</b>	5.94	Pavilion, Tot Lot, Bike Racks, Picnic Tables, Garbage Cans, Benches, Parking Lot	\$176,524.80
<b>Midvalley Regional Baseball/Soccer</b>	44.17	Restrooms, Garbage Cans, Soccer Fields, Baseball Diamonds, Bleachers, Parking Lot	\$1,541,168.75
<b>Midvalley Regional Soccer</b>	7.37	Soccer Fields, Garbage Cans, Parking Lot	\$320,916.00
<b>Pony Express Regional Park</b>	36.27	Baseball Diamond, Skate Park, Pavilion, Restrooms, Drinking Fountains, Bleachers, Parking Lot, BBQ, Rodeo Grounds	\$1,483,766.25
<b>Silverlake Amphitheater</b>	16.09	Amphitheater, Pavilion, Tot Lot, Garbage Cans, Restrooms, BBQ	\$596,611.65
<b>Total</b>	<b>477.42</b>		<b>\$14,155,029</b>

Figure B.3



- ① EXISTING BASEBALL FIELDS
  - ② PARKING
  - ③ SOCCER FIELDS
  - ④ AMPHITHEATER
  - ⑤ SPORT COURTS (TENNIS, BASKETBALL, VOLLEYBALL)
  - ⑥ PICNIC PARKING
  - ⑦ RESTROOMS
  - ⑧ POWER DISTRIBUTION TOWER
  - ⑨ PARK TRAIL
  - ⑩ PLAYGROUND
  - ⑪ FUTURE MEMORIAL LOCATION
  - ⑫ WTRITE DRIVE SWING
  - ⑬ OVERLOOK HILL
- \* ON STREET PARKING SPOTS - 418  
 \* INTERNAL PARKING SPOTS - 418

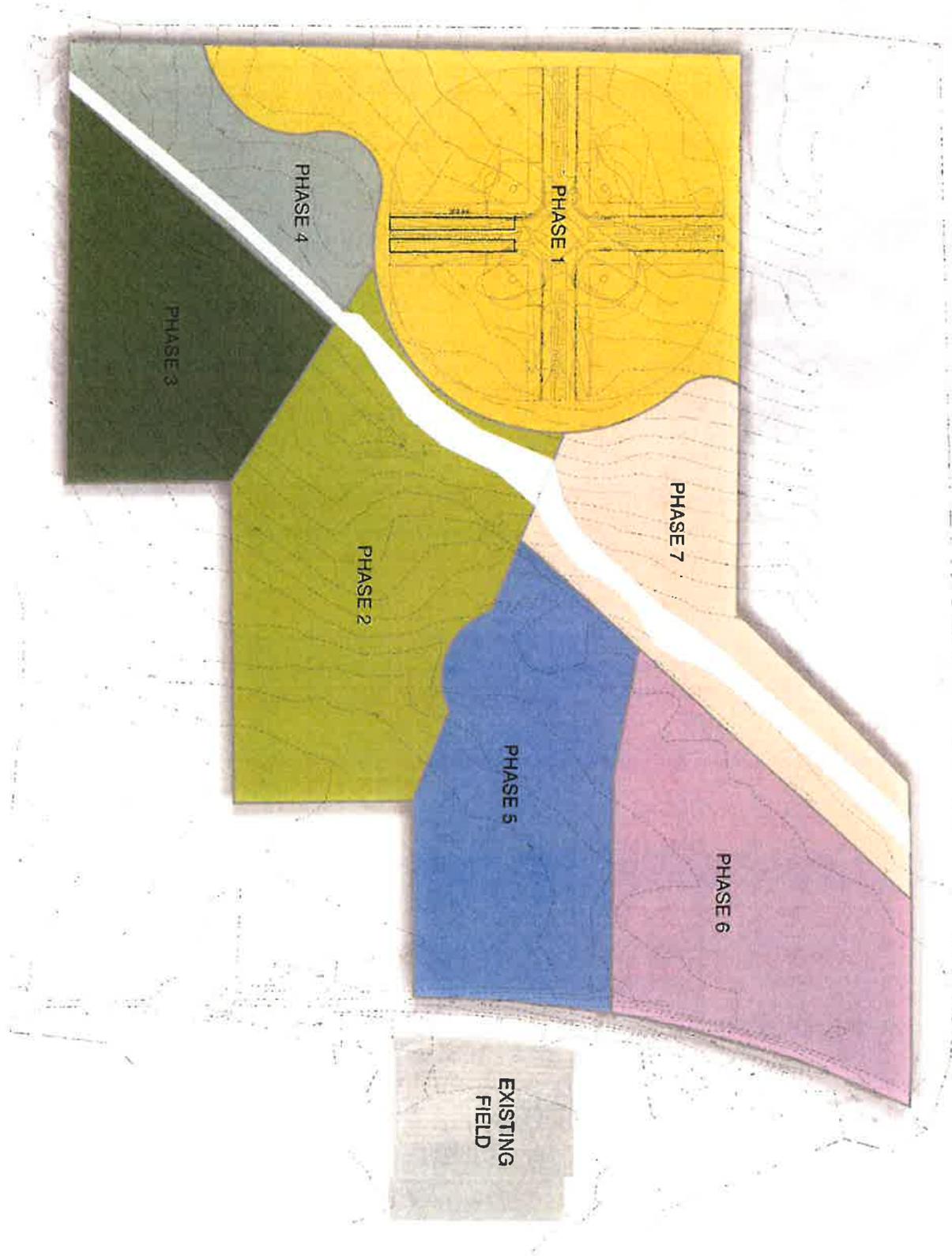
WRIDE MEMORIAL PARK - MASTER PLAN  
 01/30/2015  
**EAGLE MOUNTAIN CITY**



Figure B.3



Figure B.3





## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

	Item	Quantity	Unit	Cost	Subtotal	Total
<b>Phase Overview</b>						
<b>Phase 1</b>						
	Grand Total Phase 1					\$4,142,953.90
<b>Phase 2</b>						
	Grand Total Phase 2					\$4,376,345.27
<b>Phase 3</b>						
	Grand Total Phase 3					\$3,055,672.92
<b>Phase 4</b>						
	Grand Total Phase 4					\$2,189,420.21
<b>Phase 5</b>						
	Grand Total Phase 5					\$3,304,296.12
<b>Phase 6</b>						
	Grand Total Phase 6					\$3,040,838.27
<b>Phase 7</b>						
	Grand Total Phase 7					\$2,827,987.68
<b>Total Eagle Mountain Wride Memorial Park Improvements</b>						<b>\$22,937,514.35</b>

Note 1: All costs are based on current 2014/2015 local and MGB+A historic/related project costs. This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor(s) estimates.

Note 2: Grand Total Phase costs include: Site Development, 20% Contingency, 7% Design fee. See individual phases for more info.



## Eagle Mountain Wide Memorial Park - Phasing Cost Estimates

3/5/2015

Phase 1: Baseball Complex						
	Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>						
	Mobilization	1	LS	\$225,350.00	\$225,350.00	
	Construction Survey	1	LS	\$10,000.00	\$10,000.00	
	Traffic Control	1	LS	\$6,500.00	\$6,500.00	
	SWPPP	1	LS	\$25,000.00	\$25,000.00	
	<b>Total Clearing / Earthwork</b>					<b>\$266,850.00</b>
<b>Clearing / Earthwork</b>						
	Site Clearing	326,854	SF	\$0.15	\$49,028.10	
	*Earthwork	12,106	CY	\$12.00	\$145,269.44	
	<b>Total Clearing / Earthwork</b>					<b>\$194,296.54</b>
<b>Demolition</b>						
	Remove Existing Parking Lot Materials	55,507	SF	\$0.30	\$16,652.10	
	<b>Total Demolition</b>					<b>\$16,652.10</b>
<b>**Site Utilities</b>						
	Utilities - Culinary/Water Connections	1	LS	\$150,000.00	\$150,000.00	
	Utilities - Electrical Connections	1	LS	\$100,000.00	\$100,000.00	
	Utilities - Sanitary Sewer Connections	1	LS	\$200,000.00	\$200,000.00	
	Pedestrian Walkway Lighting (includes conduit)	10	EA	\$7,000.00	\$70,000.00	
	Parking Lot Lighting	8	EA	\$7,300.00	\$58,400.00	
	Ball Field Lighting	1	LS	\$275,000.00	\$275,000.00	
	<b>Total Site Utilities</b>					<b>\$853,400.00</b>
<b>Site Architecture</b>						
	Concessions Pavilion - w/ Restrooms	1	EA	\$275,000.00	\$275,000.00	
	<b>Total Site Architecture</b>					<b>\$275,000.00</b>
<b>Site Concrete / Asphalt</b>						
	Parking Lot - Asphalt	51,764	SF	\$3.50	\$181,174.00	
	Parking Lot - Curb and Gutter	6,044	LF	\$15.00	\$90,660.00	
	On-Street Parking - Asphalt	13,500	SF	\$3.50	\$47,250.00	
	On-Street Parking - Curb and Gutter	2,342	LF	\$15.00	\$35,130.00	
	Concrete Sidewalks	101,547	SF	\$6.00	\$609,282.00	
	<b>Total Concrete / Asphalt</b>					<b>\$963,496.00</b>
<b>Site Furniture</b>						
	Site Furniture (benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
	Decorative Security Fence	1,927	LF	\$75.00	\$144,525.00	
	Flag Pole - 30'	1	EA	\$5,000.00	\$5,000.00	
	Monument Sign	1	EA	\$15,000.00	\$15,000.00	
	<b>Total Site Furniture</b>					<b>\$194,525.00</b>
	<b>Total On-Site Improvements</b>					<b>\$2,764,219.64</b>
<b>Planting</b>						
	Turf Sod - Landscape	102,843	SF	\$1.00	\$102,843.00	
	Planted Beds	28,600	SF	\$4.00	\$114,400.00	
	Trees	152	EA	\$350.00	\$53,200.00	
	Topsoil - Turf 6"	1,905	CY	\$30.00	\$57,135.00	
	Topsoil - Bed 12"	1,059	CY	\$30.00	\$31,777.78	
	<b>Total Planting</b>					<b>\$359,355.78</b>
<b>Irrigation</b>						
	Turf Sod - Landscape	102,843	SF	\$1.00	\$102,843.00	
	Planted Beds	28,600	SF	\$1.25	\$35,750.00	
	<b>Total Irrigation</b>					<b>\$138,593.00</b>
	<b>Total Landscape</b>					<b>\$497,948.78</b>
	<b>Total Site Improvements</b>					<b>\$3,262,168.42</b>
	20% Contingency				\$652,433.68	
	7% Design Fee				\$228,351.79	
	<b>Grand Total (Total Improvements + Contingency + Design Fee)</b>					<b>\$4,142,953.89</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 1: Baseball Complex - Alternate Site Improvements (Lawn & Irrigation Only)

Alternate Site Improvements						
	Turf (Entire Phase 1 Area)	102,843	SF	\$1.00	\$102,843.00	
	Turf Irrigation (Entire Phase 1 Area)	102,843	SF	\$1.00	\$102,843.00	
	Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
	<b>Total Alternate Site Improvements</b>					<b>\$230,686.00</b>
	<b>Total Alternate Site Improvements</b>					<b>\$230,686.00</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor(s) estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

### Phase 2: Central Sport Fields

Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$235,000.00	\$235,000.00	
Construction Survey	1	LS	\$10,000.00	\$10,000.00	
Traffic Control	1	LS	\$6,500.00	\$6,500.00	
SWPPP	1	LS	\$20,000.00	\$20,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$271,500.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	530,369	SF	\$0.15	\$79,555.35	
*Earthwork	19,643	CY	\$12.00	\$235,719.56	
<b>Total Clearing / Earthwork</b>					<b>\$315,274.91</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$75,000.00	\$75,000.00	
Utilities - Electrical Connections	1	LS	\$75,000.00	\$75,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$75,000.00	\$75,000.00	
Pedestrian Walkway Lighting (includes conduit)	5	EA	\$7,000.00	\$35,000.00	
Parking Lot Lighting	4	EA	\$7,300.00	\$29,200.00	
<b>Total Site Utilities</b>					<b>\$289,200.00</b>
<b>Site Architecture</b>					
Restrooms	2	EA	\$165,000.00	\$330,000.00	
12' x 12' Pavilion	8	EA	\$25,000.00	\$200,000.00	
Playground (Small - Mid Size)	2	EA	\$45,000.00	\$90,000.00	
<b>Total Site Architecture</b>					<b>\$620,000.00</b>
<b>Site Concrete / Asphalt</b>					
Parking Lot - Asphalt	22,630	SF	\$3.50	\$79,205.00	
Parking Lot - Curb and Cutter	983	LF	\$15.00	\$14,745.00	
On-Street Parking - Asphalt	7,500	SF	\$3.50	\$26,250.00	
On-Street Parking - Curb and Cutter	640	LF	\$15.00	\$9,600.00	
Concrete Sidewalks	14,430	SF	\$6.00	\$86,580.00	
<b>Total Concrete / Asphalt</b>					<b>\$216,380.00</b>
<b>Site Furniture</b>					
Site Furniture (Benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	1,107	LF	\$75.00	\$83,025.00	
Monument Sign	1	EA	\$7,500.00	\$7,500.00	
<b>Total Site Furniture</b>					<b>\$120,525.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,832,879.91</b>
<b>Sports Fields - Soccer Field Type A 210' x 345' plus 15' Perimeter</b>					
<b>3 Fields - College Size</b>					
Modified soil/and root zone mix, 8 inch depth, laser spread finish, fertilizer	7,260	CY	\$30.00	\$217,800.00	
Sodding - Bluegrass	270,000	SF	\$1.00	\$270,000.00	
<b>Total Sports Fields - Soccer</b>					<b>\$487,800.00</b>
<b>Planting</b>					
Turf Sod - Landscape	161,588	SF	\$1.00	\$161,588.00	
Planted Beds	20,000	SF	\$4.00	\$80,000.00	
Pony Express Trail Improvements	41,721	SF	\$4.00	\$166,884.00	
Trees	142	EA	\$350.00	\$49,700.00	
Topsoil - Turf 6"	2,992	CY	\$30.00	\$89,771.11	
Topsoil - Bed 12"	741	CY	\$30.00	\$22,222.22	
Topsoil - Bed 12" (Pony Express Trail)	1,545	CY	\$30.00	\$46,356.67	
<b>Total Planting</b>					<b>\$616,522.00</b>
<b>Irrigation</b>					
Turf Sod - Landscape	161,588	SF	\$1.00	\$161,588.00	
Planted Beds	20,000	SF	\$1.25	\$25,000.00	
Planted Beds (Pony Express Trail)	41,721	SF	\$1.25	\$52,151.25	
Sports Field Irrigation	270,000	SF	\$1.00	\$270,000.00	
<b>Total Irrigation</b>					<b>\$508,739.25</b>
<b>Total Landscape</b>					<b>\$1,613,061.25</b>
<b>Total Site Improvements</b>					<b>\$3,445,941.16</b>
20% Contingency				\$689,188.23	
7% Design Fee				\$241,215.88	
<b>Grand Total Site Improvements</b>					<b>\$4,376,345.27</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 2: Central Sport Fields - Alternate Site Improvements (Lawn & Irrigation Only)

