ORDINANCE NO. 17-21 (8-22-17)

AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS, UTAH, AMENDING THE STORM DRAIN IMPACT FEE FACILITIES PLAN, STORM DRAIN IMPACT FEE ANALYSIS, AND STORM DRAIN IMPACT FEE

WHEREAS, on May 17, 2017 the City properly noticed its intent to update its Storm Drain Impact Fee Facilities Plan and Impact Fee Analysis and to amend its Storm Drain impact fees; and

WHEREAS, Bowen Collins & Associates, Inc. has re-assessed the level of Storm Drain facility service that is currently provided to existing residents, the excess capacity in the existing Storm Drain facilities infrastructure that is available to accommodate new growth without diminishing the current level of service provided to existing residents and the elements and cost of additional Storm Drain facilities that will be required to maintain the current level of service as projected grown occurs in the impact fee expenditure period; a copy of the 2017 Amended Storm Drain Impact Fee Facilities Plan, dated June 23, 2017 is attached hereto as Exhibit "A"; and

WHEREAS, Bowen Collins certified its work as compliant with Utah Code § 11-36a-306; and

WHEREAS, the City has caused a Storm Drain Facilities Impact Fee Analysis to be prepared by Zions' Public Finance; and

WHEREAS, Zions Public Finance has identified a maximum Storm Drain facilities impact fee based on the Storm Drain Impact Fee Facilities Plan; a copy of the Storm Drain Impact Fee Facilities Analysis prepared by Zions' Public Finance, dated July 10, 2017, is attached hereto as Exhibit "B"; and

WHEREAS, the City properly noticed its intent to amend the certified Storm Drain Impact Fee Facilities Plan and Analysis as well as its intent to hold a public hearing and possibly adopt this Ordinance; and

WHEREAS, the City of Saratoga Springs is a fourth class city of the State of Utah, authorized and organized under the provisions of Utah law and is authorized pursuant to the Impact Fee Act, Utah Code § 11-36a-101 *et seq.* to adopt Storm Drain facilities impact fees; and

WHEREAS, on August 8, 2017, a full copy of the proposed amended Storm Drain Impact Fee Facilities Plan, the amended Storm Drain Impact Fee Analysis, this Storm Drain Impact Fee Enactment or Ordinance, along with an executive summary of the Storm Drain Impact Facilities Plan and Analysis that was prepared in a manner to be understood by a law person, were made available to the public at the Saratoga Springs public Library, posted on the City's website, and the Utah Public Notice Website; and

WHEREAS, on August 8, 2017, the Provo Daily Herald published notice of the date, time, and place of the first public hearing to consider the Storm Drain Impact Fee Facilities Plan, Analysis, and Enactment; and

WHEREAS, on August 22, 2017, the City Council held a public hearing regarding the proposed and certified Storm Drain Impact Fee Facilities Plan, Storm Drain Impact Fee Analysis, and a draft of this Storm Drain Facilities Impact Fee Ordinance; and

WHEREAS, after careful consideration and review of the comments at the public hearing and the comments of the participants, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of Saratoga Springs to adopt the amended Storm Drain Impact Fee Facilities Plan and Analysis as proposed, and in a manner that is consistent with the Impact Fees Act, enact this Ordinance to amend its current Storm Drain impact fees; provide for the calculation and collection of such fees, authorize a means to consider and accept an independent fee calculation for atypical development requests, provide for an appeal process consistent with the Impact Fees Act, and update its accounting and reporting method.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Saratoga Springs, Utah as follows:

SECTION I – AMENDED STORM DRAIN IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS

The amended Storm Drain Impact Fee Facilities Plan and Storm Drain Impact Fee Analysis attached hereto as Exhibits A and B are hereby adopted and incorporated herein.

SECTION II – AMENDMENTS TO IMPACT FEE AND CITY CODE

The following amendments to Chapter 7.04 of the City Code are hereby made effective 90 days from the date of this enactment. Changes are shown are underlines and strikethroughs.

7.04.01. Definitions.

As used in this Chapter the following terms shall have the meanings herein set out:

1. **"City"** means the City of Saratoga Springs and its incorporated boundaries.
2. **"Development Activity"** or **"new development"** means any subdivision of land, Or any construction or expansion of a building, structure, or surface use of land that creates additional demand and need for Storm Drain Facilities on any land for which a storm drain impact fee has not been paid.
3. **"Gross Lot Acreage"** means the sum of the area of a subdivided lot plus its proportionate share of area within the subdivision that is not within a subdivided lot:

GLA =lot area + (common* area/# subdivision lots)

4. **"Storm Drain Impact Fees"** means the Impact Fees adopted and imposed by this Chapter on Development Activity within the City and as allowed by Utah Code Chapter 11-36a.
5. **"Storm Drain Facilities"** means the capital facilities identified in the 2015 Storm Drain Impact Fee Facilities Plan dated May 2015 as modified by the "2017 Amendment to Storm Drain Impact Fee Facilities Plan" dated June 23, 2017 and authored by Bowen, Collins & Associates, both which are on file with the City Recorder.
6. **"Utah Impact Fees Act"** means Utah Code Chapter 11-36a.

