

To be published on Sunday, June 26, 2016, in *Salt Lake Tribune* and *Deseret News*

NOTICE OF INTENT TO ADOPT IMPACT FEE FACILITIES PLANS AND AN IMPACT FEE ENACTMENT FOR POLICE AND FIRE SERVICES AND NOTICE OF PUBLIC HEARING DRAPER, UTAH

NOTICE is hereby given that Draper City intends adopt an Impact Fee Facilities Plan, Impact Fee Analysis and to enact impact fees for police and fire services and will hold a Public Hearing at 7:00 p.m. on July 5, 2016, in the Draper City Hall located at 1020 East Pioneer Road, Draper, UT 84020. The purpose of the Public Hearing is to receive input and consider approval and adoption of the proposed Impact Fee Analysis and the Impact Fee Enactment. All interested persons shall be given the opportunity to be heard. Written concerns are welcome. Copies of the Impact Fee Facilities Plan, Impact Fee Analyses, and the Impact Fee Enactment are available for public review beginning May 29, 2016, on the City's website and at City Hall. In accordance with the Americans with Disabilities Act, the City will make reasonable accommodations to participants in the hearing. Requests for assistance can be made by Rachelle Conner at 801-576-6502 at least 48 hours in advance of the hearing to be attended.

Attest: Rachelle Conner, MMC  
City Recorder

ORDINANCE NO. 1216

AN ORDINANCE OF DRAPER CITY, UTAH

**ADOPTING A PUBLIC SAFETY IMPACT FEE FACILITIES PLAN AND A PUBLIC SAFETY IMPACT FEE ANALYSIS; PROVIDING A PUBLIC SAFETY IMPACT FEE ENACTMENT; PROVIDING A PUBLIC SAFETY IMPACT FEE; ESTABLISHING A SERVICE AREA; PROVIDING FOR IMPACT FEE CALCULATIONS AND IMPOSITION ON DEVELOPMENT ACTIVITY; AND PROVIDING FOR OTHER MATTERS AS REQUIRED BY THE ACT**

**WHEREAS**, Draper City (“City”) is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law; and

**WHEREAS**, the City has legal authority, pursuant to Title 11, Chapter 36a Utah Code Annotated, as amended (“Impact Fees Act” or “Act”), to impose Impact Fees as a condition of development activity approval, which impact fees are used to provide system improvements necessary to service and support new growth; and

**WHEREAS**, the City has historically assessed and imposed impact fees as a condition precedent to development activity approval in order to provide system improvements in an equitable and proportionate manner; and

**WHEREAS**, the City has completed a Public Safety Impact Fee Facilities Plan and a Public Safety Impact Fee Analysis both being found to meet the requirements of the Act; and

**WHEREAS**, the Act allows the City to revise and amend impact fees from time to time as determined necessary; and

**WHEREAS**, the City has provided the required notice and held the required public hearings regarding the Public Safety Impact Fee Facilities Plan and the Public Safety Impact Fee Analysis, as required by the Act; and

**WHEREAS**, the City Council has determined it appropriate to now revise the Public Safety Impact Fee imposed by the City based on the most up-to-date information available.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Impact Fee Facilities Plan.** The Public Safety Impact Fee Facilities Plan, attached hereto as Exhibit “A,” be adopted.

**Section 2. Impact Fee Analysis.** The Public Safety Impact Fee Analysis, attached hereto as Exhibit “A,” be adopted.

**Section 3. Interpretation and Definitions.** For purposes of interpretation and administration words and phrases used in this Ordinance shall be as defined and provided by the Act.

**Section 4. Public Safety Impact Fee Enactment.** As required by the Act the following Public Safety Impact Fee Enactment is hereby provided.

### **PUBLIC SAFETY IMPACT FEE ENACTMENT**

#### **Part A – Authority and Applicability.**

1. The calculation, imposition, and collection of a Public Safety Impact Fee shall apply to all new development activity occurring within the municipal boundaries of the City. Until the Public Safety Impact Fee, as provided herein, has been paid in full, no building permit for any new development activity shall be issued.
2. The payment of all Public Safety Impact Fees shall occur at the time of building permit issuance, determined to be the authorization of development activity
3. A stop work order shall be issued on any development activity for which the applicable Public Safety Impact Fee has not been paid.
4. Unless the City is otherwise bound contractually, the Public Safety Impact Fee on development activity shall be determined as provided by Part C herein and in effect at the time of development activity approval.
5. The City may not impose a Public Safety Impact Fee that is inconsistent with the requirements and standards of this Ordinance, or the Act.

**Part B – Public Safety Impact Fee Service Area.** The service area for the Public Safety Impact Fee, as provided herein, shall be the entire area located within the municipal boundaries of the City. Such area shall be the service area for the Public Safety system improvements provided by the City.

#### **Part C – Public Safety Impact Fee Imposition and Calculation.**

1. Imposition. The Public Safety Impact Fee shall be imposed on all new development activities.
2. Calculation. To maintain the existing Public Safety level of service and implement the future Public Safety level of service the calculation and imposition of a Police and fire Impact Fee shall be:
  - a. The type of development activity as provided by Table 1 herein.