<b>Alternate Site Improvements</b>					
Turf (Entire Phase 2 Area)	530,369	SF	\$1.00	\$530,369.00	
Turf Irrigation (Entire Phase 2 Area)	530,369	SF	\$1.00	\$530,369.00	
Irrigation Waterline Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$1,085,738.00</b>
<b>Total Alternate Site Improvements</b>					<b>\$1,085,738.00</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor's estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

Phase 3: South Sport Fields					
Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$155,000.00	\$155,000.00	
Construction Survey	1	LS	\$7,500.00	\$7,500.00	
Traffic Control	1	LS	\$5,500.00	\$5,500.00	
SWPPP	1	LS	\$15,000.00	\$15,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$183,000.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	320,220	SF	\$0.15	\$48,033.00	
*Earthwork	11,860	CY	\$12.00	\$142,320.00	
<b>Total Clearing / Earthwork</b>					<b>\$190,353.00</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$65,000.00	\$65,000.00	
Utilities - Electrical Connections	1	LS	\$65,000.00	\$65,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$65,000.00	\$65,000.00	
Pedestrian Walkway Lighting (includes conduit)	4	EA	\$7,000.00	\$28,000.00	
Parking Lot Lighting	4	EA	\$7,300.00	\$29,200.00	
<b>Total Site Utilities</b>					<b>\$252,200.00</b>
<b>Site Architecture</b>					
Restrooms	1	EA	\$195,000.00	\$195,000.00	
12' x 12' Pavilion	3	EA	\$25,000.00	\$75,000.00	
Playground (Large Size)	1	EA	\$110,000.00	\$110,000.00	
<b>Total Site Architecture</b>					<b>\$380,000.00</b>
<b>Site Concrete / Asphalt</b>					
Parking Lot - Asphalt	23,762	SF	\$3.50	\$83,167.00	
Parking Lot - Curb and Cutter	2,231	LF	\$15.00	\$33,465.00	
On-Street Parking - Asphalt	15,008	SF	\$3.50	\$52,528.00	
On-Street Parking - Curb and Cutter	2,386	LF	\$15.00	\$35,790.00	
Concrete Sidewalks	19,242	SF	\$6.00	\$115,452.00	
<b>Total Concrete / Asphalt</b>					<b>\$320,402.00</b>
<b>Site Furniture</b>					
Site Furniture (Benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	1,236	LF	\$75.00	\$92,700.00	
<b>Total Site Furniture</b>					<b>\$122,700.00</b>
<b>Sport Courts</b>					
Pickle Ball Court	3	LS	\$25,000.00	\$75,000.00	
<b>Total Sport Courts</b>					<b>\$75,000.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,523,655.00</b>
<b>Sports Fields - Soccer Field Type A 210' x 345' plus 15' Perimeter</b>					
<b>1 Fields - College Size</b>					
Modified soil and root zone mix, 8 inch -depth, base spread finish, fertilizer	2,420	CY	\$30.00	\$72,600.00	
Sodding - Bluegrass	90,000	SF	\$1.00	\$90,000.00	
<b>Total Sports Fields - Soccer</b>					<b>\$162,600.00</b>
<b>Planting</b>					
Turf Sod - Landscape	140,012	SF	\$1.00	\$140,012.00	
Planted Beds	15,000	SF	\$4.00	\$60,000.00	
Pony Express Trail Improvements	21,704	SF	\$4.00	\$86,816.00	
Trees	110	EA	\$350.00	\$38,500.00	
Topsoil - Turf 6"	2,593	CY	\$30.00	\$77,784.44	
Topsoil - Bed 12"	556	CY	\$30.00	\$16,666.67	
Topsoil - Bed 12" (Pony Express Trail)	804	CY	\$30.00	\$24,115.56	
<b>Total Planting</b>					<b>\$443,894.67</b>
<b>Irrigation</b>					
Turf Sod - Landscape	140,012	SF	\$1.00	\$140,012.00	
Planted Beds	15,000	SF	\$1.25	\$18,750.00	
Planted Beds (Pony Express Trail)	21,704	SF	\$1.25	\$27,130.00	
Sports Field Irrigation	90,000	SF	\$1.00	\$90,000.00	
<b>Total Irrigation</b>					<b>\$275,892.00</b>
<b>Total Landscape</b>					<b>\$882,386.67</b>
<b>Total Site Improvements</b>					<b>\$2,406,041.67</b>
20% Contingency					\$481,208.33
7% Design Fee					\$168,422.92
<b>Grand Total Site Improvements</b>					<b>\$3,055,672.92</b>
Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.					
<b>Phase 3: South Sport Fields - Alternate Site Improvements (Lawn &amp; Irrigation Only)</b>					
<b>Alternate Site Improvements</b>					
Turf (Entire Phase 3 Area)	320,220	SF	\$1.00	\$320,220.00	
Turf Irrigation (Entire Phase 3 Area)	320,220	SF	\$0.75	\$240,165.00	
Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$585,385.00</b>
<b>Total Alternate Site Improvements</b>					<b>\$585,385.00</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.  
 \*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.  
 Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.  
 This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor's estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

### Phase 4: South Sport Courts

Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$115,000.00	\$115,000.00	
Construction Survey	1	LS	\$5,000.00	\$5,000.00	
Traffic Control	1	LS	\$4,500.00	\$4,500.00	
SWPPP	1	LS	\$10,000.00	\$10,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$134,500.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	197,923	SF	\$0.15	\$29,688.45	
*Earthwork	7,330	CY	\$12.00	\$87,965.78	
<b>Total Clearing / Earthwork</b>					<b>\$117,654.23</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$45,000.00	\$45,000.00	
Utilities - Electrical Connections	1	LS	\$45,000.00	\$45,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$45,000.00	\$45,000.00	
Pedestrian Walkway Lighting (includes conduit)	3	EA	\$7,000.00	\$21,000.00	
<b>Total Site Utilities</b>					<b>\$156,000.00</b>
<b>Site Architecture</b>					
Restrooms	1	EA	\$195,000.00	\$195,000.00	
24' x 24' Pavilion	1	EA	\$65,000.00	\$65,000.00	
12' x 12' Pavilion	1	EA	\$25,000.00	\$25,000.00	
<b>Total Site Architecture</b>					<b>\$285,000.00</b>
<b>Site Concrete / Asphalt</b>					
On-Street Parking - Asphalt	3,000	SF	\$3.50	\$10,500.00	
On-Street Parking - Curb and Gutter	658	LF	\$15.00	\$9,870.00	
Concrete Sidewalks	13,998	SF	\$6.00	\$83,988.00	
<b>Total Concrete / Asphalt</b>					<b>\$104,358.00</b>
<b>Site Furniture</b>					
Site Furniture (Benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	401	LF	\$75.00	\$30,075.00	
<b>Total Site Furniture</b>					<b>\$60,075.00</b>
<b>Sport Courts</b>					
Basketball Post Tension Court (45x90')	4	LS	\$45,000.00	\$180,000.00	
Tennis Post Tension	4	LS	\$45,000.00	\$180,000.00	
<b>Total Sport Courts</b>					<b>\$360,000.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,217,587.23</b>
<b>Planting</b>					
Turf Sod - Landscape	117,210	SF	\$1.00	\$117,210.00	
Planted Beds	10,000	SF	\$4.00	\$40,000.00	
Pony Express Trail Improvements	24,315	SF	\$4.00	\$97,260.00	
Trees	51	EA	\$350.00	\$17,850.00	
Topsoil - Turf 6"	2,171	CY	\$30.00	\$65,116.67	
Topsoil - Bed 12"	370	CY	\$30.00	\$11,111.11	
Topsoil - Bed 12" (Pony Express Trail)	901	CY	\$30.00	\$27,016.67	
<b>Total Planting</b>					<b>\$375,564.44</b>
<b>Irrigation</b>					
Turf Sod - Landscape	117,210	SF	\$0.75	\$87,907.50	
Planted Beds	10,000	SF	\$1.25	\$12,500.00	
Planted Beds (Pony Express Trail)	24,315	SF	\$1.25	\$30,393.75	
<b>Total Irrigation</b>					<b>\$130,801.25</b>
<b>Total Landscape</b>					<b>\$506,365.69</b>
<b>Total Site Improvements</b>					<b>\$1,723,952.92</b>
20% Contingency					\$344,790.58
7% Design Fee					\$120,676.70
<b>Grand Total Site Improvements</b>					<b>\$2,189,420.21</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 4: South Sport Courts - Alternate Site Improvements (Lawn & Irrigation Only)

Item	Quantity	Unit	Cost	Subtotal	Total
<b>Alternate Site Improvements</b>					
Turf (Entire Phase 4 Area)	197,923	SF	\$1.00	\$197,923.00	
Turf Irrigation (Entire Phase 4 Area)	197,923	SF	\$0.75	\$148,442.25	
Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$371,365.25</b>
<b>Total Alternate Site Improvements</b>					<b>\$371,365.25</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor's estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

### Phase 5: Central Park

Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$180,000.00	\$180,000.00	
Construction Survey	1	LS	\$5,000.00	\$5,000.00	
Traffic Control	1	LS	\$4,500.00	\$4,500.00	
SWPPP	1	LS	\$10,000.00	\$10,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$199,500.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	381,202	SF	\$0.15	\$57,180.30	
*Earthwork	14,119	CY	\$12.00	\$169,423.11	
<b>Total Clearing / Earthwork</b>					<b>\$226,603.41</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Electrical Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$45,000.00	\$45,000.00	
Pedestrian Walkway Lighting (includes conduit)	3	EA	\$7,000.00	\$21,000.00	
<b>Total Site Utilities</b>					<b>\$116,000.00</b>
<b>Site Architecture</b>					
Restrooms	1	EA	\$195,000.00	\$195,000.00	
Main Pavilion	1	EA	\$175,000.00	\$175,000.00	
24' x 24' Pavilion	1	EA	\$65,000.00	\$65,000.00	
12' x 12' Pavilion	3	EA	\$25,000.00	\$75,000.00	
Playground (Medium Size)	1	EA	\$90,000.00	\$90,000.00	
<b>Total Site Architecture</b>					<b>\$600,000.00</b>
<b>Site Concrete / Asphalt</b>					
On-Street Parking - Asphalt	7,500	SF	\$3.50	\$26,250.00	
On-Street Parking - Curb and Gutter	1,506	LF	\$15.00	\$22,590.00	
Concrete Sidewalks	28,026	SF	\$6.00	\$168,156.00	
<b>Total Concrete / Asphalt</b>					<b>\$216,996.00</b>
<b>Site Furniture</b>					
Site Furniture (benches, BBQ, trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	867	LF	\$75.00	\$65,025.00	
Master Tag Pole - 40'	1	LS	\$15,000.00	\$15,000.00	
Future - Wride Memorial Park Monument & Plaza	1	LS	\$125,000.00	\$125,000.00	
<b>Total Site Furniture</b>					<b>\$235,025.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,594,124.41</b>
<b>Planting</b>					
Turf Sod - Landscape	323,176	SF	\$1.00	\$323,176.00	
Planted Beds	30,000	SF	\$4.00	\$120,000.00	
Trees	205	EA	\$350.00	\$71,750.00	
Topsoil - Turf 6"	5,985	CY	\$30.00	\$179,542.22	
Topsoil - Bed 12"	1,111	CY	\$30.00	\$33,333.33	
<b>Total Planting</b>					<b>\$727,801.56</b>
<b>Irrigation</b>					
Turf Sod - Landscape	323,176	SF	\$0.75	\$242,382.00	
Planted Beds	30,000	SF	\$1.25	\$37,500.00	
<b>Total Irrigation</b>					<b>\$279,882.00</b>
<b>Total Landscape</b>					<b>\$1,007,683.56</b>
<b>Total Site Improvements</b>					<b>\$2,601,807.97</b>
20% Contingency					\$520,361.59
7% Design Fee					\$182,126.56
<b>Grand Total Site Improvements</b>					<b>\$3,304,296.12</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 5: Central Park - Alternate Site Improvements (Lawn & Irrigation Only)