(Ord. 17-21; Ord. 15-25)

7.04.02. Findings and Purpose.

The City Council hereby finds and determines:

1. There is a need to update the City's storm drain facilities impact fee to meet the requirements of the Utah Impact Fees Act and to maintain the level of service for storm water drainage proposed in the Storm Drain Impact Fee Facilities Plan dated May 2015, as modified by the 2017 Amendment to Storm Drain Impact Fee Facilities Plan dated June 23, 2017 ("2017 Amendment"), and the Storm Drain Impact Fee Analysis dated July 10, 2017, all of which are on file with the City Recorder.

2. The 2015 Storm Drain Impact Fee Facilities Plan and 2017 Amendment and the 2017 Storm Drain Impact Fee Analysis identify the:
    a. projected development activity in the City through 2025,
    b. level of service for storm drain facilities that the City currently provides to existing residents;
    c. excess storm drain facilities capacity that is available to serve new growth in the existing infrastructure;
    d. proposed level of service for the City, which is identical to the existing level of service for current residents;
    e. additional capital facilities that are required to maintain the level of service without burdening existing residents with costs of new development activity; and the
    f. maximum fee justified by the study.

(Ord. 17-21; Ord. 15-25)

7.04.03. Adoption of Storm Drain Impact Fee Facilities Plan and Storm Drain Impact Fee Analysis.

The City Council hereby approves and adopts the 2015 Storm Drain Impact Fee Facilities Plan and 2017 Amendment and the 2017 Storm Drain Impact Fee Analysis reflected therein and the methodology used for calculation of the Impact Fees imposed by this Chapter for the Public Facilities covered by this Chapter.

(Ord. 17-21; Ord. 15-25)

7.04.04. Adoption and Imposition of Storm Drain Impact Fee.

The City Council hereby approves and imposes and levies on all Development Activity the Impact Fee for storm drain system facilities in the amount of $1,776.04per acre.

(Ord. 17-21; Ord. 15-25)

7.04.05. Service Area Established.

There is a single, citywide service area for storm drain facilities.

(Ord. 15-25)

7.04.06. Time of Collection.

1. For all new subdivision development applications filed on or after the Storm Drain Facilities Impact Fees imposed by this Chapter shall be paid prior to plat recordation, at a rate of $1,776.04 per subdivided acre.

   Example:

   The Storm drain Facilities Impact Fee for the subdivision of 22.43 acres is calculated as follows:

   $1,776.04/acre x 22.43 acres = $39,836.58

2. For development activity on undeveloped land for which a storm drain facilities impact fee was not charged as a condition of subdivision development, the Storm Drain Facilities Impact Fees imposed by this Chapter is due prior to the issuance of a building permit, at a rate of $1,776.04 per Gross Lot Acreage.

   Example:

   The Storm Drain Facilities Impact Fee for the development of a quarter acre lot in a vested 60-lot subdivision within a plat with 5.2 acres of land that is outside of the individually platted lots is calculated as follows:

   GLA = 0.25 acres. + (5.2 sq. ft. -c 60 lots) = 0.3367 acres
   0.3367 acres x $1,776.04/acre = $597.994

3. For new development activity on land for which a Storm Drain Facilities Impact Fee has been paid, the storm drain facilities impact fee is zero.

4. For a plat amendment or boundary adjustment that does not increase the area of a subdivision the storm drain facilities impact is zero.

(Ord. 17-21; Ord. 15-25)

7.04.07. Use of Impact Fees.

Storm Drain Facilities Impact Fees collected by the City shall be used solely to:

1. pay for the Storm Drain Facilities provided for in the 2015 Storm Drain Impact Fee Facilities Plan and 2017 Amendment;
2. reimburse the City for a existing storm drain facilities with excess capacity for growth identified in the 2015 Storm Drain Impact Fee Facilities Plan and 2017 Amendment; and
3. reimburse developers who construct or dedicate facilities identified in the 2015 Storm Drain Impact Fee Facilities Plan and 2017 amendment in lieu of city construction of the same facilities.

(Ord. 17-21; Ord. 15-25)

7.04.08. Adjustments.

The City may adjust the Storm Drain Impact Fees imposed by this Chapter as necessary in order to:

1. respond to unusual circumstances in specific cases;
2. ensure that the Storm Drain Facilities Impact Fees are imposed fairly;
3. adjust the amount of the Storm Drain Facilities Impact Fees to be imposed on a particular development based upon studies and data submitted by the developer that are approved by the City Council; and
4. allow credits, as approved by the City Council, for dedication of land and for improvements to, or construction of, Storm Drain Facilities identified in the 2015 Storm Drain Facilities Impact Fee Facilities Plan and 2017 Amendment that the City has required as a condition of approving the Development Activity.

(Ord. 17-21; Ord. 15-25)

7.04.09. Accounting, Expenditure, and Refunds.

The City shall account for, expend, and refund Storm Drain Impact Fees collected pursuant to this Chapter in accordance with the Utah Impact Fees Act.

(Ord. 17-21; Ord. 15-25)

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code. The amended impact fees shall take effect 90 days from such publication.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code §§ 10-3-710—711, to do as follows:

a. deposit a copy of this ordinance in the office of the City Recorder; and
b. publish notice as follows:
   i. publish a short summary of this ordinance for at least one publication in a newspaper of general circulation in the City; or
   ii. post a complete copy of this ordinance in three public places within the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 22nd day of August, 2017.