**Table 1**  
**PUBLIC SAFETY IMPACT FEE**

UNIT TYPE	POLICE IMPACT FEE PER UNIT	FIRE IMPACT FEE PER UNIT
Single-Family	\$102.00	\$71.00
Multi-Family	\$75.00	\$75.00
Commercial	\$130.00	\$97.00
Office	\$46.00	\$47.00
Industrial	\$21.00	\$5.00

**Part D – Credits.** Development activity may be allowed a credit against Public Safety Impact Fees payable for the dedication of land and/or the provision and dedication of Public Safety improvements determined by the City to be a system improvement.

**Part E – Public Safety Impact Fees Accounting.** The City shall establish a separate interest-bearing account for Public Safety Impact Fees collected, retain any interest earned on such account, and otherwise conform to the accounting requirements provided by the Act.

**Part F – Reporting.** At the end of each fiscal year, the City shall prepare a Public Safety Impact Fee report pursuant to the Act.

**Part G – Public Safety Impact Fee Expenditures.** The City shall expend Public Safety Impact Fees as allowed by the Act and only for system improvements for the facility type for which the fee was collected. To preserve the integrity of the Public Safety Impact Fee Analysis, attached hereto as Exhibit A, and to avoid financing Public Safety system improvements as much as practical by using special assessments, bonded indebtedness, or general taxes, the City shall use Public Safety Impact Fee revenues to provide Public Safety system improvements necessary to serve new development activity.

**Part H – Time of Expenditure.** Public Safety Impact Fees collected pursuant to the requirements of this Ordinance are to be expended or encumbered for a Public Safety system improvement within six (6) years of the receipt of those funds by the City, unless the City identifies in writing an extraordinary and compelling reason why the fees should be held longer than six (6) years and an absolute date by which the fees will be expended. Public Safety Impact Fees will be expended on a First-In First-Out (“FIFO”) basis, with the first funds received deemed to be the first funds expended.

**Part I – Refunds.** The City shall refund any Public Safety Impact Fees paid, plus any interest earned, when (i) the development activity does not occur and the payee files a written request for a refund; or (ii) the fees have not been spent or encumbered within the “Time of Expenditure” as defined herein. An impact that would preclude a payee from a refund may include any impact reasonably identified by the City, including, but not limited to, the City having sized facilities

and/or paid for, installed and/or caused the installation of facilities based in whole or in part upon the anticipated development activity.

**Part J – Fees and Costs.** The Public Safety Impact Fees authorized are separate from and in addition to user fees and other charges lawfully imposed by the City.

**Part K – Impact Fees Effective at Time of Payment.** Unless the City is otherwise bound contractually, the Public Safety Impact Fee shall be determined applying Part C and Table 1 herein in effect at the time of development activity approval.

**Part L – Imposition of Additional Fee or Refund after Development.** Should any development activity occur that the ultimate number of units is not revealed to the City either through inadvertence, neglect, a change in plans, or any other cause, and/or the Public Safety Impact Fee is not calculated or imposed against all units, the City shall be entitled to recover the total Public Safety Impact Fee pursuant to Part C covering the units for which a Public Safety Impact Fee was not previously paid.

**Part M – Other Public Safety Impact Fee Matters.** For all other matters relating to Public Safety Impact Fees the City may exercise judgement and discretion as guided by the Act. All actions and decisions of the City in calculating, imposing, accounting, and administering Public Safety Impact Fees shall be consistent with the Act.

**Section 5. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 6. Effective Date.** This ordinance shall become effective upon publication or posting or 30 days after final passage, whichever is closer to the date of final passage. The calculation and imposition of the Public Safety Impact Fee provided by this Ordinance shall not occur sooner than 90 calendar days following the Effective Date of this Ordinance.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS \_\_\_\_\_ DAY OF JULY, 2016.**

**ATTEST:**

**DRAPER CITY**

\_\_\_\_\_  
**Rachelle Conner, City Recorder**

**By:**

\_\_\_\_\_  
**Mayor Troy K. Walker**

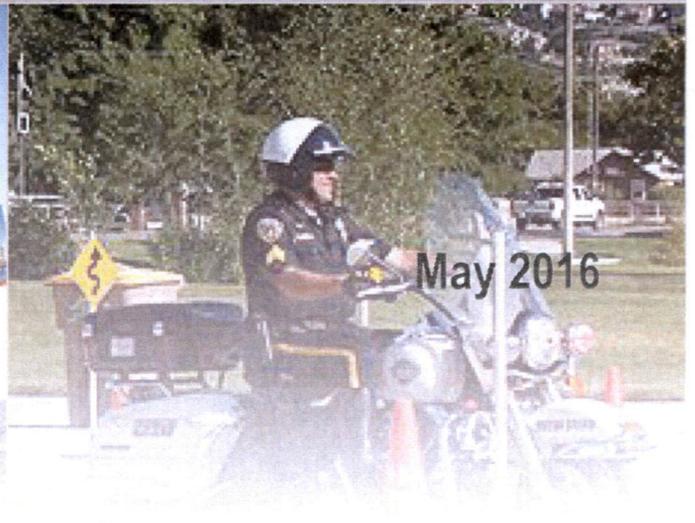
**EXHIBIT A**

**PUBLIC SAFETY IMPACT FEE FACILITIES PLAN  
AND  
PUBLIC SAFETY IMPACT FEE ANALYSIS**

# DRAPER CITY, UT

PUBLIC SAFETY  
IMPACT FEE FACILITY PLAN (IFFP)  
IMPACT FEE ANALYSIS (IFA)

# NOTICING DRAFT



  
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NOTICING DRAFT

**IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS CERTIFICATION**

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**IFFP Certification**

Lewis Young Robertson & Burningham, Inc. ("LYRB") certifies 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;
  - 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, complies in each and every relevant respect with the Impact Fees Act.