Item	Quantity	Unit	Cost	Subtotal	Total
<b>Alternate Site Improvements</b>					
Turf (Entire Phase 5 Area)	381,202	SF	\$1.00	\$381,202.00	
Turf Irrigation (Entire Phase 5 Area)	381,202	SF	\$0.75	\$285,901.50	
Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$692,103.50</b>
<b>Total Alternate Site Improvements</b>					<b>\$692,103.50</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor's estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

### Phase 6: North Sports Fields

Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$165,000.00	\$165,000.00	
Construction Survey	1	LS	\$5,000.00	\$5,000.00	
Traffic Control	1	LS	\$4,500.00	\$4,500.00	
SWPPP	1	LS	\$10,000.00	\$10,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$184,500.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	417,293	SF	\$0.15	\$62,593.95	
*Earthwork	15,455	CY	\$12.00	\$185,463.56	
<b>Total Clearing / Earthwork</b>					<b>\$248,057.51</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Electrical Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$45,000.00	\$45,000.00	
Pedestrian Walkway Lighting (includes conduit)	3	EA	\$7,000.00	\$21,000.00	
<b>Total Site Utilities</b>					<b>\$116,000.00</b>
<b>Site Architecture</b>					
Restrooms	1	EA	\$165,000.00	\$165,000.00	
24' x 24' Pavilion	1	EA	\$65,000.00	\$65,000.00	
12' x 12' Pavilion	2	EA	\$25,000.00	\$75,000.00	
Playground (Medium Size)	1	EA	\$90,000.00	\$90,000.00	
<b>Total Site Architecture</b>					<b>\$395,000.00</b>
<b>Site Concrete / Asphalt</b>					
Parking Lot - Asphalt	38,059	SF	\$3.50	\$133,206.50	
Parking Lot - Curb and Gutter	3,570	LF	\$15.00	\$53,550.00	
Concrete Sidewalks	8,526	SF	\$6.00	\$51,156.00	
<b>Total Concrete / Asphalt</b>					<b>\$237,912.50</b>
<b>Site Furniture</b>					
Site Furniture (Benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	1,157	LF	\$75.00	\$86,775.00	
<b>Total Site Furniture</b>					<b>\$116,775.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,298,245.01</b>
<b>Sports Fields - Soccer Field Type A 210' x 345' plus 15' Perimeter</b>					
<b>2 Fields - College Size</b>					
Modified soil/sand root zone mix, 8 inch depth, laser spread finish, fertilizer	4,840	CY	\$30.00	\$145,200.00	
Sodding - Bluegrass	180,000	SF	\$1.00	\$180,000.00	
<b>Total Sports Fields - Soccer</b>					<b>\$325,200.00</b>
<b>Planting</b>					
Turf Sod - Landscape	218,767	SF	\$1.00	\$218,767.00	
Planted Beds	10,000	SF	\$4.00	\$40,000.00	
Trees	111	EA	\$350.00	\$38,850.00	
Topsoil - Turf 6"	4,051	CY	\$30.00	\$121,537.22	
Topsoil - Bed 12"	370	CY	\$30.00	\$11,111.11	
<b>Total Planting</b>					<b>\$430,265.33</b>
<b>Irrigation</b>					
Turf Sod - Landscape	218,767	SF	\$0.75	\$164,075.25	
Planted Beds	10,000	SF	\$1.25	\$12,500.00	
Sports Field Irrigation	218,767	SF	\$0.75	\$164,075.25	
<b>Total Irrigation</b>					<b>\$340,650.50</b>
<b>Total Landscape</b>					<b>\$1,096,115.83</b>
<b>Total Site Improvements</b>					<b>\$2,394,360.84</b>
20% Contingency					\$478,872.17
7% Design Fee					\$167,605.26
<b>Grand Total Site Improvements</b>					<b>\$3,040,838.27</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 6: North Sports Fields - Alternate Site Improvements (Lawn & Irrigation Only)

Item	Quantity	Unit	Cost	Subtotal	Total
<b>Alternate Site Improvements</b>					
Turf (Entire Phase 6 Area)	417,293	SF	\$1.00	\$417,293.00	
Turf Irrigation (Entire Phase 6 Area)	417,293	SF	\$0.75	\$312,969.75	
Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$755,262.75</b>
<b>Total Alternate Site Improvements</b>					<b>\$755,262.75</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor(s) estimates.



## Eagle Mountain Wride Memorial Park - Phasing Cost Estimates

3/5/2015

Phase 7: North Park Amphitheater					
Item	Quantity	Unit	Cost	Subtotal	Total
<b>General Requirements</b>					
Mobilization	1	LS	\$145,000.00	\$145,000.00	
Construction Survey	1	LS	\$5,000.00	\$5,000.00	
Traffic Control	1	LS	\$4,500.00	\$4,500.00	
SWPPP	1	LS	\$10,000.00	\$10,000.00	
<b>Total Clearing / Earthwork</b>					<b>\$164,500.00</b>
<b>Clearing / Earthwork</b>					
Site Clearing	338,063	SF	\$0.15	\$50,709.45	
*Earthwork	12,521	CY	\$12.00	\$150,250.22	
<b>Total Clearing / Earthwork</b>					<b>\$200,959.67</b>
<b>**Site Utilities</b>					
Utilities - Culinary Water Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Electrical Connections	1	LS	\$25,000.00	\$25,000.00	
Utilities - Sanitary Sewer Connections	1	LS	\$45,000.00	\$45,000.00	
Pedestrian Walkway Lighting (includes conduit)	3	EA	\$7,000.00	\$21,000.00	
<b>Total Site Utilities</b>					<b>\$116,000.00</b>
<b>Site Architecture</b>					
Restrooms	1	EA	\$195,000.00	\$195,000.00	
<b>Total Site Architecture</b>					<b>\$195,000.00</b>
<b>Site Concrete / Asphalt</b>					
Parking Lot - Asphalt	38,059	SF	\$3.50	\$133,206.50	
Parking Lot - Curb and Gutter	3,570	LF	\$15.00	\$53,550.00	
Concrete Sidewalks	21,078	SF	\$6.00	\$126,468.00	
<b>Total Concrete / Asphalt</b>					<b>\$313,224.50</b>
<b>Site Furniture</b>					
Site Furniture (Benches, BBQ, Trash etc.)	1	LS	\$30,000.00	\$30,000.00	
Decorative Security Fence	1,300	LF	\$75.00	\$97,500.00	
<b>Total Site Furniture</b>					<b>\$127,500.00</b>
<b>Total On-Site Improvements</b>					<b>\$1,117,184.17</b>
<b>Amphitheater &amp; Overlook Hill</b>					
Amphitheater (Seating and Lighting)	1	LS	\$95,000.00	\$95,000.00	
Overlook Hill	1	LS	\$40,000.00	\$40,000.00	
<b>Total Amphitheater</b>					<b>\$135,000.00</b>
<b>Planting</b>					
Turf Sod - Landscape	240,753	SF	\$1.00	\$240,753.00	
Planted Beds	10,000	SF	\$4.00	\$40,000.00	
Pony Express Trail Improvements	66,231	SF	\$4.00	\$264,924.00	
Trees	118	EA	\$350.00	\$41,300.00	
Topsoil - Turf 6"	4,458	CY	\$30.00	\$133,751.67	
Topsoil - Bed 12"	370	CY	\$30.00	\$11,111.11	
<b>Total Planting</b>					<b>\$731,839.78</b>
<b>Irrigation</b>					
Turf Sod - Landscape	240,753	SF	\$0.75	\$180,564.75	
Planted Beds	10,000	SF	\$1.25	\$12,500.00	
Planted Beds (Pony Express Trail)	66,231	SF	\$0.75	\$49,673.25	
<b>Total Irrigation</b>					<b>\$242,738.00</b>
<b>Total Landscape</b>					<b>\$1,109,577.78</b>
<b>Total Site Improvements</b>					<b>\$2,226,761.95</b>
20% Contingency				\$445,352.39	
7% Design Fee				\$155,873.34	
<b>Grand Total Site Improvements</b>					<b>\$2,827,987.68</b>

Note: general conditions, insurance, bonds, contractor's fees, and contingencies found in architect's budget.

### Phase 7: North Park Amphitheater - Alternate Site Improvements (Lawn & Irrigation Only)

Alternate Site Improvements:					
Turf (Entire Phase 7 Area)	338,063	SF	\$1.00	\$338,063.00	
Turf Irrigation (Entire Phase 7 Area)	338,063	SF	\$0.75	\$253,547.25	
Irrigation Water Line Connection	1	LS	\$25,000.00	\$25,000.00	
<b>Total Alternate Site Improvements</b>					<b>\$616,610.25</b>
<b>Total Alternate Site Improvements</b>					<b>\$616,610.25</b>

\*Assumes a 1 foot grade change across entire phase area. Grades and actual earth moving will vary per phase.

\*\*Assumes that adequate opportunity for utilities connection exist at the adjacent Frontier Middle School.

Note: All costs are based on current 2014/2015 local and MGB+A historic/related project costs.

This estimate is for general budgeting purposes and is not intended to take the place of a qualified contractor(s) estimates.

Appendix "C"  
**Applicable State Codes**

**11-36a-101. Title.**

This chapter is known as the "Impact Fees Act."

Enacted by Chapter 47, 2011 General Session

**11-36a-102. Definitions.**

As used in this chapter:

- (1) (a) "Affected entity" means each county, municipality, local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Chapter 13, Interlocal Cooperation Act, and specified public utility:
  - (i) whose services or facilities are likely to require expansion or significant modification because of the facilities proposed in the proposed impact fee facilities plan; or
  - (ii) that has filed with the local political subdivision or private entity a copy of the general or long-range plan of the county, municipality, local district, special service district, school district, interlocal cooperation entity, or specified public utility.
- (b) "Affected entity" does not include the local political subdivision or private entity that is required under Section 11-36a-501 to provide notice.
- (2) "Charter school" includes:
  - (a) an operating charter school;
  - (b) an applicant for a charter school whose application has been approved by a chartering entity as provided in Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act; and
  - (c) an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.
- (3) "Development activity" means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.
- (4) "Development approval" means:
  - (a) except as provided in Subsection (4)(b), any written authorization from a local political subdivision that authorizes the commencement of development activity;
  - (b) development activity, for a public entity that may develop without written authorization from a local political subdivision;
  - (c) a written authorization from a public water supplier, as defined in Section 73-1-4, or a private water company:
    - (i) to reserve or provide:
      - (A) a water right;
      - (B) a system capacity; or
      - (C) a distribution facility; or
    - (ii) to deliver for a development activity:
      - (A) culinary water; or
      - (B) irrigation water; or
  - (d) a written authorization from a sanitary sewer authority, as defined in Section 10-9a-103:
    - (i) to reserve or provide:
      - (A) sewer collection capacity; or
      - (B) treatment capacity; or
    - (ii) to provide sewer service for a development activity.
- (5) "Enactment" means:
  - (a) a municipal ordinance, for a municipality;
  - (b) a county ordinance, for a county; and

- (c) a governing board resolution, for a local district, special service district, or private entity.
- (6) "Encumber" means:
  - (a) a pledge to retire a debt; or
  - (b) an allocation to a current purchase order or contract.
- (7) "Hookup fee" means a fee for the installation and inspection of any pipe, line, meter, or appurtenance to connect to a gas, water, sewer, storm water, power, or other utility system of a municipality, county, local district, special service district, or private entity.
- (8) (a) "Impact fee" means a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure.
  - (b) "Impact fee" does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.
- (9) "Impact fee analysis" means the written analysis of each impact fee required by Section 11-36a-303.
- (10) "Impact fee facilities plan" means the plan required by Section 11-36a-301.
- (11) "Level of service" means the defined performance standard or unit of demand for each capital component of a public facility within a service area.
- (12) (a) "Local political subdivision" means a county, a municipality, a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or a special service district under Title 17D, Chapter 1, Special Service District Act.
  - (b) "Local political subdivision" does not mean a school district, whose impact fee activity is governed by Section 53A-20-100.5.
- (13) "Private entity" means an entity in private ownership with at least 100 individual shareholders, customers, or connections, that is located in a first, second, third, or fourth class county and provides water to an applicant for development approval who is required to obtain water from the private entity either as a:
  - (a) specific condition of development approval by a local political subdivision acting pursuant to a prior agreement, whether written or unwritten, with the private entity; or
  - (b) functional condition of development approval because the private entity:
    - (i) has no reasonably equivalent competition in the immediate market; and
    - (ii) is the only realistic source of water for the applicant's development.
- (14) (a) "Project improvements" means site improvements and facilities that are:
  - (i) planned and designed to provide service for development resulting from a development activity;
  - (ii) necessary for the use and convenience of the occupants or users of development resulting from a development activity; and
  - (iii) not identified or reimbursed as a system improvement.
  - (b) "Project improvements" does not mean system improvements.
- (15) "Proportionate share" means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.
- (16) "Public facilities" means only the following impact fee facilities that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity:
  - (a) water rights and water supply, treatment, storage, and distribution facilities;
  - (b) wastewater collection and treatment facilities;
  - (c) storm water, drainage, and flood control facilities;
  - (d) municipal power facilities;
  - (e) roadway facilities;
  - (f) parks, recreation facilities, open space, and trails;
  - (g) public safety facilities; or
  - (h) environmental mitigation as provided in Section 11-36a-205.
- (17) (a) "Public safety facility" means:
  - (i) a building constructed or leased to house police, fire, or other public safety entities; or
  - (ii) a fire suppression vehicle costing in excess of \$500,000.
  - (b) "Public safety facility" does not mean a jail, prison, or other place of involuntary incarceration.