Signed: _____
Jim Miller, Mayor

Attest: _____
Cindy LoPiccolo, City Recorder

CITY OF SARATOGA SPRINGS CORPORATE SEAL STATE OF UTAH

VOTE

Shellie Baertsch	aye
Michael McOmber	aye
Chris Porter	aye
Stephen Willden	aye

EXHIBIT A

2017 Amendment to Storm Drain Impact Fee Facilities Plan

Bowen Collins
& Associates, Inc.
CONSULTING ENGINEERS

TECHNICAL MEMORANDUM

2017 Amendment to Storm Drain Impact Fee Facilities Plan

TO: Gordon Miner, P.E./Saratoga Springs

COPIES: File

FROM: Keith Larson P.E., Justin Dietrich E.I.T.
Bowen, Collins & Associates
154 East 14000 South
Draper, Utah 84020

DATE: Updated June 23, 2017

INTRODUCTION

In order to prepare for future growth and provide storm service to its residents, Saratoga Springs (City) retained Bowen Collins & Associates (BC&A) to prepare a Storm Drain Capital Facilities Plan and Impact Fee Facilities Plan. The Capital Facilities Plan (CFP) was completed in March of 2015 and the Impact Fee Facilities Plan (IFFP) was completed in May of 2015. Since the time of the plans adoption, Saratoga Springs has annexed a portion of property on its northeast boundary and seen some changes in the location of projected development that may affect how it constructs future storm drain improvements. The purpose of this memorandum is to amend the plans to reflect these changes.

DEVELOPMENT CHANGES SINCE PLAN ADOPTION

Since the completion of the Capital Facilities and Impact Fee Facitilies Plans, Saratoga Springs has seen several changes in development plans in the City. This includes the following:

- **New Annexation –** An area of Utah County at the north end of Utah Lake annexed into the City. This primarily consists of parcels to the immediate north of 145 North Street (7350 North in Utah County coordinate system). This area was included in the original Capital Facilities Plan as an area of potential future service. However, since it had not yet been annexed into the City, no development was projected to occur in the area in the near future. With the recent annexation of this area, development pressure is expected to be sooner than originally anticipated.
- **Changes in Development Plans –** At the time the original plans were developed, BC&A and City personnel distributed projected development throughout the City based on the best available information regarding the likely areas of development. Since adoption of the plan, some new developments have surfaced while others that seemed likely at the time have not progressed. While this amendment does not change the overall quantity of

projected development, some development has been shifted from one location to another to best capture current plans.

PROPOSED MODIFICATIONS TO THE PLANS

To address the issues identified above, the master plan for storm drain improvements has been modified as follows:

1. **Development of System Level Collection Improvements East of the Jordan River –** With the annexation of additional land on the northeast side of the City, additional storm drain facilities will be required to collect and convey storm water. The area has been divided into drainage basins as shown in Figure 6-1A included in Appendix A of this amendment. Using the same methodology as described in the Capital Facilities Plan, needed system level improvements for the area at buildout have been identified. This includes the following projects:
   a. Project PE2A – Proposed 36-inch pipeline at about 400 North from about 1100 East to approximately 800 East where it transitions to Project PE2B. The recommended design flow for this pipeline is 46 cfs.
   b. Project PE2B – Proposed 48-inch pipeline at about 400 North from approximately 800 East to the Jordan River. The recommended design flow for this pipeline is 76 cfs.
   c. Project PE3 – Proposed 30-inch pipeline in Saratoga Road from about the intersection of Saratoga Road and the Utah Lake Parkway Trail to the Jordan River. The recommended design flow for this pipeline is 26 cfs.
   d. Project PE5 – Proposed 24-inch pipeline collecting flow from north of 145 North and conveying it to Utah Lake. The recommended design flow for this pipeline is 12 cfs.

   Design flows have been based on maximum release rates as currently identified in the City's design standards. Pipe sizes have been calculated for assumed pipe slopes based on existing topography. Both design flows and pipe sizes should be verified during final design.
2. **Identification of System Level Improvements to be Completed in the 10-year Planning Window –** Of the new improvements identified above, only a portion of them are expected to be needed within the planning window of the IFFP. Based on the City's most recent development plans, Projects PE-1, PE2A, PE2B, and PE5 have been added to the list of IFFP improvements to be completed during the next 10 years. These projects are shown in Figure 6-1A. Projects PE-3 and PE-4 are not shown in the figure because they do not fall within the 10-year planning window, but should be considered part of the City's longer-term capital facility plan for potential inclusion in future impact fee facilities plans.
3. **Updated Analysis of Project Costs Attributable to Future Growth –** Based on the most recent development plans available to the City, projected growth during the planning window has been redistributed and the analysis of project costs attributable to future growth has been updated following the same methodology as described in the IFFP. The updated analysis is reflected in Tables ES-3 and 6-1 contained in Appendix A.
4. **Updated Project Costs –** Since the completion of the current IFFP, a number of projects identified in the plan have been constructed. Since these projects are now complete, the estimated costs contained in the original plan can be replaced with the actual cost of construction. In Tables ES-3 and 6-1 (Appendix A), the original estimated costs have been replaced with actual construction costs for the following list of projects. Two additional projects were also completed and are included in the following list.