**IFA Certification**

LYRB certifies that the Impact Fee Analysis ("IFA") prepared for fire and police services:

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.

LYRB makes this certification with the following caveats:

1. All of recommendations for capital improvements identified in the IFA are completed by City Staff and elected officials.
2. If all or a portion of the IFA is modified or amended, 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 1: EXECUTIVE SUMMARY**

The purpose of the fire and police Impact Fee Facilities Plans (“IFFP”), with supporting Impact Fee Analyses (“IFA”), is to fulfill the requirements established in Utah Code Title 11 Chapter 36a, the “Impact Fees Act”, and help the City of Draper (the “City”) plan necessary capital improvements for future growth. This document will address the future public safety infrastructure needed to serve the City within the IFFP planning horizon, as well as the appropriate impact fees the City may charge to new growth to maintain the level of service.

- ☞ **Impact Fee Service Area:** The Service Area for fire and police impact fees includes the City boundary.
- ☞ **Demand Analysis:** The demand units utilized in this analysis are calls for fire and police service. It is anticipated that future growth will affect the City’s existing services through the increase in calls for fire and police service.
- ☞ **Level of Service (LOS):** For public safety facilities, LOS is typically expressed in current building square feet (SF) per call or per officer and response times. The current fire LOS is 7.63 SF per call, and the current police LOS is 0.78 SF per call, 370 SF per officer, and 2.10 officers per 1,000 residents. The City believes the current fire facilities to be sufficient to service all fire calls through 2040 and does not plan to perpetuate this current LOS in the future, resulting in an adopted LOS of 4.25 SF per call in 2040, which is below the existing LOS. Thus, this analysis will include a buy-in to the existing stations only. The City believes the existing police facilities, along with the completion of the public safety wing and purchase of an off-site garage facility, will be sufficient to serve all police calls through 2040. Therefore, the City does not plan to perpetuate the current LOS in the future, resulting in an adopted LOS of 344 SF per officer and 0.73 SF per call in 2040, which is below the existing LOS. Thus, an impact fee will be charged to buy-in to the existing police facilities, as well as a proportionate share of the new facilities.
- ☞ **Excess Capacity:** Excess capacity exists in the current three fire stations. It is anticipated that new development will buy-in to a proportionate share of the existing facility costs. The City anticipates the current fire stations will serve future calls through 2040. Excess capacity also exists in the public safety wing of City Hall Building, which houses the police department. New development will buy-in to a proportionate share of the existing facility, as well as the cost associated with the completion of 6,000 unfinished SF in the public safety wing and off-site garage facility.
- ☞ **Capital Facilities Analysis:** Based on the current available capacity within the fire infrastructure, no future fire facilities have been planned by the City. The police department anticipates the construction of an off-site garage facility and the completion of 6,000 unfinished SF in the public safety wing. The total cost attributed to new development for these facilities is \$287,364, or 37 percent of the total cost, based on the proportion of calls generated by new development.
- ☞ **Outstanding Debt:** The City issued the Series 2007 Lease Revenue Bond to fund the construction of Fire Station 122 and to refund the Series 2002 bond. The outstanding principle at the end of fiscal year 2015 was \$1,584,000. The police department has no outstanding debt. The outstanding principle is an impact fee eligible expense and is included in the determination of existing value as it relates to fire facilities.

**PROPOSED FIRE AND POLICE IMPACT FEES**

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. This study utilizes a **plan-based methodology** in determining proportional impacts. Under this methodology, impact fees are calculated based on a defined set of costs, as identified in a capital plan and IFFP as growth related system improvements, specified for future development. The total system costs are divided by the total demand units the improvements are designed to serve. In the event that the City does not plan to construct additional facilities in the future to serve new growth, a buy-in component can be considered. Under this methodology, it is important to identify the existing LOS and determine the excess capacity in existing facilities that could serve new growth. Impact fees are then calculated based on many variables centered on proportional share and LOS.

**SUMMARY OF PUBLIC SAFETY IMPACT FEES**

**Table 1.1** details the combined public safety impact fees for fire and police service. For each building unit type, the proposed public safety impact fees results in a reduction from the existing fees.

TABLE 1.1: COMBINED PROPOSED PUBLIC SAFETY IMPACT FEES

	TOTAL IMPACT FEE PER UNIT	EXISTING IMPACT FEE PER UNIT	% CHANGE
<b>Residential</b>			
Single Family Residential	\$174	\$528	(67%)
Multi-Family Residential	\$150	\$177	(16%)
<b>Non-Residential</b>			
Commercial	\$227	\$677	(66%)
Office	\$93	\$649	(86%)
Industrial	\$27	\$81	(67%)



**SUMMARY OF FIRE IMPACT FEES**

Fire impact fees were calculated assuming that all future growth will buy-in to the existing fire facilities. The cost per call was determined by taking the original cost of the existing fire facilities and dividing it over the total estimated number of private calls in 2040. Based on this analysis, new development is responsible for 37 percent of the original facility costs, as shown in **Table 1.2**. The impact fee cost per call also includes the cost for professional services, as well as a credit from the existing Impact Fee Fund balance. **Section 6** further details the calculation of this impact fee.