- (18) (a) "Roadway facilities" means a street or road that has been designated on an officially adopted subdivision plat, roadway plan, or general plan of a political subdivision, together with all necessary appurtenances.
- (b) "Roadway facilities" includes associated improvements to a federal or state roadway only when the associated improvements:
- (i) are necessitated by the new development; and
  - (ii) are not funded by the state or federal government.
- (c) "Roadway facilities" does not mean federal or state roadways.
- (19) (a) "Service area" means a geographic area designated by an entity that imposes an impact fee on the basis of sound planning or engineering principles in which a public facility, or a defined set of public facilities, provides service within the area.
- (b) "Service area" may include the entire local political subdivision or an entire area served by a private entity.
- (20) "Specified public agency" means:
- (a) the state;
  - (b) a school district; or
  - (c) a charter school.
- (21) (a) "System improvements" means:
- (i) existing public facilities that are:
    - (A) identified in the impact fee analysis under Section 11-36a-304; and
    - (B) designed to provide services to service areas within the community at large; and
  - (ii) future public facilities identified in the impact fee analysis under Section 11-36a-304 that are intended to provide services to service areas within the community at large.
- (b) "System improvements" does not mean project improvements.

Amended by Chapter 200, 2013 General Session

**11-36a-201. Impact fees.**

- (1) A local political subdivision or private entity shall ensure that any imposed impact fees comply with the requirements of this chapter.
- (2) A local political subdivision and private entity may establish impact fees only for those public facilities defined in Section 11-36a-102.
- (3) Nothing in this chapter may be construed to repeal or otherwise eliminate an impact fee in effect on the effective date of this chapter that is pledged as a source of revenues to pay bonded indebtedness that was incurred before the effective date of this chapter.

Enacted by Chapter 47, 2011 General Session

**11-36a-202. Prohibitions on impact fees.**

- (1) A local political subdivision or private entity may not:
- (a) impose an impact fee to:
    - (i) cure deficiencies in a public facility serving existing development;
    - (ii) raise the established level of service of a public facility serving existing development;
    - (iii) recoup more than the local political subdivision's or private entity's costs actually incurred for excess capacity in an existing system improvement; or
    - (iv) include an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with:
      - (A) generally accepted cost accounting practices; and
      - (B) the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
  - (b) delay the construction of a school or charter school because of a dispute with the school or charter school over impact fees; or

- (c) impose or charge any other fees as a condition of development approval unless those fees are a reasonable charge for the service provided.
- (2) (a) Notwithstanding any other provision of this chapter, a political subdivision or private entity may not impose an impact fee:
- (i) on residential components of development to pay for a public safety facility that is a fire suppression vehicle;
  - (ii) on a school district or charter school for a park, recreation facility, open space, or trail;
  - (iii) on a school district or charter school unless:
    - (A) the development resulting from the school district's or charter school's development activity directly results in a need for additional system improvements for which the impact fee is imposed; and
    - (B) the impact fee is calculated to cover only the school district's or charter school's proportionate share of the cost of those additional system improvements; or
  - (iv) to the extent that the impact fee includes a component for a law enforcement facility, on development activity for:
    - (A) the Utah National Guard;
    - (B) the Utah Highway Patrol; or
    - (C) a state institution of higher education that has its own police force.
- (b) (i) Notwithstanding any other provision of this chapter, a political subdivision or private entity may not impose an impact fee on development activity that consists of the construction of a school, whether by a school district or a charter school, if:
- (A) the school is intended to replace another school, whether on the same or a different parcel;
  - (B) the new school creates no greater demand or need for public facilities than the school or school facilities, including any portable or modular classrooms that are on the site of the replaced school at the time that the new school is proposed; and
  - (C) the new school and the school being replaced are both within the boundary of the local political subdivision or the jurisdiction of the private entity.
- (ii) If the imposition of an impact fee on a new school is not prohibited under Subsection (2)(b)(i) because the new school creates a greater demand or need for public facilities than the school being replaced, the impact fee shall be based only on the demand or need that the new school creates for public facilities that exceeds the demand or need that the school being replaced creates for those public facilities.
- (c) Notwithstanding any other provision of this chapter, a political subdivision or private entity may impose an impact fee for a road facility on the state only if and to the extent that:
- (i) the state's development causes an impact on the road facility; and
  - (ii) the portion of the road facility related to an impact fee is not funded by the state or by the federal government.
- (3) Notwithstanding any other provision of this chapter, a local political subdivision may impose and collect impact fees on behalf of a school district if authorized by Section 53A-20-100.5.

Enacted by Chapter 47, 2011 General Session

**11-36a-203. Private entity assessment of impact fees -- Charges for water rights, physical infrastructure -- Notice -- Audit.**

- (1) A private entity:
  - (a) shall comply with the requirements of this chapter before imposing an impact fee; and
  - (b) except as otherwise specified in this chapter, is subject to the same requirements of this chapter as a local political subdivision.
- (2) A private entity may only impose a charge for water rights or physical infrastructure necessary to provide water or sewer facilities by imposing an impact fee.
- (3) Where notice and hearing requirements are specified, a private entity shall comply with the notice and hearing requirements for local districts.

(4) A private entity that assesses an impact fee under this chapter is subject to the audit requirements of Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act.

Enacted by Chapter 47, 2011 General Session

**11-36a-204. Other names for impact fees.**

(1) A fee that meets the definition of impact fee under Section 11-36a-102 is an impact fee subject to this chapter, regardless of what term the local political subdivision or private entity uses to refer to the fee.

(2) A local political subdivision or private entity may not avoid application of this chapter to a fee that meets the definition of an impact fee under Section 11-36a-102 by referring to the fee by another name.

Enacted by Chapter 47, 2011 General Session

**11-36a-205. Environmental mitigation impact fees.**

Notwithstanding the requirements and prohibitions of this chapter, a local political subdivision may impose and assess an impact fee for environmental mitigation when:

(1) the local political subdivision has formally agreed to fund a Habitat Conservation Plan to resolve conflicts with the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et seq. or other state or federal environmental law or regulation;

(2) the impact fee bears a reasonable relationship to the environmental mitigation required by the Habitat Conservation Plan; and

(3) the legislative body of the local political subdivision adopts an ordinance or resolution:

(a) declaring that an impact fee is required to finance the Habitat Conservation Plan;

(b) establishing periodic sunset dates for the impact fee; and

(c) requiring the legislative body to:

(i) review the impact fee on those sunset dates;

(ii) determine whether or not the impact fee is still required to finance the Habitat Conservation Plan; and

(iii) affirmatively reauthorize the impact fee if the legislative body finds that the impact fee must remain in effect.

Enacted by Chapter 47, 2011 General Session

**11-36a-301. Impact fee facilities plan.**

(1) Before imposing an impact fee, each local political subdivision or private entity shall, except as provided in Subsection (3), prepare an impact fee facilities plan to determine the public facilities required to serve development resulting from new development activity.

(2) A municipality or county need not prepare a separate impact fee facilities plan if the general plan required by Section 10-9a-401 or 17-27a-401, respectively, contains the elements required by Section 11-36a-302.

(3) A local political subdivision or a private entity with a population, or serving a population, of less than 5,000 as of the last federal census that charges impact fees of less than \$250,000 annually need not comply with the impact fee facilities plan requirements of this part, but shall ensure that:

(a) the impact fees that the local political subdivision or private entity imposes are based upon a reasonable plan that otherwise complies with the common law and this chapter; and

(b) each applicable notice required by this chapter is given.

Amended by Chapter 200, 2013 General Session

**11-36a-302. Impact fee facilities plan requirements -- Limitations -- School district or charter school.**

- (1) (a) An impact fee facilities plan shall:
- (i) identify the existing level of service;
  - (ii) subject to Subsection (1)(c), establish a proposed level of service;
  - (iii) identify any excess capacity to accommodate future growth at the proposed level of service;
  - (iv) identify demands placed upon existing public facilities by new development activity at the proposed level of service; and
  - (v) identify the means by which the political subdivision or private entity will meet those growth demands.
- (b) A proposed level of service may diminish or equal the existing level of service.
- (c) A proposed level of service may:
- (i) exceed the existing level of service if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service; or
  - (ii) establish a new public facility if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.
- (2) In preparing an impact fee facilities plan, each local political subdivision shall generally consider all revenue sources to finance the impacts on system improvements, including:
- (a) grants;
  - (b) bonds;
  - (c) interfund loans;
  - (d) impact fees; and
  - (e) anticipated or accepted dedications of system improvements.
- (3) A local political subdivision or private entity may only impose impact fees on development activities when the local political subdivision's or private entity's plan for financing system improvements establishes that impact fees are necessary to maintain a proposed level of service that complies with Subsection (1)(b) or (c).
- (4) (a) Subject to Subsection (4)(c), the impact fee facilities plan shall include a public facility for which an impact fee may be charged or required for a school district or charter school if the local political subdivision is aware of the planned location of the school district facility or charter school:
- (i) through the planning process; or
  - (ii) after receiving a written request from a school district or charter school that the public facility be included in the impact fee facilities plan.
- (b) If necessary, a local political subdivision or private entity shall amend the impact fee facilities plan to reflect a public facility described in Subsection (4)(a).
- (c) (i) In accordance with Subsections 10-9a-305(3) and 17-27a-305(3), a local political subdivision may not require a school district or charter school to participate in the cost of any roadway or sidewalk.
- (ii) Notwithstanding Subsection (4)(c)(i), if a school district or charter school agrees to build a roadway or sidewalk, the roadway or sidewalk shall be included in the impact fee facilities plan if the local jurisdiction has an impact fee facilities plan for roads and sidewalks.

**11-36a-303. Impact fee analysis.**

- (1) Subject to the notice requirements of Section 11-36a-504, each local political subdivision or private entity intending to impose an impact fee shall prepare a written analysis of each impact fee.
- (2) Each local political subdivision or private entity that prepares an impact fee analysis under Subsection (1) shall also prepare a summary of the impact fee analysis designed to be understood by a lay person.

Enacted by Chapter 47, 2011 General Session

**11-36a-304. Impact fee analysis requirements.**

- (1) An impact fee analysis shall:
  - (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;
  - (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
  - (c) subject to Subsection (2), demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;
  - (d) estimate the proportionate share of:
    - (i) the costs for existing capacity that will be recouped; and
    - (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and
  - (e) based on the requirements of this chapter, identify how the impact fee was calculated.
- (2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:
  - (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
  - (b) the cost of system improvements for each public facility;
  - (c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;
  - (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;
  - (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
  - (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
  - (g) extraordinary costs, if any, in servicing the newly developed properties; and
  - (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Enacted by Chapter 47, 2011 General Session

**11-36a-304. Impact fee analysis requirements.**

- (1) An impact fee analysis shall:
  - (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;

- (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
  - (c) subject to Subsection (2), demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;
  - (d) estimate the proportionate share of:
    - (i) the costs for existing capacity that will be recouped; and
    - (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and
  - (e) based on the requirements of this chapter, identify how the impact fee was calculated.
- (2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:
- (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
  - (b) the cost of system improvements for each public facility;
  - (c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;
  - (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;
  - (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
  - (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
  - (g) extraordinary costs, if any, in servicing the newly developed properties; and
  - (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Enacted by Chapter 47, 2011 General Session

**11-36a-305. Calculating impact fees.**

- (1) In calculating an impact fee, a local political subdivision or private entity may include:
- (a) the construction contract price;
  - (b) the cost of acquiring land, improvements, materials, and fixtures;
  - (c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and
  - (d) for a political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements.
- (2) In calculating an impact fee, each local political subdivision or private entity shall base amounts calculated under Subsection (1) on realistic estimates, and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Enacted by Chapter 47, 2011 General Session

**11-36a-306. Certification of impact fee analysis.**

(1) An impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan that states the following:

"I certify that the attached impact fee facilities 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."

(2) An impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis which states as follows:

"I certify that the attached impact fee analysis:

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;
3. offsets costs with grants or other alternate sources of payment; and
4. complies in each and every relevant respect with the Impact Fees Act."

Amended by Chapter 278, 2013 General Session

**11-36a-401. Impact fee enactment.**

(1) (a) A local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402.

(b) An impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysis.