a. Project CN11 – The estimated cost of $227,540 has been replaced with the actual construction cost of $105,616.
b. Project DBN5 – This project not origionally scheduled within the planning window, but was completed in association with other improvements in the area. Thus, it has been added with an actual construction cost of $94,241.
c. Project OCN2 – The estimated cost of $88,600 has been replaced with the actual construction cost of $107,331.
d. Project PN7 – The estimated cost of $2,248,000 has been replaced with the actual construction cost of $2,723,253.
e. Project CN10 – The estimated cost of $270,400 has been replaced with the actual construction cost of $327,566.
f. Project PN6b – The estimated cost of $487,240 has been replaced with the actual construction cost of $331,909.
g. Project PN18a and PN18b – A portion of Project PN18 has been completed at a cost of $144,380 and has been dubbed PN18a. The uncompleted portion of PN18 is now called PN18b and has an estimated completion cost of $99,900. PN18 has been removed and replaced by these two projects.
h. Project PN13 – This project was originally scheduled outside the planning window, but was completed in association with other improvements in the area. Thus it has now been included with an actual construction cost of $154,820.
i. Project PN1 – The estimated cost of $505,100 has been replaced with the actual construction cost of $0. This is now recorded with no cost because the project was funded by a grant.
j. Portion of Project PN8a – This project is scheduled outside the planning window, but a small portion was completed in association with other improvements in the area. Thus, the completed portion has been added with an actual construction cost of $49,000.
k. Project PN4 – The estimated cost of $306,022 has been replaced with the actual cost of $11,372.

AMENDMENT TO THE PLANS

Based on the changes discussed above, this document amends the May 2015 Impact Fee Facility Plan as follows:

1. Delete Table ES-3 and replace with the table of the same name included in Appendix A.
2. Delete Figure 6-1A and replace with the figure of the same name included in Appendix A.
3. Delete Table 6-1 and replace with the table of the same name included in Appendix A.

As discussed previously, this amendment does not propose any changes to level of service, the planning period, overall system growth projections, or general study methodology. As a result, all other components of the Plan are unchanged.

CERTIFICATION

This amendment has been prepared in accordance with Utah Code Title 11 Chapter 36a (the "Impact Fees Act"), which prescirbes the laws pertaining to Utah municipal impact fee facilities plans and impact fee analyses. The accuracy of this amendment relies upon planning and other source data, which was provided by the City and its designees.

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

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. cost 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.

Keith J. Larson, P.E.

Table ES-3
Impact Fee Facilities Plan - Costs Required for Future Growth

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to Existing	Percent Attributable to 10-year	Percent Attributable to Growth Beyond 10-year
CN11	400 North and Riverside Drive	Complete	$105,616	14.49%	75.00%	10.51%
DBN5	Upsize Det. Basin - Orchard Park	Complete	$94,241	100.00%	0.00%	0.00%
OCN2	Tickville Gulch	Complete	$107,331	10.46%	54.93%	34.61%
OCN3	400 North East of Redwood	Complete	$66,626	14.49%	71.04%	14.47%
PN4	Talus Ridge Phase 2	Complete	$11,372	0.00%	64.11%	35.89%
PN7	Tickville Gulch	Complete	$2,723,253	10.46%	54.93%	34.61%
CN10	Tickville Gulch Redwood Rd	Complete	$327,566	10.46%	54.93%	34.61%
DS1	Harbor Park Way	2016	$1,109,500	40.70%	0.00%	59.30%
OCS1	Village Parkway & Redwood Road	2016	$33,620	18.76%	73.38%	7.86%
PN6a	Pioneer Crossing to Market St.	2016	$562,200	0.00%	24.94%	75.06%
PN6b	Market St. Outfall	Complete	$331,909	0.00%	86.49%	13.51%
PN8a (partial)	1200 N SD Under Pioneer Crossing	Complete	$49,000	0.00%	30.00%	70.00%
PS1	Harbor Parkway	2016	$212,000	24.52%	0.00%	75.48%
PN13	Harvest Moon Dr. 1	Complete	$154,820	97.00%	3.00%	0.00%
OCS2	Clark Canyon	2017	$21,340	11.89%	16.44%	71.67%
PN12	Harvest Hills to Jordan River 1	2017	$851,300	8.91%	88.09%	3.00%
PN18a	SR-73 Phase 1	Complete	$144,380	13.54%	1.70%	84.76%
PN18b	SR-73 Phase 2	2017	$99,900	13.54%	1.70%	84.76%
OCS3	Limekiln Canyon	2018	$32,160	0.00%	0.00%	100.00%
CS3	Redwood Road & Limekiln Canyon	2019	$110,000	0.00%	0.00%	100.00%
PN16	1900 North/Redwood Rd	2019	$11,600	22.92%	21.34%	55.74%
CS12	Village Court Rd.	2020	$110,000	11.09%	52.29%	36.62%
PN1	Redwood Rd. Near Grandview Blvd	2017	$0	52.00%	47.70%	0.30%
PE3	Saratoga road to Jordan River	2018	$993,200	0.00%	29.74%	70.26%
PE2A	~400 N to PE2B	2019	$363,300	18.57%	24.21%	57.22%
PE2B	~400 N to Jordan River	2019	$732,700	18.57%	24.21%	57.22%
PE5	145 North to Utah Lake	2020	$402,000	2.23%	29.07%	68.70%
Total			**$9,760,934**			