TABLE 1.2: FIRE IMPACT FEE COST PER CALL

	GROWTH RELATED COST	% TO IFFP	COST TO IFA	TOTAL CALLS	COST PER CALL
Existing Stations and Facilities	\$7,557,331	37%	\$2,777,373	2,584	\$1,075
Professional Expense	\$9,160	100%	\$9,160	2,584	\$4
Impact Fee Fund Balance	(1,632,392)	100%	(\$1,632,392)	2,584	(\$632)
<b>Impact Fee Cost</b>	<b>\$5,934,099</b>		<b>\$1,154,141</b>		<b>\$447</b>

The cost per call is then multiplied by the calls per unit for each development type as shown in **Table 1.3**. The fire impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 1.3: PROPOSED FIRE IMPACT FEE SCHEDULE

	COST PER CALL	CALLS PER UNIT	TOTAL IMPACT FEE PER UNIT	EXISTING IMPACT FEE	% CHANGE
<b>Residential</b>					
Single Family Residential	\$447	0.16	\$71	\$310	(77%)
Multi-Family Residential	\$447	0.17	\$75	\$107	(30%)
<b>Non-Residential</b>					
Commercial	\$447	0.22	\$97	\$410	(76%)
Office	\$447	0.11	\$47	\$542	(91%)
Industrial	\$447	0.01	\$5	\$43	(88%)

**SUMMARY OF POLICE IMPACT FEES**

Police impact fees were calculated assuming that all future growth will buy-in to the existing public safety wing and pay a proportionate share of the completion of 6,000 unfinished SF in the public safety wing and an off-site garage facility. The cost per call was determined by taking the original cost of the existing police facilities and dividing it over the total estimated number of private calls in 2040. Based on this analysis, new development is responsible for 37 percent of the original facility costs, as shown in **Table 1.4**. The impact fee cost per call also includes the cost for professional services, as well as a credit from the existing Impact Fee Fund balance. **Section 6** further details the calculation of this impact fee.

TABLE 1.4: POLICE IMPACT FEE COST PER CALL

	GROWTH RELATED COST	% TO IFFP	COST TO IFA	TOTAL CALLS	COST PER CALL
Existing Facilities	\$4,170,401	37%	\$1,523,927	12,466	\$122
New Facilities	\$786,405	37%	\$287,364	12,466	\$23
Professional Expense	\$9,160	100%	\$9,160	12,466	\$1
Impact Fee Fund Balance	(300,000)	100%	(\$300,000)	12,466	(\$24)
<b>Impact Fee Cost</b>	<b>\$4,665,966</b>		<b>\$1,520,451</b>		<b>\$122</b>

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit, for each development type as shown in **Table 1.5**. The police impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 1.5: PROPOSED POLICE IMPACT FEE SCHEDULE

	COST PER CALL	CALLS PER UNIT	TOTAL IMPACT FEE PER UNIT	EXISTING IMPACT FEE	% CHANGE
<b>Residential</b>					
Single Family Residential	\$122	0.84	\$102	\$218	(53%)
Multi-Family Residential	\$122	0.61	\$75	\$71	6%
<b>Non-Residential</b>					
Commercial	\$122	1.06	\$130	\$267	(51%)
Office	\$122	0.38	\$46	\$107	(57%)
Industrial	\$122	0.17	\$21	\$38	(44%)



### NON-STANDARD FIRE AND POLICE 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>1</sup> This adjustment could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use. The formula for determining a non-standard impact fee is as follows:

☰ **Fire: Estimate of Calls per Unit x \$447 (Fire Cost per Call) = Fire Impact Fee**

☰ **Police: Estimate of Calls per Unit x \$122 (Police Cost per Call) = Police Impact Fee**

# NOTICING DRAFT

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<sup>1</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 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 this analysis. 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.

**LOS ANALYSIS**

The demand placed upon existing public facilities by existing development is known as the existing "Level of Service" ("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 analysis provides an inventory of the City's existing system facilities. 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 of system improvements, which may be used to finance system improvements.<sup>2</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>3</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 maintain the proposed LOS (UCA 11-36a-302).

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

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



## SECTION 3: SERVICE AREA AND DEMAND ANALYSIS

### SERVICE AREA

Utah Code requires the impact fee enactment to establish one or more Service Areas within which impact fees will be imposed.<sup>4</sup> The Service Area for fire and police impact fees is coterminous with the City boundary.

#### DEVELOPMENT BY PROPERTY TYPE

Table 3.1 summarizes the City's existing and projected residential dwelling units, and the developed and undeveloped non-residential land uses. The estimate of undeveloped units is based on traffic area zone (TAZ) data compiled for the City.