(2) An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Enacted by Chapter 47, 2011 General Session

**11-36a-402. Required provisions of impact fee enactment.**

- (1) A local political subdivision or private entity shall ensure, in addition to the requirements described in Subsections (2) and (3), that an impact fee enactment contains:
- (a) a provision establishing one or more service areas within which the local political subdivision or private entity calculates and imposes impact fees for various land use categories;
  - (b) (i) a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement; or
    - (ii) the formula that the local political subdivision or private entity, as the case may be, will use to calculate each impact fee;
  - (c) a provision authorizing the local political subdivision or private entity, as the case may be, to adjust the standard impact fee at the time the fee is charged to:
    - (i) respond to:
      - (A) unusual circumstances in specific cases; or
      - (B) a request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
    - (ii) ensure that the impact fees are imposed fairly; and
  - (d) a provision governing calculation of the amount of the impact fee to be imposed on a particular development that permits adjustment of the amount of the impact fee based upon studies and data submitted by the developer.
- (2) A local political subdivision or private entity shall ensure that an impact fee enactment allows a developer, including a school district or a charter school, to receive a credit against or proportionate reimbursement of an impact fee if the developer:
- (a) dedicates land for a system improvement;
  - (b) builds and dedicates some or all of a system improvement; or
  - (c) dedicates a public facility that the local political subdivision or private entity and the developer agree will reduce the need for a system improvement.
- (3) A local political subdivision or private entity shall include a provision in an impact fee enactment that requires a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:
- (a) are system improvements; or
  - (b) (i) are dedicated to the public; and
    - (ii) offset the need for an identified system improvement.

Enacted by Chapter 47, 2011 General Session

**11-36a-403. Other provisions of impact fee enactment.**

- (1) A local political subdivision or private entity may include a provision in an impact fee enactment that:
- (a) provides an impact fee exemption for:
    - (i) development activity attributable to:
      - (A) low income housing;
      - (B) the state;
      - (C) subject to Subsection (2), a school district; or
      - (D) subject to Subsection (2), a charter school; or
    - (ii) other development activity with a broad public purpose; and
  - (b) except for an exemption under Subsection (1)(a)(i)(A), establishes one or more sources of funds other than impact fees to pay for that development activity.

(2) An impact fee enactment that provides an impact fee exemption for development activity attributable to a school district or charter school shall allow either a school district or a charter school to qualify for the exemption on the same basis.

(3) An impact fee enactment that repeals or suspends the collection of impact fees is exempt from the notice requirements of Section 11-36a-504.

Enacted by Chapter 47, 2011 General Session

**11-36a-501. Notice of intent to prepare an impact fee facilities plan.**

(1) Before preparing or amending an impact fee facilities plan, a local political subdivision or private entity shall provide written notice of its intent to prepare or amend an impact fee facilities plan.

(2) A notice required under Subsection (1) shall:

(a) indicate that the local political subdivision or private entity intends to prepare or amend an impact fee facilities plan;

(b) describe or provide a map of the geographic area where the proposed impact fee facilities will be located; and

(c) subject to Subsection (3), be posted on the Utah Public Notice Website created under Section 63F-1-701.

(3) For a private entity required to post notice on the Utah Public Notice Website under Subsection (2)(c):

(a) the private entity shall give notice to the general purpose local government in which the private entity's private business office is located; and

(b) the general purpose local government described in Subsection (3)(a) shall post the notice on the Utah Public Notice Website.

Enacted by Chapter 47, 2011 General Session

**11-36a-502. Notice to adopt or amend an impact fee facilities plan.**

(1) If a local political subdivision chooses to prepare an independent impact fee facilities plan rather than include an impact fee facilities element in the general plan in accordance with Section 11-36a-301, the local political subdivision shall, before adopting or amending the impact fee facilities plan:

(a) give public notice, in accordance with Subsection (2), of the plan or amendment at least 10 days before the day on which the public hearing described in Subsection (1)(d) is scheduled;

(b) make a copy of the plan or amendment, together with a summary designed to be understood by a lay person, available to the public;

(c) place a copy of the plan or amendment and summary in each public library within the local political subdivision; and

(d) hold a public hearing to hear public comment on the plan or amendment.

(2) With respect to the public notice required under Subsection (1)(a):

(a) each municipality shall comply with the notice and hearing requirements of, and, except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Sections 10-9a-205 and 10-9a-801 and Subsection 10-9a-502(2);

(b) each county shall comply with the notice and hearing requirements of, and, except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Sections 17-27a-205 and 17-27a-801 and Subsection 17-27a-502(2); and

(c) each local district, special service district, and private entity shall comply with the notice and hearing requirements of, and receive the protections of, Section 17B-1-111.

(3) Nothing contained in this section or Section 11-36a-503 may be construed to require involvement by a planning commission in the impact fee facilities planning process.

Enacted by Chapter 47, 2011 General Session

**11-36a-503. Notice of preparation of an impact fee analysis.**

- (1) Before preparing or contracting to prepare an impact fee analysis, each local political subdivision or, subject to Subsection (2), private entity shall post a public notice on the Utah Public Notice Website created under Section 63F-1-701.
- (2) For a private entity required to post notice on the Utah Public Notice Website under Subsection (1):
  - (a) the private entity shall give notice to the general purpose local government in which the private entity's primary business is located; and
  - (b) the general purpose local government described in Subsection (2)(a) shall post the notice on the Utah Public Notice Website.

Enacted by Chapter 47, 2011 General Session

**11-36a-504. Notice of intent to adopt impact fee enactment -- Hearing -- Protections.**

- (1) Before adopting an impact fee enactment:
  - (a) a municipality legislative body shall:
    - (i) comply with the notice requirements of Section 10-9a-205 as if the impact fee enactment were a land use ordinance;
    - (ii) hold a hearing in accordance with Section 10-9a-502 as if the impact fee enactment were a land use ordinance; and
    - (iii) except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Section 10-9a-801 as if the impact fee were a land use ordinance;
  - (b) a county legislative body shall:
    - (i) comply with the notice requirements of Section 17-27a-205 as if the impact fee enactment were a land use ordinance;
    - (ii) hold a hearing in accordance with Section 17-27a-502 as if the impact fee enactment were a land use ordinance; and
    - (iii) except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Section 17-27a-801 as if the impact fee were a land use ordinance;
  - (c) a local district or special service district shall:
    - (i) comply with the notice and hearing requirements of Section 17B-1-111; and
    - (ii) receive the protections of Section 17B-1-111;
  - (d) a local political subdivision shall at least 10 days before the day on which a public hearing is scheduled in accordance with this section:
    - (i) make a copy of the impact fee enactment available to the public; and
    - (ii) post notice of the local political subdivision's intent to enact or modify the impact fee, specifying the type of impact fee being enacted or modified, on the Utah Public Notice Website created under Section 63F-1-701; and
  - (e) a local political subdivision shall submit a copy of the impact fee analysis and a copy of the summary of the impact fee analysis prepared in accordance with Section 11-36a-303 on its website or to each public library within the local political subdivision.
- (2) Subsection (1)(a) or (b) may not be construed to require involvement by a planning commission in the impact fee enactment process.

Enacted by Chapter 47, 2011 General Session

**11-36a-601. Accounting of impact fees.**

A local political subdivision that collects an impact fee shall:

- (1) establish a separate interest bearing ledger account for each type of public facility for which an impact fee is collected;
- (2) deposit a receipt for an impact fee in the appropriate ledger account established under Subsection (1);
- (3) retain the interest earned on each fund or ledger account in the fund or ledger account;

- (4) at the end of each fiscal year, prepare a report on each fund or ledger account showing:
  - (a) the source and amount of all money collected, earned, and received by the fund or ledger account; and
  - (b) each expenditure from the fund or ledger account; and
- (5) produce a report that:
  - (a) identifies impact fee funds by the year in which they were received, the project from which the funds were collected, the impact fee projects for which the funds were budgeted, and the projected schedule for expenditure;
  - (b) is in a format developed by the state auditor;
  - (c) is certified by the local political subdivision's chief financial officer; and
  - (d) is transmitted annually to the state auditor.

Enacted by Chapter 47, 2011 General Session

**11-36a-602. Expenditure of impact fees.**

- (1) A local political subdivision may expend impact fees only for a system improvement:
  - (a) identified in the impact fee facilities plan; and
  - (b) for the specific public facility type for which the fee was collected.
- (2) (a) Except as provided in Subsection (2)(b), a local political subdivision shall expend or encumber the impact fees for a permissible use within six years of their receipt.
  - (b) A local political subdivision may hold the fees for longer than six years if it identifies, in writing:
    - (i) an extraordinary and compelling reason why the fees should be held longer than six years; and
    - (ii) an absolute date by which the fees will be expended.

Enacted by Chapter 47, 2011 General Session

**11-36a-603. Refunds.**

A local political subdivision shall refund any impact fee paid by a developer, plus interest earned, when:

- (1) the developer does not proceed with the development activity and has filed a written request for a refund;
- (2) the fee has not been spent or encumbered; and
- (3) no impact has resulted.

Enacted by Chapter 47, 2011 General Session

**11-36a-701. Impact fee challenge.**

- (1) A person or an entity residing in or owning property within a service area, or an organization, association, or a corporation representing the interests of persons or entities owning property within a service area, has standing to file a declaratory judgment action challenging the validity of an impact fee.
- (2) (a) A person or an entity required to pay an impact fee who believes the impact fee does not meet the requirements of law may file a written request for information with the local political subdivision who established the impact fee.
  - (b) Within two weeks after the receipt of the request for information under Subsection (2)(a), the local political subdivision shall provide the person or entity with the impact fee analysis, the impact fee facilities plan, and any other relevant information relating to the impact fee.
- (3) (a) Subject to the time limitations described in Section 11-36a-702 and procedures set forth in Section 11-36a-703, a person or an entity that has paid an impact fee that was imposed by a local political subdivision may challenge:
  - (i) if the impact fee enactment was adopted on or after July 1, 2000:
    - (A) subject to Subsection (3)(b)(i) and except as provided in Subsection (3)(b)(ii), whether the local political subdivision complied with the notice requirements of this chapter with respect to the imposition of the impact fee; and
    - (B) whether the local political subdivision complied with other procedural requirements of this chapter for imposing the impact fee; and

- (ii) except as limited by Subsection (3)(c), the impact fee.
  - (b) (i) The sole remedy for a challenge under Subsection (3)(a)(i)(A) is the equitable remedy of requiring the local political subdivision to correct the defective notice and repeat the process.
    - (ii) The protections given to a municipality under Section 10-9a-801 and to a county under Section 17-27a-801 do not apply in a challenge under Subsection (3)(a)(i)(A).
  - (c) The sole remedy for a challenge under Subsection (3)(a)(ii) is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated.
- (4) (a) Subject to Subsection (4)(d), if an impact fee that is the subject of an advisory opinion under Section 13-43-205 is listed as a cause of action in litigation, and that cause of action is litigated on the same facts and circumstances and is resolved consistent with the advisory opinion:
- (i) the substantially prevailing party on that cause of action:
    - (A) may collect reasonable attorney fees and court costs pertaining to the development of that cause of action from the date of the delivery of the advisory opinion to the date of the court's resolution; and
    - (B) shall be refunded an impact fee held to be in violation of this chapter, based on the difference between the impact fee paid and what the impact fee should have been if the government entity had correctly calculated the impact fee; and
  - (ii) in accordance with Section 13-43-206, a government entity shall refund an impact fee held to be in violation of this chapter to the person who was in record title of the property on the day on which the impact fee for the property was paid if:
    - (A) the impact fee was paid on or after the day on which the advisory opinion on the impact fee was issued but before the day on which the final court ruling on the impact fee is issued; and
    - (B) the person described in Subsection (3)(a)(ii) requests the impact fee refund from the government entity within 30 days after the day on which the court issued the final ruling on the impact fee.
- (b) A government entity subject to Subsection (3)(a)(ii) shall refund the impact fee based on the difference between the impact fee paid and what the impact fee should have been if the government entity had correctly calculated the impact fee.
  - (c) Subsection (4) may not be construed to create a new cause of action under land use law.
  - (d) Subsection (3)(a) does not apply unless the resolution described in Subsection (3)(a) is final.

Enacted by Chapter 47, 2011 General Session

**11-36a-702. Time limitations.**

- (1) A person or an entity that initiates a challenge under Subsection 11-36a-701(3)(a) may not initiate that challenge unless it is initiated within:
- (a) for a challenge under Subsection 11-36a-701(3)(a)(i)(A), 30 days after the day on which the person or entity pays the impact fee;
  - (b) for a challenge under Subsection 11-36a-701(3)(a)(i)(B), 180 days after the day on which the person or entity pays the impact fee; or
  - (c) for a challenge under Subsection 11-36a-701(3)(a)(ii), one year after the day on which the person or entity pays the impact fee.
- (2) The deadline to file an action in district court is tolled from the date that a challenge is filed using an administrative appeals procedure described in Section 11-36a-703 until 30 days after the day on which a final decision is rendered in the administrative appeals procedure.

Enacted by Chapter 47, 2011 General Session

**11-36a-703. Procedures for challenging an impact fee.**

- (1) (a) A local political subdivision may establish, by ordinance or resolution, or a private entity may establish by prior written policy, an administrative appeals procedure to consider and decide a challenge to an impact fee.
  - (b) If the local political subdivision or private entity establishes an administrative appeals procedure, the local political subdivision shall ensure that the procedure includes a requirement that the local political subdivision make its decision no later than 30 days after the day on which the challenge to the impact fee is filed.
- (2) A challenge under Subsection 11-36a-701(3)(a) is initiated by filing:
  - (a) if the local political subdivision or private entity has established an administrative appeals procedure under Subsection (1), the necessary document, under the administrative appeals procedure, for initiating the administrative appeal;
  - (b) a request for arbitration as provided in Section 11-36a-705; or
  - (c) an action in district court.
- (3) The sole remedy for a successful challenge under Subsection 11-36a-701(1), which determines that an impact fee process was invalid, or an impact fee is in excess of the fee allowed under this act, is a declaration that, until the local political subdivision or private entity enacts a new impact fee study, from the date of the decision forward, the entity may charge an impact fee only as the court has determined would have been appropriate if it had been properly enacted.
- (4) Subsections (2), (3), 11-36a-701(3), and 11-36a-702(1) may not be construed as requiring a person or an entity to exhaust administrative remedies with the local political subdivision before filing an action in district court under Subsections (2), (3), 11-36a-701(3), and 11-36a-702(1).
- (5) The judge may award reasonable attorney fees and costs to the prevailing party in an action brought under this section.
- (6) This chapter may not be construed as restricting or limiting any rights to challenge impact fees that were paid before the effective date of this chapter.