Table 6-1
Impact Fee Facilities Plan - Costs Required for Future Growth

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to Existing	Percent Attributable to 10-year	Percent Attributable to Growth Beyond 10-year
CN11	400 North and Riverside Drive	Complete	$105,616	14.49%	75.00%	10.51%
DBN5	Upsize Det. Basin - Orchard Park	Complete	$94,241	100.00%	0.00%	0.00%
OCN2	Tickville Gulch	Complete	$107,331	10.46%	54.93%	34.61%
OCN3	400 North East of Redwood	Complete	$66,626	14.49%	71.04%	14.47%
PN4	Talus Ridge Phase 2	Complete	$11,372	0.00%	64.11%	35.89%
PN7	Tickville Gulch	Complete	$2,723,253	10.46%	54.93%	34.61%
CN10	Tickville Gulch Redwood Rd	Complete	$327,566	10.46%	54.93%	34.61%
DS1	Harbor Park Way	2016	$1,109,500	40.70%	0.00%	59.30%
OCS1	Village Parkway & Redwood Road	2016	$33,620	18.76%	73.38%	7.86%
PN6a	Pioneer Crossing to Market St.	2016	$562,200	0.00%	24.94%	75.06%
PN6b	Market St. Outfall	Complete	$331,909	0.00%	86.49%	13.51%
PN8a (partial)	1200 N SD Under Pioneer Crossing	Complete	$49,000	0.00%	30.00%	70.00%
PS1	Harbor Parkway	2016	$212,000	24.52%	0.00%	75.48%
PN13	Harvest Moon Dr. 1	Complete	$154,820	97.00%	3.00%	0.00%
OCS2	Clark Canyon	2017	$21,340	11.89%	16.44%	71.67%
PN12	Harvest Hills to Jordan River 1	2017	$851,300	8.91%	88.09%	3.00%
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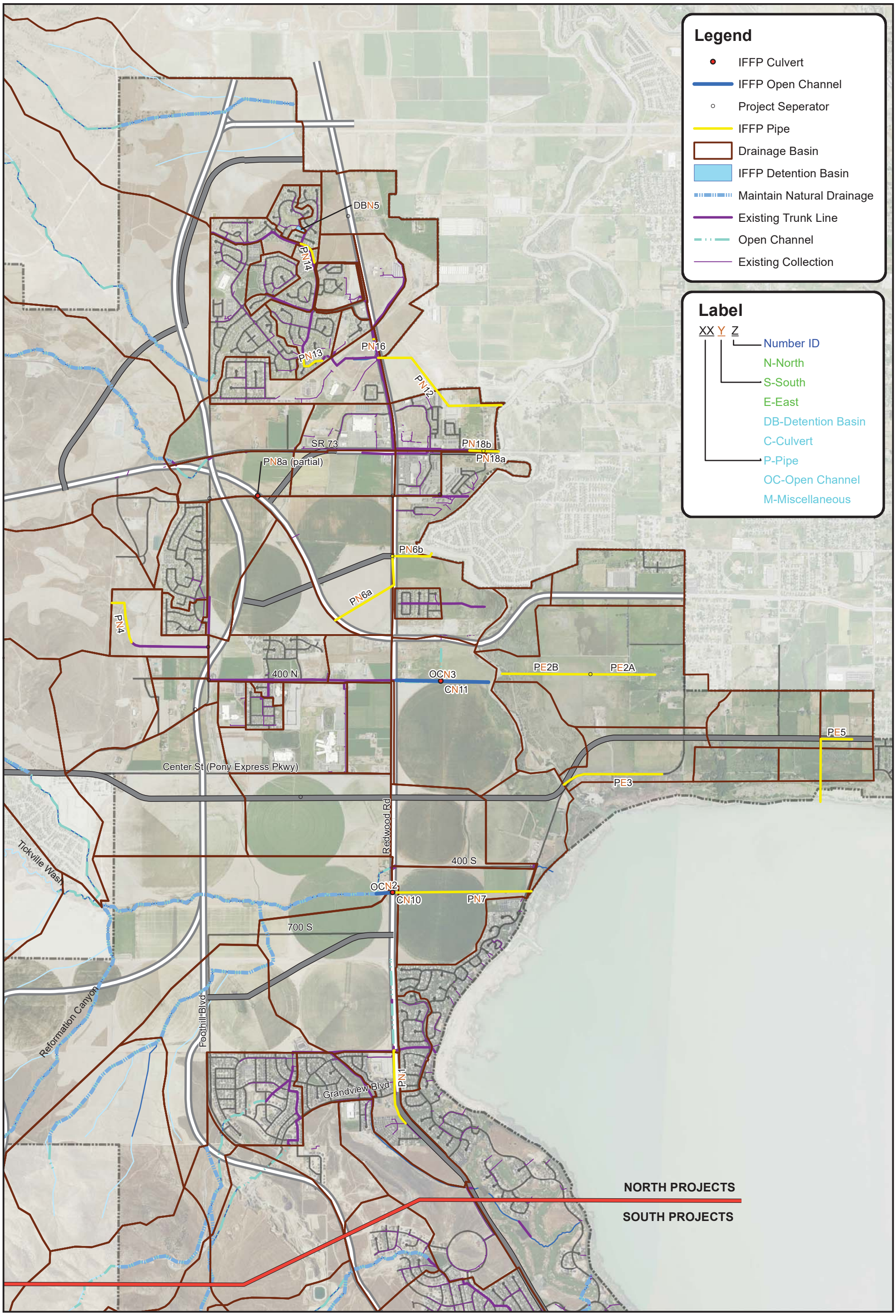
PN18b	SR-73 Phase 2	2017	$99,900	13.54%	1.70%	84.76%
OCS3	Limekiln Canyon	2018	$32,160	0.00%	0.00%	100.00%
CS3	Redwood Road & Limekiln Canyon	2019	$110,000	0.00%	0.00%	100.00%
PN16	1900 North/Redwood Rd	2019	$11,600	22.92%	21.34%	55.74%
CS12	Village Court Rd.	2020	$110,000	11.09%	52.29%	36.62%
PN1	Redwood Rd. Near Grandview Blvd	2017	$0	52.00%	47.70%	0.30%
PE3	Saratoga road to Jordan River	2018	$993,200	0.00%	29.74%	70.26%
PE2A	~400 N to PE2B	2019	$363,300	18.57%	24.21%	57.22%
PE2B	~400 N to Jordan River	2019	$732,700	18.57%	24.21%	57.22%
PE5	145 North to Utah Lake	2020	$402,000	2.23%	29.07%	68.70%
Total			**$9,760,934**			



Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

SARATOGA SPRINGS
STORM DRAIN CAPITAL FACILITIES PLAN

PROPOSED STORM DRAIN PROJECTS

NORTH:

SCALE: 0 625 1,250 2,500 Feet

FIGURE NO. 6-1A

P:\Saratoga Springs\2016 Task 16.1 - Storm Drain Impact Fee Amendment\GIS\Figure 6-1 - Ammended IFFP Proposed Projects.mxd jdietrich 6/23/2017

EXHIBIT B

2017 Storm Drain Impact Fee Analysis

Saratoga Springs

Amended Storm Water Impact Fee Analysis

ZIONS PUBLIC FINANCE, INC.

July 11, 2017

Table of Contents

Table of Contents 2
Summary of Impact Fee Analysis 3
Background Information 3
Impact on Consumption of Existing Capacity 4
Impact on System Improvements by Anticipated New Development 5
Proportionate Share Analysis and Impact Fee Calculation 7
Manner of Financing for Public Facilities 7
Utah Code Legal Requirements 8
Notice of Intent to Prepare Impact Fee Analysis 8
Preparation of Impact Fee Analysis 8
Calculating Impact Fees 9
Certification of Impact Fee Analysis 9
Impact Fee Enactment 9
Consumption of Existing Capacity, Impact on System Improvements and How Impacts are Related to Anticipated Development Activity 10
Growth in Demand 10
Consumption of Existing Capacity by Anticipated New Development 10
Impact on System Improvements by Anticipated New Development 12
Relation of Anticipated Development Activity to Impacts on Existing Capacity and System Improvements 13
Proportionate Share Analysis 13
Costs for Existing Capacity 13
Costs of System Improvements Related to New Development Activity 13
Impact Fee Calculation 14
Manner of Financing, Credits, Etc. 15
Certification 15

Summary of Impact Fee Analysis

Background Information

Saratoga Springs (the City") retained Bowen Collins & Associates to prepare an Amended Impact Fee Facilities Plan (IFFP) for storm water, and retained Zions Public Finance, Inc. to prepare this Amended Impact Fee Analysis (IFA) for the calculation of appropriate storm water impact fees. This Amended IFA relies on the information provided in the Amended IFFP regarding current system capacity and future storm water capital facility needs, cost and timing.

Based on the Amended IFFP, the changes were necessary for the following reasons:

- New Annexation – an area at the north end of Utah Lake was annexed into the City; and
- New Development – while the overall quantity of projected development does not change, some development has been shifted from one location to another to best capture current plans

Service Area. There is one service area in Saratoga Springs for the purpose of calculating storm drain impact fees.

Level of Service. The City requires that all development detain water to a standard limited to 0.2 cfs per acre or the historical runoff for pre-development conditions. Therefore, because the *rate* of flow is controlled, the demand unit for storm water capital facilities is the same for all development types and is calculated based on the development of "acres." Storm water impact fees are charged, at platting, on an acreage basis.

Growth Projections. Over the 10-year time period, Saratoga Springs is expected to grow by 2,734 acres.

TABLE 1: GROWTH PROJECTIONS

	Yearly Developed Acres	Annual Percent Increase	Total Developed Acres
2015			3,225
2016	103	3.2	3,328
2017	215	6.5	3,543
2018	271	7.7	3,814
2019	293	7.7	4,107
2020	316	7.7	4,423
2021	271	6.1	4,694
2022	288	6.1	4,982
2023	306	6.1	5,288
2024	325	6.1	5,613
2025	346	6.2	5,959
Total	**2,734**		

Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a)

According to the IFFP, the existing storm water system improvements are at the following levels of capacity. The value of the excess capacity has been apportioned among all future users, based on the consumption of excess capacity by new development over the ten-year time period.