TABLE 3.1: DEVELOPMENT BY PROPERTY TYPE

	UNIT	DEVELOPED UNITS OR 1,000 SF	UNDEVELOPED UNITS OR 1,000 SF	TOTAL
<b>Residential</b>				
Single Family Residential	per Unit	9,593	8,346	17,939
Multi-Family Residential	per Unit	3,002	2,629	5,631
<b>Subtotal Residential:</b>		<b>12,595</b>	<b>10,976</b>	<b>23,571</b>
<b>Non-Residential</b>				
Commercial	per 1,000 SF	3,258	759	4,016
Office	per 1,000 SF	2,998	5,375	8,373
Industrial	per 1,000 SF	2,988	6,030	9,018
<b>Subtotal Non Residential:</b>		<b>9,244</b>	<b>12,163</b>	<b>21,407</b>
<b>Total</b>		<b>21,839</b>	<b>23,139</b>	<b>44,978</b>

The IFFP, in conjunction with the IFA, is designed to accurately assess the true impact of a particular user upon the City's infrastructure and prevent existing users from subsidizing new growth or for new growth to pay for existing system deficiencies. Impact fees should be used to fund the costs of growth-related capital infrastructure based upon the historic funding of the existing infrastructure and the intent of the City to equitably allocate the costs of growth-related infrastructure in accordance with the true impact that a user will place on the system.

### DEMAND UNITS

The demand units for this analysis are calls for service. The demand analysis identifies the existing demand within the Service Area, as well as the future demand that will affect public facilities over the planning horizon of the IFFP. Existing call data was analyzed in relation to the current land-use within the City to determine the current LOS by land-use type. Call data was collected from 2014 and 2015 to determine the average calls for residential and non-residential development.

#### FIRE DEMAND

Fire call data was provided by the Unified Fire Authority through the Valley Emergency Command Center (VECC). The call data represents each vehicle responding to a call. Thus, calls with a multiple vehicle response is weighted more heavily than a call with a single vehicle on scene. An average of 3,109 calls for service were attributed to residential and non-residential development. These calls are considered private as they were mapped to parcels classified as either a residential or commercial property type. In contrast, 806 calls are considered public, including those calls made from government buildings, parks, highways, road intersections, etc. The total number of annual historic public and private calls is 3,915.

The call ratio analysis establishes the existing LOS for residential and non-residential land uses. A review of existing businesses in the City shows a mix of business types. This suggests the call data is based on a variety of businesses that reflect a cross-section of the types of business that will likely continue to develop in the City. The calls per unit are derived by dividing the total historic calls by the developed units as shown in Table 3.2.

<sup>4</sup> UC 11-36a-402(a)



TABLE 3.2: HISTORIC AND PROJECTED FIRE CALLS PER UNIT

	UNIT	HISTORIC CALLS	CALLS PER UNIT	ADDITIONAL CALLS TO 2040	CALLS IN 2040
<b>Residential</b>					
Single Family Residential	per Unit	1,539	0.160	1,335	2,874
Multi-Family Residential	per Unit	504	0.168	442	946
Subtotal Residential:		2,043		1,777	3,820
<b>Non-Residential</b>					
Commercial	per 1,000 SF	711	0.218	165	876
Office	per 1,000 SF	318	0.106	570	888
Industrial	per 1,000 SF	36	0.012	72	108
Subtotal Non-Residential:		1,066		807	1,873
<b>Total Private Calls</b>		<b>3,109</b>		<b>2,584</b>	<b>5,693</b>
Public		806		532	1,338
<b>Total Calls</b>		<b>3,915</b>		<b>3,116</b>	<b>7,031</b>
<b>New Private Calls as Percent in 2040</b>				<b>37%</b>	

\*The City defines multi-family units as all dwellings that are not single family detached. Due to their mix of single family detached and single family attached units, PUDs were excluded from the proportionality analysis when determining the percentage of calls attributed to each development type. However, these percentages were then multiplied by total calls to ensure all calls were included in this analysis.

In order to determine the demand placed upon existing facilities, this analysis projects the additional call volume that undeveloped land uses will generate. The additional calls to 2040 are derived from the product of the calls per unit and the undeveloped units or 1,000 SF. The City anticipates an additional 3,116 calls in 2040. The total calls in 2040 is 7,031. It is anticipated that new development will result in an additional 2,584 annual calls on average, comprising 37 percent of the total calls in 2040.

**POLICE DEMAND**

Police call data was provided by the Draper City Police Department. An average of 14,971 calls for service were attributed to residential and non-residential development. These calls are considered private as they were mapped to parcels classified as either a residential or commercial property type. In contrast, 4,032 calls are considered public, including those calls made from government buildings, parks, highways, road intersections, etc. The total number of annual historic public and private calls is 19,004.

The call ratio analysis establishes the existing LOS for residential and non-residential land uses. A review of existing businesses in the City shows a mix of business types. This suggests the call data is based on a variety of businesses that reflect a cross-section of the types of business that will likely continue to develop in the City. The calls per unit are derived by dividing the total historic calls by the developed units as shown in Table 3.3.