Amended by Chapter 200, 2013 General Session

**11-36a-704. Mediation.**

- (1) In addition to the methods of challenging an impact fee under Section 11-36a-701, a specified public agency may require a local political subdivision or private entity to participate in mediation of any applicable impact fee.
- (2) To require mediation, the specified public agency shall submit a written request for mediation to the local political subdivision or private entity.
- (3) The specified public agency may submit a request for mediation under this section at any time, but no later than 30 days after the day on which an impact fee is paid.
- (4) Upon the submission of a request for mediation under this section, the local political subdivision or private entity shall:
  - (a) cooperate with the specified public agency to select a mediator; and
  - (b) participate in the mediation process.

Enacted by Chapter 47, 2011 General Session

**11-36a-705. Arbitration.**

- (1) A person or entity intending to challenge an impact fee under Section 11-36a-703 shall file a written request for arbitration with the local political subdivision within the time limitation described in Section 11-36a-702 for the applicable type of challenge.
- (2) If a person or an entity files a written request for arbitration under Subsection (1), an arbitrator or arbitration panel shall be selected as follows:
  - (a) the local political subdivision and the person or entity filing the request may agree on a single arbitrator within 10 days after the day on which the request for arbitration is filed; or
  - (b) if a single arbitrator is not agreed to in accordance with Subsection (2)(a), an arbitration panel shall be created with the following members:

- (i) each party shall select an arbitrator within 20 days after the date the request is filed; and
  - (ii) the arbitrators selected under Subsection (2)(b)(i) shall select a third arbitrator.
- (3) The arbitration panel shall hold a hearing on the challenge no later than 30 days after the day on which:
- (a) the single arbitrator is agreed on under Subsection (2)(a); or
  - (b) the two arbitrators are selected under Subsection (2)(b)(i).
- (4) The arbitrator or arbitration panel shall issue a decision in writing no later than 10 days after the day on which the hearing described in Subsection (3) is completed.
- (5) Except as provided in this section, each arbitration shall be governed by Title 78B, Chapter 11, Utah Uniform Arbitration Act.
- (6) The parties may agree to:
- (a) binding arbitration;
  - (b) formal, nonbinding arbitration; or
  - (c) informal, nonbinding arbitration.
- (7) If the parties agree in writing to binding arbitration:
- (a) the arbitration shall be binding;
  - (b) the decision of the arbitration panel shall be final;
  - (c) neither party may appeal the decision of the arbitration panel; and
  - (d) notwithstanding Subsection (10), the person or entity challenging the impact fee may not also challenge the impact fee under Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
- (8) (a) Except as provided in Subsection (8)(b), if the parties agree to formal, nonbinding arbitration, the arbitration shall be governed by the provisions of Title 63G, Chapter 4, Administrative Procedures Act.
- (b) For purposes of applying Title 63G, Chapter 4, Administrative Procedures Act, to a formal, nonbinding arbitration under this section, notwithstanding Section 63G-4-502, "agency" means a local political subdivision.
- (9) (a) An appeal from a decision in an informal, nonbinding arbitration may be filed with the district court in which the local political subdivision is located.
- (b) An appeal under Subsection (9)(a) shall be filed within 30 days after the day on which the arbitration panel issues a decision under Subsection (4).
- (c) The district court shall consider de novo each appeal filed under this Subsection (9).
- (d) Notwithstanding Subsection (10), a person or entity that files an appeal under this Subsection (9) may not also challenge the impact fee under Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
- (10) (a) Except as provided in Subsections (7)(d) and (9)(d), this section may not be construed to prohibit a person or entity from challenging an impact fee as provided in Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
- (b) The filing of a written request for arbitration within the required time in accordance with Subsection (1) tolls all time limitations under Section 11-36a-702 until the day on which the arbitration panel issues a decision.
- (11) The person or entity filing a request for arbitration and the local political subdivision shall equally share all costs of an arbitration proceeding under this section.

Enacted by Chapter 47, 2011 General Session

# EXHIBIT B

PARKS & RECREATION  
IMPACT FEE ANALYSIS (IFA)  
EAGLE MOUNTAIN CITY, UTAH



FEBRUARY 5, 2016  
NOTICING DRAFT

  
LEWIS YOUNG  
ROBERTSON & BURNINGHAM, INC.

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## IMPACT FEE CERTIFICATION

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### IMPACT FEE ANALYSIS (IFA) CERTIFICATION

LYRB certifies that the attached impact fee analysis:

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;
  - 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;
  - d. offsets costs with grants or other alternate sources of payment; and,
3. complies in each and every relevant respect with the Impact Fees Act.

**Lewis Young Robertson & Burningham, Inc. makes this certification with the following caveats:**

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City staff and elected officials.
2. If all or a substantial portion of the IFFP or IFA are modified or amended by the City, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

**LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.**



## SECTION I: EXECUTIVE SUMMARY

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The purpose of the Parks and Recreation Impact Fee Analysis (“IFA”), is to fulfill the requirements established in Utah Code Title 11 Chapter 36a, the “Impact Fees Act”, and assist Eagle Mountain City (the “City”) in financing and constructing necessary capital improvements for future development and growth. The Impact Fee Facilities Plan (“IFFP”) was completed by Horrocks Engineers in December 2015 and is the basis for this study. The following summarizes the inputs utilized in this analysis.

- ☞ **Service Area:** The service area for purposes of the City’s parks and recreation impact fees includes all areas within the City. However, an additional buy-in fee is calculated for the North Service Area.
- ☞ **Demand Analysis:** The demand unit used in this analysis is **population**. The City’s current population is approximately **26,186**. Based on reasonable growth estimates provided in the IFFP, the service area should reach a population of approximately **41,050 residents by 2024**. As a result of new growth, the City will need to construct additional parks and recreation facilities to maintain the existing level of service (“LOS”).
- ☞ **Level of Service:** The LOS for this analysis is based on maintaining the existing level of investment in current parks and recreation facilities. The LOS consists of two components – the **land value per capita** and the **improvement value per capita** (or the cost to purchase land and make improvements in today’s dollars). This document reflects two scenarios: 1) the exclusion of the land value per capita per the City’s request; and 2) the inclusion of the land value per capita. The LOS is shown in more detail in **SECTIONS 4 AND 6**.
- ☞ **Excess Capacity:** A buy-in component for Special Improvement District (SID) bonds and reimbursement agreements was considered in this analysis. The buy-in component related to SIDs totals **\$364 per household** while the buy-in component for reimbursement agreements totals **\$110 per household**. The buy-in component for SIDs is only related to the North Service Area. It is important to note that the buy-in facilities are excluded from the LOS calculation above.
- ☞ **Capital Facilities Analysis:** Based on the expected changes in population over the planning horizon (ten years), the City will need to invest approximately **\$4.2 million** in parks and recreation in order to maintain the existing LOS (not including land value), and **\$23.2 million** if land value is included in the LOS. The investment toward future facilities can be used for land acquisition or to provide for new improvements to existing facilities/land. This ensures that the LOS is perpetuated into the future.
- ☞ **Funding of Future Facilities:** Impact fees will continue to be a significant source of funding for parks and recreation infrastructure as they are an appropriate and fair mechanism for funding growth-related infrastructure.

## PROPOSED PARKS AND RECREATION IMPACT FEE

The IFFP must properly complete the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of appropriate impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and LOS. The following describes the methodology used for calculating impact fees in this analysis.

### GROWTH-DRIVEN (PERPETUATION OF EXISTING LOS)

The methodology utilized in this analysis is based on the increase, or **growth**, in residential demand. The growth-driven method utilizes the existing LOS and perpetuates that LOS into the future. Impact fees are then calculated to provide sufficient funds for the entity to expand or provide additional facilities, as growth occurs within the community. Under this methodology, impact fees are calculated to ensure new development provides sufficient investment to maintain the current LOS standards in the community. This approach is often used for public facilities that are not governed by specific capacity limitations and do not need to be built before development occurs (i.e. park facilities).

Two impact fee scenarios are shown below: 1) the impact fee per capita excluding the land value per capita in the LOS; and 2) the impact fee per capita including the land value per capita in the LOS. In the 2012 Park Impact Fee Analysis, the City chose to exclude land value in the LOS. However, for the purposes of determining the existing LOS, the City may include land values to calculate current level of investment.



**SCENARIO 1: EXCLUSION OF LAND IN THE LEVEL OF SERVICE**

Utilizing the estimated value per capita to provide the same level of improvements, the **fee per capita is \$285.26.**

**TABLE I.1: ESTIMATE OF IMPACT FEE VALUE PER CAPITA**

	LAND VALUE PER CAPITA	VALUE OF IMPROVEMENTS PER CAPITA	TOTAL VALUE PER CAPITA
<b>Parks</b>			
All System Parks	-	\$284.98	\$284.98
<b>Other</b>			
Professional Services Expense <sup>1</sup>		\$7,310.00	\$0.28
<b>Estimate of Impact Fee Per Capita</b>			<b>\$285.26</b>

Based on the per capita fee, the proposed impact fee per household is summarized in **TABLE I.2.**

**TABLE I.2: PARK IMPACT FEE SCHEDULE**

IMPACT FEE PER HH	PERSONS PER HH	FEE PER HH	EXISTING FEE PER HH	% CHANGE
Single Family	4.06	\$1,158	\$382	203%
Multi Family	2.90	\$827	\$273	203%

The Impact fee including the applicable buy-in component is found below.

**TABLE I.3: IMPACT FEE WITH APPLICABLE BUY-IN COMPONENT (SINGLE-FAMILY)**

IMPACT FEE PER HH	SID BUY-IN	MID-VALLEY REGIONAL BUY-IN	LEVEL OF SERVICE FEE PER HH	TOTAL
North Service Area	\$364	\$110	\$1,158	\$1,632
South Service Area		\$110	\$1,158	\$1,268
West Service Area		\$110	\$1,158	\$1,268

The increase to the impact fee under Scenario 1 is due to the City's expansion of the park LOS with the addition of Smith Ranch Regional Park, Nolan Park Pavilion, Pioneer Park, and North Ranch.

**SCENARIO 2: INCLUSION OF LAND IN THE LEVEL OF SERVICE**

Utilizing the estimated land value and improvement value per capita, the **fee per capita is \$1,559.89.**

**TABLE I.4: ESTIMATE OF IMPACT FEE VALUE PER CAPITA**

	LAND VALUE PER CAPITA	VALUE OF IMPROVEMENTS PER CAPITA	TOTAL VALUE PER CAPITA
<b>Parks</b>			
All System Parks	\$1,274.63	\$284.98	\$1,559.61
<b>Other</b>			
Professional Services Expense <sup>2</sup>		\$7,310.00	\$0.28
<b>Estimate of Impact Fee Per Capita</b>			<b>\$1,559.89</b>

Based on the per capita fee, the proposed impact fee per household is summarized in **TABLE I.5.**

**TABLE I.5: PARK IMPACT FEE SCHEDULE**

IMPACT FEE PER HH	PERSONS PER HH	FEE PER HH	EXISTING FEE PER HH	% CHANGE
Single Family	4.06	\$6,333	\$382	1,558%
Multi Family	2.90	\$4,524	\$273	1,557%

The Impact fee including the applicable buy-in component is found below.

<sup>1</sup> This is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The cost is divided over the population added in the next six years.

<sup>2</sup> This is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The cost is divided over the population added in the next six years.



**TABLE I.6: IMPACT FEE WITH APPLICABLE BUY-IN COMPONENT (SINGLE-FAMILY)**

IMPACT FEE PER HH	SID BUY-IN	MID-VALLEY REGIONAL BUY-IN	LEVEL OF SERVICE FEE PER HH	TOTAL
North Service Area	\$364	\$110	\$6,333	\$6,807
South Service Area		\$110	\$6,333	\$6,443
West Service Area		\$110	\$6,333	\$6,443

The increase to the impact fee under Scenario 2 is due to the City’s expansion of the park LOS with the addition of Smith Ranch Regional Park, Nolan Park Pavilion, Pioneer Park, and North Ranch, as well as the inclusion of land investment in the current LOS. By policy, the previous analysis excluded land in the determination of the impact fees. However, for the purposes of determining the existing LOS, the City may include land values to calculate the current level of investment.

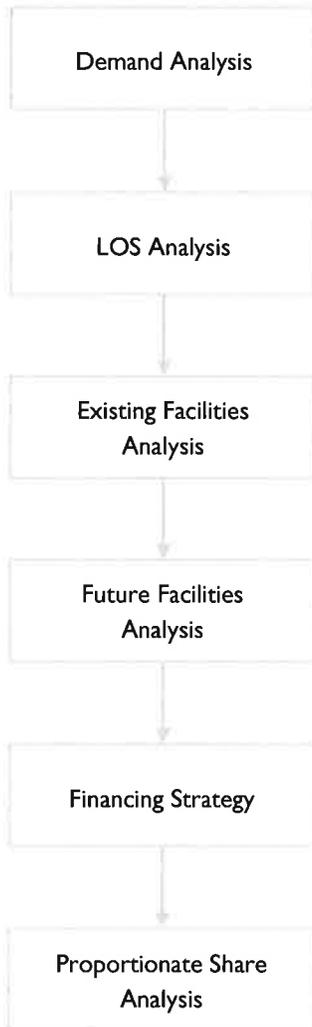
**NON-STANDARD PARK IMPACT FEES**

The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities.<sup>3</sup> This adjustment could result in a lower impact fee if the City determines that a particular user may create a different impact than what is standard for its land use.