TABLE 2: EXCESS CAPACITY PERCENTAGE ATTRIBUTABLE TO NEW DEVELOPMENT OVER 10 YEARS

Project ID	Project Description	Percent Currently Utilized	Percent to 10-Year Growth	Percent to Growth Beyond 10 Years
SAR.219	48" SSD Storm Drain Outfall through SSD and upgrade Box Culvert under Redwood Road	29.6%	22.2%	48.3%
EP.1	Sierra Estates Outfall (400 North)	17.5%	64.8%	17.8%
SAR.187	Piping of storm drain ditch through Saratoga Hills Park	92.6%	1.7%	5.6%
SAR.177	36" Storm Drain Town Center Outfall	83.9%	10.6%	5.6%
SAR.148	Tickville Wash Culverts at Redwood Road	100.0%	0.0%	0.0%
EP.2	Israel Canyon Debris Basin and Flood Mitigation	39.7%	16.4%	43.9%
EP.3	400 North (600 West to 800 West) and 800 West (400 North to Talus Ridge)	13.8%	60.5%	25.7%
EP.4	400 North (Redwood Road to Thunder Blvd)	21.1%	68.4%	10.5%
EP.5	Talus Ridge Plat B & D	0.0%	66.4%	33.6%
EP.6	Sunrise Outfall (800 West)	100.0%	0.0%	0.0%

The excess capacity that will therefore be consumed by new development over the ten-year time period is $1,028,526.06.

TABLE 3: EXCESS CAPACITY COST ATTRIBUTABLE TO NEW DEVELOPMENT OVER 10 YEARS

Project ID	Actual Cost	Amount Attributable to 10 Years
SAR.219	$946,434.81	$210,108.53
EP.1	$222,280.50	$144,037.76
SAR.187	$578,243.25	$9,830.14
SAR.177	$147,082.80	$15,590.78
SAR.148	$250,500.00	$0.00
EP.2	$678,970.35	$111,351.14
EP.3	$326,351.00	$197,442.36
EP.4	$446,597.50	$305,472.69
EP.5	$52,248.00	$34,692.67
EP.6	$130,461.50	$0.00
TOTAL	**$3,779,169.71**	**$1,028,526.06**

Impact on System Improvements by Anticipated New Development

Utah Code 11-36a-304(1)(b)

The City has determined to maintain its current level of storm water service which is that storm water runoff must be limited to 0.2 cfs per acre or the historical runoff for pre-development conditions. Therefore, additional storm water improvements will be required in order to maintain the established storm water level of service as new development occurs. The new facilities needed to serve the needs of new development over the 10-year time period have been identified by the City's engineers at a total cost of $3,835,047.57.

TABLE 4: NEW CONSTRUCTION COSTS ATTRIBUTABLE TO NEW DEVELOPMENT OVER NEXT 10 YEARS

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to 10- Year Timeframe	Cost to be Shared over 10 Years
CN11	400 North and Riverside Drive	Complete	$105,616	75.00%	$79,212.00
DBN5	Upsize Det. Basin - Orchard Park	Complete	$94,241	0.00%	$0.00
OCN2	Tickville Gulch	Complete	$107,331	54.93%	$58,956.92
OCN3	400 North East of Redwood	Complete	$66,626	71.04%	$47,331.11

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to 10- Year Timeframe	Cost to be Shared over 10 Years
PN4	Talus Ridge Phase 2	Complete	$11,372	64.11%	$7,290.59
PN7	Tickville Gulch	Complete	$2,723,253	54.93%	$1,495,882.87
CN10	Tickville Gulch Redwood Rd	Complete	$327,566	54.93%	$179,932.00
DS1	Harbor Park Way	2016	$1,109,500	0.00%	$0.00
OCS1	Village Parkway & Redwood Road	2016	$33,620	73.38%	$24,670.36
PN6a	Pioneer Crossing to Market St.	2016	$562,200	24.94%	$140,212.68
PN6b	Market St. Outfall	Complete	$331,909	86.49%	$287,068.09
PN8a(partial)	1200 N SD under Pioneer Crossing	Complete	$49,000	30.00%	$14,700.00
PS1	Harbor Parkway	2016	$212,000	0.00%	$0.00
PN13	Harvest Moon Dr. 1	Complete	$154,820	3.00%	$4,644.60
OCS2	Clark Canyon	2017	$21,340	16.44%	$3,508.30
PN12	Harvest Hills to Jordan River 1	2017	$851,300	88.09%	$749,910.17
PN18a	SR-73 Phsae 1	Complete	$144,380	1.70%	$2,454.46
PN18b	SR-73 Phase 2	2017	$99,900	1.70%	$1,698.30
OCS3	Limekiln Canyon	2018	$32,160	0.00%	$0.00
CS3	Redwood Road & Limekiln Canyon	2019	$110,000	0.00%	$0.00
PN16	1900 North/Redwood Rd	2019	$11,600	21.34%	$2,475.44
CS12	Village Court Rd.	2020	$110,000	52.29%	$57,519.00
PN1	Redwood Rd. Near Grandview Blvd	Complete	$0	47.70%	$0.00
PE3	Saratoga Road to Jordan River	2018	$993,200	29.74%	$295,377.68
PE2A	400 N to PE2B	2019	$363,300	24.21%	$87,954.93
PE2B	400 N to Jordan River	2019	$732,700	24.21%	$177,386.67
PE5	145 North to Utah Lake	2020	$402,000	29.07%	$116,861.40
	TOTAL		**$9,760,934**		**$3,835,047.57**

Proportionate Share Analysis and Impact Fee Calculation

Utah Code 11-36a-304(1)(d) and (e) and (2)(a) and (b)

Because the storm water system has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system, as well as to contribute their fair share to the new storm water facilities needed for new development. These costs, along with allowable consultant costs, are summarized below, resulting in a total maximum impact fee of $1,776.04 per acre.