TABLE 3.3: HISTORIC AND PROJECTED POLICE CALLS PER UNIT

	UNIT	HISTORIC CALLS	CALLS PER UNIT	ADDITIONAL CALLS TO 2040	CALLS IN 2040
<b>Residential</b>					
Single Family Residential	per Unit	8,027	0.837	6,986	15,013
Multi-Family Residential	per Unit	1,836	0.612	1,609	3,445
Subtotal Residential:		9,863		8,595	18,458
<b>Non-Residential</b>					
Commercial	per 1,000 SF	3,464	1.063	806	4,270
Office	per 1,000 SF	1,124	0.375	2,016	3,140
Industrial	per 1,000 SF	521	0.174	1,049	1,570
Subtotal		5,108		3,871	8,979
<b>Total Private Calls</b>		<b>14,971</b>		<b>12,466</b>	<b>27,437</b>
Public		4,032		2,645	6,677
<b>Total Calls</b>		<b>19,004</b>		<b>15,111</b>	<b>34,115</b>
<b>New Private Calls as Percent in 2040</b>				<b>37%</b>	

\*The City defines multi-family units as all dwellings that are not single family detached. Due to their mix of single family detached and single family attached units, PUDs were excluded from the proportionality analysis when determining the percentage of calls attributed to each development type. However, these percentages were then multiplied by total calls to ensure all calls were included in this analysis.



In order to determine the demand placed upon existing facilities, this analysis projects the additional call volume that undeveloped land uses will generate. While the total public calls are projected in **Table 3.3**, they will not be used to calculate the proportionate cost of the existing facilities. The additional calls to 2040 are derived from the product of the calls per unit and the undeveloped units or 1,000 SF. The City anticipates an additional 15,111 calls in 2040. The total calls in 2040 is 34,115. It is anticipated that new development will result in an additional 12,466 annual calls on average, comprising 37 percent of the total calls in 2040.

# NOTICING DRAFT



**SECTION 4: EXISTING FACILITIES INVENTORY AND LOS**

**EXISTING FIRE INFRASTRUCTURE VALUE**

**FIRE FACILITIES**

Based on information provided by Unified Fire Authority and the City, the following stations are in operation:

- ☞ Station 105 located at 780 East 12300 South
- ☞ Station 114 located at 14324 South Fire House Road
- ☞ Station 122 located at 14903 South Deer Ridge Road

In order to quantify the demands placed upon the existing fire facilities by new development, the IFFP provides an inventory of the City's existing facilities. To the extent possible, the inventory includes the original construction amount, as well as improvements, which increase the useful life of the station. The fire infrastructure includes buildings and apparatus greater than \$500,000. Fire engines costing more than \$500,000 may be included in the valuation; however, the City does not own any such engines. **Table 4.1** includes the cost of existing facilities.

TABLE 4.1: FIRE FACILITY COSTS

FACILITY	YEAR BUILT	SF	% TO FIRE	TOTAL SF	ORIGINAL COST	COST TO FIRE
Fire Station 105	1994	6,700	100%	6,700	\$1,123,807	\$1,123,807
Fire Station 114	2004	13,159	100%	13,159	\$1,933,236	\$1,933,236
Fire Station 122	2009	10,000	100%	10,000	\$4,500,288	\$4,500,288
<b>Total</b>		<b>29,859</b>		<b>29,859</b>	<b>\$7,557,331</b>	<b>\$7,557,331</b>

**MANNER OF FINANCING EXISTING PUBLIC FACILITIES**

The City issued a Series 2007 Lease Revenue Bond for the construction of Fire Station 122 and to refund the Series 2002 bond. Of the debt issued through the Series 2007, 86 percent was attributed to the station construction costs. The outstanding interest for this bond, as of May 2016, was \$1,562,742. Based on the ratio of funds attributed to construction costs, the total outstanding interest related to the fire station is \$1,343,958. This outstanding financing amount has been included in the original cost estimates for Station 122 and is eligible for impact fee buy-in. New growth will be expected to pay its fair share of the existing facilities.

**EXISTING POLICE INFRASTRUCTURE VALUE**

**POLICE FACILITIES**

The police department is housed in the public safety wing of the City Hall Building. The facility includes 6,000 SF of unfinished office space, which will be completed in future years.

In order to quantify the demands placed upon the existing public facilities by new development, the IFFP provides an inventory of the City's existing facilities. The inventory of existing facilities is important to determine the excess capacity of the existing facilities and the utilization of excess capacity by new development. To the extent possible, the inventory valuation should include the original construction amount, as well as improvements, which increase the useful life of the facility. The police infrastructure includes buildings and apparatus greater than \$500,000. Two temporary holding cells totaling 200 SF are excluded from this analysis. **Table 4.2** includes the cost of existing facilities.

TABLE 4.2: POLICE FACILITY COSTS

FACILITY	YEAR BUILT	SF	% TO POLICE	TOTAL SF	ORIGINAL COST	COST TO POLICE
Public Safety Wing	2015	15,000	99%	14,800	\$4,226,758	\$4,170,401
<b>Total</b>		<b>15,000</b>		<b>14,800</b>	<b>\$4,226,758</b>	<b>\$4,170,401</b>

**MANNER OF FINANCING EXISTING PUBLIC FACILITIES**

The police department has no outstanding debt.

**LOS STANDARD**

**FIRE LOS**

LOS for purposes of this analysis is the current building SF per call. Impact fees cannot be used to finance an increase in the LOS to current or future users of the infrastructure. Based on the historic call data, there are approximately 3,915 calls for service annually. This equates to an existing LOS of 7.63 SF of existing facilities per call as shown in **Table 3.4**.