<sup>3</sup> 11-36a-402(1)(c)

## SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFFP and IFA. The IFFP is designed to identify the demands placed upon the City’s existing 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 are intended to be funded by impact fees. The IFA is designed to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. Each component must consider the historic level of service (“LOS”) provided to existing development and ensure that impact fees are not used to raise that LOS. The following elements are important considerations when completing an IFFP and IFA:

### DEMAND ANALYSIS

The demand analysis serves as the foundation for the IFFP. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact public facilities.

### LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing LOS. Through the inventory of existing facilities, combined with the growth assumptions, this analysis identifies the LOS which is provided to a community’s existing residents and ensures that future facilities maintain these standards. Any excess capacity identified within existing facilities can be apportioned to new development. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

### EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the Impact Fee Facilities Plan provides an inventory of the City’s existing system improvements. To the extent possible, the inventory valuation should consist of the following information:

- ▣ Original construction cost of each facility;
- ▣ Estimated date of completion of each future facility;
- ▣ Estimated useful life of each facility; and,
- ▣ Remaining useful life of each existing facility.

The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development.

### FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the LOS. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.



### **FINANCING STRATEGY – CONSIDERATION OF ALL REVENUE SOURCES**

This analysis must also include a consideration of all revenue sources, including impact fees, future debt costs, alternative funding sources and the dedication (aka donations) of system improvements, which may be used to finance system improvements.<sup>4</sup> In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.<sup>5</sup>

### **PROPORTIONATE SHARE ANALYSIS**

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future (UCA 11-36a-302).

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<sup>4</sup> 11-36a-302(2)

<sup>5</sup> 11-36a-302(3)



## SECTION 3: DEMAND ANALYSIS

The purpose of this document is to establish a level of service (“LOS”) based on the facilities and amenities funded by the City within the service area. The current LOS for parks and recreation is based on the City’s residential population. The LOS consists of two components – the **land value per capita** and the **improvement value per capita** (or the cost to purchase the land and make improvements in today’s dollars), resulting in a total value per capita for parks and recreation.

### DEMAND UNITS

The demand unit used in this analysis is **population**, as shown in the 2015 Parks and Recreation IFFP. The City’s current population is 26,186.

**TABLE 3.1: FUTURE DEMAND PROJECTIONS**

YEAR	EAGLE MOUNTAIN POPULATION PROJECTIONS
2015	26,186
2016	27,615
2017	29,121
2018	30,710
2019	32,385
2020	34,152
2021	35,759
2022	37,442
2023	39,205
2024	41,050

Source: Eagle Mountain City, 2015 Parks and Recreation IFFP, Table 2-2

**TABLE 3.2: RESIDENTS PER HOUSEHOLD**

	PERSONS PER HOUSEHOLD
Single-Family	4.06
Multi-Family	2.90

The future population in the City is used to determine the additional parks and recreation needs. The LOS standards for each of these types of improvements has been calculated, and a blended LOS determined for the future population, giving the City flexibility to provide future residents the types of improvements that are desired. If growth projections and land use planning changes significantly in the future, the City will need to update the parks and recreation projections, the IFFP, and the impact fees. The City anticipates the service area should reach a population of approximately 41,050 in 2024. This is an increase of 14,864 residents within the impact fee horizon. As a result of this growth, the City will need to construct additional parks and recreation facilities to maintain the existing LOS.

## SECTION 4: EXISTING FACILITIES INVENTORY

The City's parks classification system includes pocket, neighborhood, community, and regional parks, as well as trailways. The City's existing parks are shown in Appendix B of the IFFP. In addition to the developed park land, the City has 324.95 unimproved park acres, for a total of 477.42 park acres. However, only system improvements are included in the impact fee analysis. System improvements include park facilities classified as community and regional parks. Trailways, pocket parks and neighborhood parks are excluded from this analysis since these are funded by developers or generally through grants.

The tables below illustrate the existing acreage and amenities for the parks and recreation system. The improvement value for parks is based on the existing improvements to each type of facility and are calculated on a per acre basis. The city-owned acreage and estimated improvement value illustrated below will be the basis for the level of service ("LOS") analysis discussed in **SECTION 5**. Since Mid Valley Regional Park is associated with a reimbursement agreement, the acres and improvements for this park are not included in this analysis for future impacts.

**TABLE 4.1: ACREAGE OF EXISTING PARKS AND RECREATION**

PARKS	FINAL IMPACT FEE ACRES	ESTIMATED LAND VALUE FOR CITY OWNED ACRES	2015 EST. CITY FUNDED IMPROV. VALUE
Walden Park	12.60	\$1,764,000	\$504,082
Smith Ranch Regional Park	23.53	\$3,294,200	\$592,898
Bike Park	72.99	\$10,218,600	\$907,521
Nolan Park	37.40	\$5,236,000	\$1,514,303
Nolan Park Pavilion	10.25	\$1,435,000	\$387,347
Pioneer Park	23.34	\$3,267,600	\$599,009
North Ranch	5.94	\$831,600	\$191,932
Pony Express Park	36.27	\$5,077,800	\$1,667,675
Silverlake Amphitheatre	16.09	\$2,252,600	\$554,558
Existing Impact Fee Fund Balance <sup>6</sup>			\$543,242
<b>Total Parks</b>	<b>238.41</b>	<b>\$33,377,400</b>	<b>\$7,462,565</b>

Existing parks include a variety of services including: basketball courts, playgrounds, restrooms and other amenities as listed below.

**TABLE 4.2: EXISTING PARK FACILITY IMPROVEMENTS**

	MEASUREMENT	TOTAL AMENITIES
Large Pavilion	Each	2
Medium Pavilion	Each	1
Small Pavilion	Each	3
Restroom (Perm.)	Each	2
Restroom (Temp.)	Each	7
Skate Park	Each	1
Splash Pad	Each	1
Tot Lots/ Playgrounds	Each	7
Drinking Fountains	Each	5
Bike Racks	Each	3
Picnic Tables	Each	41
Benches	Each	14
1/2 Court Basketball	Each	1
Full Court Basketball	Each	1
Baseball Diamonds	Each	3
Bleachers	Each	8

<sup>6</sup> The City currently has an existing impact fee fund balance. This is included in the LOS calculation since it will be spent on future park improvements.



	MEASUREMENT	TOTAL AMENITIES
Swing Set	Each	2
Parking Lot	Per Square Foot Asphalt	69,621
BBQ	Each	7
Rodeo Grounds	Each	1
Irrigated Open Space	Sq. Ft.	1,516,702
Unimproved Open Space	Sq. Ft.	3,585,717

### BUY-IN COMPONENT

As stated in the IFFP, many of the existing parks and recreation areas were constructed by developers and by using SID Bonds. The tables below illustrate the applicable buy-in costs from existing SIDs and reimbursement agreements.

YEAR	PROJECT NAME	ORIGINAL COST	ESTIMATED CAPACITY (ERU)	REMAINING CAPACITY	ORIGINAL COST PER ERU (CONSTRUCTION YEAR)
<b>SIDs (North Service Area Only)</b>					
1998	Landscaping	\$196,793	6,000	5,800	\$33
2000	Ranches & PE Landscape	\$1,378,801	7,000	4,675	\$197
2000	Paul Evans Trailways	\$311,249	6,300	3,975	\$49
2000	Grant Smith Trail	\$159,291	6,300	3,975	\$25
2000	Meadow Ranch Trails	\$154,633	6,300	3,975	\$25
2000	Ranches Entrance Monument	\$160,000	6,300	3,975	\$25
2000	Eagle Mountain Entrance Sign	\$58,500	6,300	3,975	\$9
<b>Sub-total SID Buy-In</b>					<b>\$364</b>
<b>Reimbursements</b>					
2002	Mid-Valley Regional Park	\$1,100,000	10,000	3,064	\$110
<b>Sub-total Reimbursement Buy-In</b>					<b>\$110</b>

Source: EM 2015 Park IFFP, pg 8, Table 3-2 & 3-3

Note: Red Hawk Ranch Park (Nolan Park) is not shown as it had no remaining capacity.

### LAND VALUE

It is noted that current costs are used strictly to determine the actual cost, in today's dollars, of duplicating the current LOS for future development in the City, and does not reflect the value of the existing improvements within the City. The City estimates that the value for residential land is approximately \$140,000 per acre. This is based off of a recent land purchase by the City.

**TABLE 4.3: LAND VALUE ASSUMPTIONS**

ASSUMPTIONS	
2015 Population	26,186
Land Value per Acre	\$140,000

### MANNER OF FINANCING EXISTING PUBLIC FACILITIES

The City's existing parks and recreation infrastructure has been funded through a combination of general fund revenues, donations, and impact fees. Most of the City's parks have been donated by developers. However, since the developers have received density credits in return for their donation, these parks have been included in the LOS calculation. All other park land and improvements funded through donations have been excluded from the impact fee calculations.

## SECTION 5: LEVEL OF SERVICE ANALYSIS

### LEVEL OF SERVICE STANDARDS

The level of service ("LOS") for this analysis is based on maintaining the existing level of investment in current parks and recreation facilities. The LOS consists of two components – the land value per capita and the improvement value per capita funded by the City (or the cost to purchase the land and make improvements in today's dollars), resulting in a total value per capita for parks and recreation.

The City has requested that two scenarios be shown for LOS: 1) the exclusion of the land value per capita in the LOS; and 2) the inclusion of the land value per capita in the LOS. In the 2012 Park Impact Fee Analysis, the City chose to exclude land value in the LOS. However, for the purposes of determining the existing LOS, the City may include land values to calculate current level of investment.

#### SCENARIO 1: EXCLUSION OF LAND VALUE IN LEVEL OF SERVICE

Using the estimated improvement value per type of park shown in Table 4.1 and the existing population for 2015, the value per capita (or LOS) is calculated. This approach uses current construction costs to determine the current value. It is assumed that the City will maintain, at a minimum, the current set LOS standard.

**Table 5.1** below shows the LOS for parks and recreation in the defined service area, broken down by type of park.

**TABLE 5.1: EXISTING PARK ACREAGE LEVEL OF SERVICE**

	LAND VALUE PER CAPITA	IMPROVEMENT VALUE PER CAPITA	TOTAL VALUE PER CAPITA
All Parks	\$0	\$285	\$285
<i>Land values are estimated conservatively using recent comparable land purchases by the City.</i>			

#### SCENARIO 2: INCLUSION OF LAND VALUE IN LEVEL OF SERVICE

Using the estimated land and park improvement value per type of park shown in Table 4.1 and the existing population for 2015, the value per capita (or LOS) is calculated. This approach uses current construction and land costs to determine the current value. It is assumed that the City will maintain, at a minimum, the current set LOS standard.

**Table 5.2** below shows the LOS for parks recreation in the defined service area, broken down by type of park.

**TABLE 5.2: EXISTING PARK ACREAGE LEVEL OF SERVICE**

	LAND VALUE PER CAPITA	IMPROVEMENT VALUE PER CAPITA	TOTAL VALUE PER CAPITA
All Parks	\$1,275	\$285	\$1,560
<i>Land values are estimated conservatively using recent comparable land purchases by the City.</i>			

The calculation of impact fees relies upon the information contained in this analysis. The timing of construction for development-related park facilities will depend on the rate of development and the availability of funding. For purposes of this analysis, a specific construction schedule is not required. The construction of park facilities can lag behind development without impeding continued development activity. This analysis assumes that construction of needed park facilities will proceed on a pay-as-you-go basis, and assumes a standard annual dollar amount the City should anticipate collecting and plan to expend on park improvements.

## SECTION 6: CAPITAL FACILITY ANALYSIS

Future planning for park land is an ongoing process based on the changes in population and community preference. The City will purchase and improve parks and recreation facilities to maintain the level of service (“LOS”) defined in this document. A summary of the City’s desired improvements is found in the 2015 IFFP in Table 4.1. Actual future improvements will be determined as development occurs, and the opportunity to acquire and improve park land arises. Impact fees will only be assessed the proportionate fee to maintain the existing LOS.

### SCENARIO 1: EXCLUSION OF LAND VALUE IN LEVEL OF SERVICE

Based on the expected changes in population over the planning horizon, the City will need to invest approximately \$4.2 million in parks and recreation. This assumes the City will grow by 14,864 persons through 2024.

TABLE 6.1: ILLUSTRATION OF PARKS AND RECREATION INVESTMENT NEEDED TO MAINTAIN LOS

TYPE OF IMPROVEMENT	TOTAL VALUE PER CAPITA	POPULATION INCREASE IFFP HORIZON (2015 – 2024)	COST TO PARKS OVER IFFP HORIZON
All Parks	\$285	14,864	\$4,235,988

### SCENARIO 2: INCLUSION OF LAND VALUE IN LEVEL OF SERVICE

Based on the expected changes in population over the planning horizon, the City will need to invest approximately \$23.2 million in parks and recreation. This assumes the City will grow by 14,864 persons through 2024.