TABLE 3.4: FIRE FACILITIES LOS

	EXISTING LOS	ADOPTED LOS
Total Current SF	29,859	29,859
Average Annual Calls	3,915	7,031
SF Per Call	7.63	4.25
SF Needed to Maintain Current LOS	23,766	-

Based on the existing LOS, a total of 23,766 SF would be necessary to service new development and maintain the same proportionality of SF in 2040. However, the City believes the current fire facilities to be sufficient to service all fire calls through 2040 and does not plan to perpetuate this current LOS in the future, resulting in an adopted LOS of 4.25 SF per call in 2040, which is below the existing LOS. Thus, this analysis will include a buy-in to the existing stations only.

**POLICE LOS**

The current LOS is approximately 2.10 officers per 1,000 residents. Another way to measure LOS is the SF of floor space per officer. Currently, the police department has approximately 370 SF per officer. Based on the historic call data there are approximately 19,004 calls annually. This equates to .78 SF per call as shown in **Table 3.5**.

TABLE 3.5: POLICE FACILITIES LOS

	EXISTING LOS	ADOPTED LOS
Total Facility SF	14,800	24,800
Average Total Calls	19,004	34,115
Sworn Officers (2015)	40	72
Officers per 1K Calls	2.10	2.10
SF per Officer	370	344
SF per Call	0.78	0.73
Future Calls	15,111	15,111
New Officers Needed	32	-
Additional Square Feet Needed (IF Eligible)	11,769	10,000

Based on the current LOS, a total of 11,769 new SF would be necessary to service new development and maintain the same proportionality of square footage in 2040. The City plans to finish 6,000 SF of the public safety wing and purchase an off-site garage facility in order to meet future demand. The City believes the existing police facilities, along with the completion of the public safety wing and purchase of an off-site garage facility, will be sufficient to serve all police calls through 2040. Therefore, the City does not plan to perpetuate the current LOS in the future, resulting in an adopted LOS of 344 SF per officer and .73 SF per call in 2040, which is below the existing LOS. Thus, an impact fee will be charged to buy-in to the existing police facilities, as well as a proportionate share of the new facilities.

NOTICING DRAFT



## SECTION 5: CAPITAL FACILITY ANALYSIS

### FIRE CIP

The demand analysis anticipates an additional 3,116 calls for service in 2040. The City anticipates that all of these calls can be served by the existing fire facilities and thus, does not plan on building additional facilities in the future.

### POLICE CIP

The demand analysis anticipates an additional 15,111 calls for service in 2040. The City anticipates the completion of the unfinished portion of the public safety wing, the construction of an off-site garage facility, and the purchase of a mobile command center to meet future demand. Only a fire suppression vehicle costing greater than \$500,000 may be included in the impact fee calculation, therefore, the mobile command center is excluded from this analysis. **Table 5.1** details the eligible costs to new growth in the IFA.

TABLE 5.1: POLICE FACILITY COSTS

FACILITY	YEAR BUILT	Total SF	Construction Cost Total	Construction Year Cost	% to Police IFA	Impact Fee Eligible Cost	% to IFFP	Cost to Impact Fees
Off-site garage facility	2017	4,000	\$300,000	\$309,000	100%	\$309,000	37%	\$112,913
Unfinished Wing	2018	6,000	\$450,000	\$477,405	100%	\$477,405	37%	\$174,451
Mobile Command Center	2018		\$350,000	\$371,315	-	-	-	-
<b>Total</b>		<b>10,000</b>	<b>\$1,100,000</b>	<b>\$1,157,720</b>		<b>\$786,405</b>		<b>\$287,364</b>

The cost to impact fees represents the proportionate share of new facility costs that are attributed to new growth. The percentage attributed to new growth is 37 percent, derived from the additional private calls projected to 2040 divided by the total calls projected in 2040 (See **Table 3.3**).

NOTICING DRAFT

### SYSTEM VS. PROJECT IMPROVEMENTS:

System improvements are defined as existing and future public facilities designed to provide services to Service Areas within the community at large.<sup>5</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>6</sup> To the extent possible, this analysis only includes the costs of system improvements related to new growth within the proportionate share analysis.

### FUNDING OF FUTURE FACILITIES

The IFA must also include a consideration of all revenue sources, including impact fees and the dedication of system improvements, which may be used to finance system improvements.<sup>7</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>8</sup> Since no new facilities are included in this analysis, future funding mechanisms are not analyzed.

### PROPERTY TAX REVENUE

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. The City does not currently assess interest on money borrowed from the general fund; however, the City may adopt a policy to do so.

### GRANTS AND DONATIONS

Should the City receive grant money to fund police facilities, the impact fees will need to be adjusted accordingly to reflect the grant monies received. A donor will be entitled to a reimbursement for the value of the improvements funded through impact fees if donations are made by new development. Section 6 further addresses developer donations.

<sup>5</sup> UC 11-36a-102(20)  
<sup>6</sup> UC 11-36a102(13)  
<sup>7</sup> 11-36a-304(2)(c)  
<sup>8</sup> 11-36a-302(3)



### PROPOSED CREDITS OWED TO DEVELOPMENT

The Impact Fees Act requires a local political subdivision or private entity to ensure that the 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.<sup>9</sup> The facilities must be considered system improvements or be dedicated to the public, and offset the need for an improvement identified in the IFA.

### IMPACT FEE REVENUE

Impact fees are a valid mechanism for funding growth-related infrastructure. Impact fees are 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

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.

### 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.

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<sup>9</sup> 11-36a-402



**SECTION 6: FIRE IMPACT FEE CALCULATION**

The calculation of impact fees relies upon the information contained in this analysis. The following briefly discusses the methodology for calculating public safety impact fees. The impact fees proposed in this analysis will be assessed within all areas of the City. The cost per call for the existing facilities is the basis for the maximum impact fees per land use category.

**PROPOSED FIRE IMPACT FEE**

Fire impact fees were calculated assuming that all future growth will buy-in to the existing fire facilities. As shown in **Section 3**, it is anticipated that new development will result in an additional 2,584 private annual calls on average, comprising 37 percent of the total calls in 2040. Based on this analysis, new development is responsible for 37 percent of the original facility costs, as shown in **Table 6.1**. The impact fee analysis also includes the cost for professional services, which is the actual cost to update the IFFP and IFA, for which the City can receive reimbursement. Additionally, the impact fee fund balance has been applied as a credit in the impact fee calculation that decreased the fee per call by \$632, resulting in a total cost per call of \$447.

TABLE 6.1: FIRE IMPACT FEE COST PER CALL

	GROWTH RELATED COST	% TO IFFP	COST TO IFA	TOTAL CALLS	COST PER CALL
Existing Stations and Facilities	\$7,557,331	37%	\$2,777,373	2,584	\$1,075
Professional Expense	\$9,160	100%	\$9,160	2,584	\$4
Impact Fee Fund Balance	(\$1,632,392)	100%	(\$1,632,392)	2,584	(\$632)
<b>Impact Fee Cost</b>	<b>\$5,934,099</b>		<b>\$1,154,141</b>		<b>\$447</b>

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in **Table 6.2**. The total cost per call includes the cost per call for facilities, the Impact Fee Fund balance credit, and professional expense. The fire impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 6.2: RECOMMENDED FIRE IMPACT FEE SCHEDULE

	COST PER CALL	CALLS PER UNIT	TOTAL IMPACT FEE PER UNIT	EXISTING IMPACT FEE	% CHANGE
<b>Residential</b>					
Single Family Residential	\$447	0.16	\$71	\$310	(77%)
Multi-Family Residential	\$447	0.17	\$75	\$107	(30%)
<b>Non-Residential</b>					
Commercial	\$447	0.22	\$97	\$410	(76%)
Office	\$447	0.11	\$47	\$542	(91%)
Industrial	\$447	0.01	\$5	\$43	(88%)

**PROPOSED POLICE IMPACT FEE**

Police impact fees were calculated assuming that all future growth will buy-in to the existing public safety wing and pay a proportionate share of the completion of 6,000 unfinished SF in the public safety wing and an off-site garage facility. As shown in **Section 3**, it is anticipated that new development will result in an additional 12,466 private annual calls on average, comprising 37 percent of the total calls in 2040. Based on this analysis, new development is responsible for 37 percent of the original facility costs, as well as the new planned facilities, as shown in **Table 6.3**. The impact fee analysis also includes the cost for professional services, which is the actual cost to update the IFFP and IFA, for which the City can receive reimbursement. Additionally, the impact fee fund balance has been applied as a credit in the impact fee calculation that decreased the fee per call by \$24, resulting in a total cost per call of \$122.

TABLE 6.3: POLICE IMPACT FEE COST PER CALL

	GROWTH RELATED COST	% TO IFFP	COST TO IFA	TOTAL CALLS	COST PER CALL
Existing Stations and Facilities	\$4,170,401	37%	\$1,523,927	12,466	\$122
New Facilities	\$786,405	37%	\$287,364	12,466	\$23
Professional Expense	\$9,160	100%	\$9,160	12,466	\$1
Impact Fee Fund Balance	(300,000)	100%	(\$300,000)	12,466	(\$24)
<b>Impact Fee Cost</b>	<b>\$4,665,966</b>		<b>\$1,520,451</b>		<b>\$122</b>



The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in **Table 6.4**. The total cost per call includes the cost per call for facilities, the Impact Fee Fund balance credit, and professional expense. The police impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 6.4: RECOMMENDED POLICE IMPACT FEE SCHEDULE

	COST PER CALL	CALLS PER UNIT	TOTAL IMPACT FEE PER UNIT	EXISTING IMPACT FEE	% CHANGE
<b>Residential</b>					
Single Family Residential	\$122	0.84	\$102	\$218	(53%)
Multi-Family Residential	\$122	0.61	\$75	\$71	6%
<b>Non-Residential</b>					
Commercial	\$122	1.06	\$130	\$267	(51%)
Office	\$122	0.38	\$46	\$107	(57%)
Industrial	\$122	0.17	\$21	\$38	(44%)

**NON-STANDARD FIRE 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>10</sup> This adjustment could result in a different impact fee if the City determines that a particular user may create a different impact than what is standard for its land use.

**ADDITIONAL CONSIDERATIONS**

**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 X 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 those projects outlined in the IFFP or IFA as growth related costs to maintain the LOS.

**GROWTH-DRIVEN EXTRAORDINARY COSTS**

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

**SUMMARY OF TIME PRICE DIFFERENTIAL**

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 of three percent per year is applied to each project based on its construction year. The City has also included the interest cost associated with its outstanding bonds.

NOTICING DRAFT

<sup>10</sup> 11-36a-402(1)(c)