TABLE 6.2: ILLUSTRATION OF PARKS AND RECREATION INVESTMENT NEEDED TO MAINTAIN LOS

TYPE OF IMPROVEMENT	TOTAL VALUE PER CAPITA	POPULATION INCREASE IFFP HORIZON (2015 – 2024)	COST TO PARKS OVER IFFP HORIZON
All Parks	\$1,560	14,864	\$23,182,053

## SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities designed and intended to provide services to service areas within the community at large.<sup>7</sup> Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.<sup>8</sup> The Impact Fee Analysis may only include the costs of impacts on system improvements related to new growth within the proportionate share analysis.

Only park facilities that serve the entire community are included in the LOS. Only community and regional parks are considered system improvements in Eagle Mountain City.

## FUNDING OF FUTURE FACILITIES

The IFFP must also include a consideration of all revenue sources, including impact fees and developer dedications of system improvements, which may be used to finance system improvements.<sup>9</sup> In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.<sup>10</sup>

### PROPERTY TAX REVENUES

Property tax revenues are not specifically identified in this analysis as a funding source for capital projects, but inter-fund loans can be made from the general fund which will ultimately include some property tax revenues. Inter-fund loans may be repaid once sufficient impact fee revenues have been collected.

<sup>7</sup> 11-36a-102(20)

<sup>8</sup> 11-36a102(13)

<sup>9</sup> 11-36a-302(2)

<sup>10</sup> 11-36a-302(3)



## GRANTS AND DONATIONS

The City does not anticipate any donations from new development for future system-wide capital improvements related to park facilities. A donor will be entitled to a reimbursement for the negotiated value of system improvements funded through impact fees if donations are made by new development.

The City may receive grant monies to assist with park construction and improvements. This analysis has removed all funding that has come from federal grants and donations to ensure that none of those infrastructure items are included in the LOS. Therefore, the City's existing LOS standards have been funded by the City's existing residents. Funding the future improvements through impact fees places a similar burden upon future users as that which has been placed upon existing users through impact fees, property taxes, user fees, and other revenue sources.

## IMPACT FEE REVENUES

Impact fees are an ideal mechanism for funding growth-related infrastructure. Impact fees are currently charged to ensure that new growth pays its proportionate share of the costs for the development of public infrastructure. Impact fee revenues can also be attributed to the future expansion of public infrastructure if the revenues are used to maintain an existing LOS. Increases to an existing LOS cannot be funded with impact fee revenues. Analysis is required to accurately assess the true impact of a particular user upon the City infrastructure and to prevent existing users from subsidizing new growth.

## DEBT FINANCING

In the event the City has not amassed sufficient impact fees in the future to pay for the construction of time sensitive or urgent capital projects needed to accommodate new growth, the City must look to revenue sources other than impact fees for funding. The Impact Fees Act allows for the costs related to the financing of future capital projects to be legally included in the impact fee. This allows the City to finance and quickly construct infrastructure for new development and reimburse itself later from impact fee revenues for the costs of issuing debt (i.e. interest costs). Debt financing has not been considered in the calculation of the parks and recreation impact fee.

## EQUITY OF IMPACT FEES

Impact fees are intended to recover the costs of capital infrastructure that relate to future growth. The impact fee calculations are structured for impact fees to fund 100% of the growth-related facilities identified in the proportionate share analysis as presented in the impact fee analysis. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, other revenues, such as general fund revenues, will be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through impact fees.

## NECESSITY OF IMPACT FEES

An entity may only impose impact fees on development activity if the entity's plan for financing system improvements establishes that impact fees are necessary to achieve parity between existing and new development. This analysis has identified the improvements to public facilities and the funding mechanisms to complete the suggested improvements. Impact fees are identified as a necessary funding mechanism to help offset the costs of new capital improvements related to new growth. In addition, alternative funding mechanisms are identified to help offset the cost of future capital improvements.

## SECTION 7: PARKS & RECREATION IMPACT FEE CALCULATION

The calculation of impact fees relies upon the information contained in this analysis. Impact fees are calculated based on many variables centered on proportionality and level of service ("LOS"). The following paragraphs briefly discuss the methodology for calculating impact fees.

### PROPOSED PARKS AND RECREATION IMPACT FEE GROWTH-DRIVEN (PERPETUATION OF EXISTING LOS)

The methodology utilized in this analysis is based on the increase, or **growth**, in residential demand. The growth-driven method utilizes the existing LOS and perpetuates that LOS into the future. Impact fees are then calculated to provide sufficient funds for the entity to expand or provide additional facilities, as growth occurs within the community. Under this methodology, impact fees are calculated to ensure new development provides sufficient investment to maintain the current LOS standards in the community. This approach is often used for public facilities that are not governed by specific capacity limitations and do not need to be built before development occurs (i.e. park facilities).

#### PARKS AND RECREATION IMPACT FEE CALCULATION

Two impact fee scenarios are shown below: 1) the impact fee per capita excluding the land value per capita in the LOS; and 2) the impact fee per capita including the land value per capita in the LOS. In the 2012 Park Impact Fee Analysis, the City chose to exclude land value in the LOS. However, for the purposes of determining the existing LOS, the City may include land values to calculate the current level of investment.

#### SCENARIO 1: EXCLUSION OF LAND IN THE LEVEL OF SERVICE

Utilizing the estimated value per capita to provide the same level of improvements, the **fee per capita is \$285.26**.

TABLE 7.1: ESTIMATE OF IMPACT FEE VALUE PER CAPITA

	LAND VALUE PER CAPITA	VALUE OF IMPROVEMENTS PER CAPITA	TOTAL VALUE PER CAPITA
<b>Parks</b>			
All System Parks	\$0	\$284.98	\$284.98
<b>Other</b>			
Professional Services Expense <sup>11</sup>		\$7,310	\$0.28
<b>Estimate of Impact Fee Per Capita</b>			<b>\$285.26</b>

Based on the per capita fee, the proposed impact fee per household is summarized in **TABLE 7.2**.

TABLE 7.2: PARK IMPACT FEE SCHEDULE

IMPACT FEE PER HH	PERSONS PER HH	FEE PER HH	EXISTING FEE PER HH	% CHANGE
Single Family	4.06	\$1,158	\$382	203%
Multi Family	2.90	\$827	\$273	203%

The Impact fee including the applicable buy-in component is found below.

TABLE 7.3: IMPACT FEE WITH APPLICABLE BUY-IN COMPONENT (SINGLE-FAMILY)

IMPACT FEE PER HH	SID BUY-IN	MID-VALLEY REGIONAL BUY-IN	LEVEL OF SERVICE FEE PER HH	TOTAL
North Service Area	\$364	\$110	\$1,158	\$1,632
South Service Area		\$110	\$1,158	\$1,268
West Service Area		\$110	\$1,158	\$1,268

The increase to the impact fee under Scenario 1 is due to the City's expansion of the park LOS with the addition of Smith Ranch Regional Park, Nolan Park Pavilion, Pioneer Park, and North Ranch.

<sup>11</sup> This is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The cost is divided over the population added in the next six years.



**SCENARIO 2: INCLUSION OF LAND IN THE LEVEL OF SERVICE**

Utilizing the estimated land value and improvement value per capita, the **fee per capita is \$1,559.89.**

**TABLE 7.4: ESTIMATE OF IMPACT FEE VALUE PER CAPITA**

	LAND VALUE PER CAPITA	VALUE OF IMPROVEMENTS PER CAPITA	TOTAL VALUE PER CAPITA
<b>Parks</b>			
All System Parks	\$1,274.63	\$284.98	\$1,559.61
<b>Other</b>			
Professional Services Expense <sup>12</sup>		\$7,310	\$0.28
<b>Estimate of Impact Fee Per Capita</b>			<b>\$1,559.89</b>

Based on the per capita fee, the proposed impact fee per household is summarized in **TABLE 7.5.**

**TABLE 7.5: PARK IMPACT FEE SCHEDULE**

IMPACT FEE PER HH	PERSONS PER HH	FEE PER HH	EXISTING FEE PER HH	% CHANGE
Single Family	4.06	\$6,333	\$382	1,558%
Multi Family	2.90	\$4,524	\$273	1,557%

The Impact fee including the applicable buy-in component is found below.

**TABLE 7.6: IMPACT FEE WITH APPLICABLE BUY-IN COMPONENT (SINGLE-FAMILY)**

IMPACT FEE PER HH	SID BUY-IN	MID-VALLEY REGIONAL BUY-IN	LEVEL OF SERVICE FEE PER HH	TOTAL
North Service Area	\$364	\$110	\$6,333	\$6,807
South Service Area		\$110	\$6,333	\$6,443
West Service Area		\$110	\$6,333	\$6,443

The increase to the impact fee under Scenario 2 is due to the City's expansion of the park LOS with the addition of Smith Ranch Regional Park, Nolan Park Pavilion, Pioneer Park, and North Ranch, as well as the inclusion of land investment in the current LOS. By policy, the previous analysis excluded land in the determination of the impact fees. However, for the purposes of determining the existing LOS, the City may include land values to calculate current level of investment.

**NON-STANDARD PARK IMPACT FEES**

The proposed fees are based upon population growth. The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon park facilities.<sup>13</sup> This adjustment could result in a lower impact fee if the City determines that a particular user may create a different impact than what is standard for its land use.

**CONSIDERATION OF ALL REVENUE SOURCES**

The Impact Fees Act requires the proportionate share analysis to demonstrate that impact fees paid by new development are the most equitable method of funding growth-related infrastructure. See **SECTION 6** for further discussion regarding the consideration of revenue sources.

**EXPENDITURE OF IMPACT FEES**

Legislation requires that impact fees should be spent or encumbered with six years after each impact fee is paid. Impact fees collected in the next five to six years should be spent only on impact fee eligible projects to maintain the LOS.

<sup>12</sup> This is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The cost is divided over the population added in the next six years.

<sup>13</sup> 11-36a-402(1)(c)



## **PROPOSED CREDITS OWED TO DEVELOPMENT**

The Impact Fees Act requires that credits be paid back to development for future fees that will pay for growth-driven projects included in the Impact Fee Facilities Plan that would otherwise be paid for through user fees. Credits may also be paid to developers who have constructed and donated facilities to that City that are included in the IFFP in-lieu of impact fees. This situation does not apply to developer exactions or improvements required to offset density or as a condition of development. Any project that a developer funds must be included in the IFFP if a credit is to be issued.

In the situation that a developer chooses to construct facilities found in the IFFP in-lieu of impact fees, the decision must be made through negotiation with the developer and the City on a case-by-case basis.

## **GROWTH-DRIVEN EXTRAORDINARY COSTS**

The City does not anticipate any extraordinary costs necessary to provide services to future development.

## **SUMMARY OF TIME PRICE DIFFERENTIAL**

Although the Impact Fees Act allows for the inclusion of a time price differential to ensure that the future value of costs incurred at a later date are accurately calculated to include the costs of construction inflation, an inflation component was not considered in the cost estimates in this study. All costs are represented in today's dollars.

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## **APPENDIX A: EXISTING FACILITIES INVENTORY**

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Park	Total Improved Acreage	Low Density	Medium Density	High Density	Final Area	% City Owned	% City Funded	City Owned & Funded Area	Land Value	Large Parcels	Medium Parcels	Small Parcels	Reservoir (Ponds)	Reservoir (Acre-ft)	State Park	Special Fee	Total Land Encroachment	Encroaching Properties	Bike Paths	Play Tables	Shelters	SE Court Basketball	Full Court Basketball	Swimming	Shackles	Swing Set	Parking Lot (Imp. expense not included)	BOQ	Public (Crews)	Ungranted Open Space	Ungranted Open Space	Total Improvements	Design Engineering Cost \$K	Total Improvement Cost	City Funded Improvements		
Cost per Acre									\$140,000																												
Walden Park	12.68	-	-	-	12.68	100%	100%	12.68	\$1,794,000						2		1		3	4		1					14,500	162,682		162,682	38,727		\$49,354	\$41,026.33	\$204,782.33		
South Ranch Regional Park	22.51	-	-	-	22.51	100%	100%	22.51	\$3,294,300								1										23,333	137,424		137,424	327,853		\$412,998.41	\$412,998.41	\$412,998.41		
Inlet Park	72.99	-	-	-	72.99	100%	100%	72.99	\$10,234,000						1																						
Nolan Park	37.48	-	-	-	37.48	100%	100%	37.48	\$5,224,000								1		1																		
Nolan Park Pavilion	13.28	-	-	-	13.28	100%	100%	13.28	\$1,643,000																												
Pioneer Park	25.34	-	-	-	25.34	100%	100%	25.34	\$3,257,600																												
North Ranch	5.94	-	-	-	5.94	100%	100%	5.94	\$811,000								2		1	1																	
Pony Express Park	38.27	-	-	-	38.27	100%	100%	38.27	\$5,277,800																												
Spencer Amphitheatre	36.89	-	-	-	36.89	100%	100%	36.89	\$2,252,000																												
Impact Fee Fund Balance (See 2015)																																					
<b>Total</b>	<b>238.41</b>				<b>238.41</b>			<b>238.41</b>	<b>\$38,771,800</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>14,511</b>	<b>1,641,763</b>	<b>1,641,763</b>	<b>3,283,526</b>	<b>1,641,763</b>	<b>\$2,625,289</b>	<b>\$2,625,289</b>	<b>\$2,625,289</b>	<b>\$2,625,289</b>			

Source: 2011-2012 Parks VPP