TABLE 5: PER ACRE IMPACT FEE CALCULATION

	Amount
Excess Capacity Buy-In Cost:	
Storm Water System Actual Cost	$3,779,169.71
Actual Cost of Excess Capacity Consumed Over 10-Year Timeframe	$1,028,526.06
Total Acres Served by Excess Capacity Over 10-Year Timeframe	2,734
Actual Cost of Excess Capacity per Acre	$376.20
New Construction Costs:	
Impact-Fee Eligible System Improvements to Serve New Development Over the 10-Year Timeframe	$3,835,047.57
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	2,734
Cost per Acre	$1,402.72
Consultant Costs:	
Consultant Costs	$80,835
Acres Served by Consultant Costs (acres developed over 10-year timeframe)	2,734
Consultant Costs per Acre	$29.57
Fee Summary	
Buy-In Cost per Acre	$376.20
New System Improvements Cost per Acre	$1,402.72
Consultant Fees	$29.57
Fund Balance Credit	($32.45)
IMPACT FEE COST PER ACRE	**$1,776.04**

Manner of Financing for Public Facilities

There is no outstanding debt on the City's storm drain system and the City does not anticipate issuing debt in the near term to finance new facilities.

Utah Code Legal Requirements

Utah law requires that communities prepare an Impact Fee Analysis (IFA) based on the information presented in the Impact Fee Facilities Plan (IFFP) before enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. Saratoga Springs has retained Zions Finance Inc. (ZPFI) to prepare this Impact Fee Analysis in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFA by posting notice.

Preparation of Impact Fee Analysis

Utah Code requires that "each local political subdivision… intending to impose an impact fee shall prepare a written analysis of each impact fee" (Utah Code 11-36a-303).

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis which is required to identify the following:

- (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) demonstrate how anticipated impacts 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 improvement 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.

Further, 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 means such 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.

Calculating Impact Fees

Utah Code states that for purposes of 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 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.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Certification of Impact Fee Analysis

Utah Code states that an impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan. This certification is included as part of this Impact Fees Analysis.

Impact Fee Enactment

Utah Code states that 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. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Consumption of Existing Capacity, Impact on System Improvements and How Impacts are Related to Anticipated Development Activity

Utah Code 11-36a-304(1)(a),(b) and (c)

Growth in Demand

Saratoga Springs requires that all development detain water to a standard that is limited to 0.2 cfs per acre or the historical runoff for pre-development conditions.

Growth in developed acres will generate demand for storm water facilities. Table 6 shows the projected growth in the City through 2025.

TABLE 6: PROJECTED GROWTH THROUGH 2025

Year	New Acres Developed	Cumulative New Acres of Development
2015		3,225
2016	103	3,328
2017	215	3,543
2018	271	3,814
2019	293	4,107
2020	316	4,423
2021	271	4,694
2022	288	4,982
2023	306	5,288
2024	325	5,613
2025	346	5,959
Total	**2,734**	

Consumption of Existing Capacity by Anticipated New Development

According to Bowen, Collins & Associates, the City's storm water engineers, the existing storm water system improvements have some excess capacity to serve the needs of new development. A portion, but not all, of the excess capacity will be consumed within the 10-year timeframe.

TABLE 7: CONSUMPTION OF EXCESS CAPACITY

Project ID	Project Description	Percent Currently Utilized	Percent to 10-Year Growth	Percent to Growth Beyond 10 Years
SAR.219	48" SSD Storm Drain Outfall through SSD and upgrade Box Culvert under Redwood Road	29.6%	22.2%	48.3%
EP.1	Sierra Estates Outfall (400 North)	17.5%	64.8%	17.8%
SAR.187	Piping of storm drain ditch through Saratoga Hills Park	92.6%	1.7%	5.6%

Project ID	Project Description	Percent Currently Utilized	Percent to 10-Year Growth	Percent to Growth Beyond 10 Years
SAR.177	36" Storm Drain Town Center Outfall	83.9%	10.6%	5.6%
SAR.148	Tickville Wash Culverts at Redwood Road	100.0%	0.0%	0.0%
EP.2	Israel Canyon Debris Basin and Flood Mitigation	39.7%	16.4%	43.9%
EP.3	400 North (600 West to 800 West) and 800 West (400 North to Talus Ridge)	13.8%	60.5%	25.7%
EP.4	400 North (Redwood Road to Thunder Blvd)	21.1%	68.4%	10.5%
EP.5	Talus Ridge Plat B & D	0.0%	66.4%	33.6%
EP.6	Sunrise Outfall (800 West)	100.0%	0.0%	0.0%

The excess capacity that will therefore be consumed by new development over the 10-year timeframe is $1,028,526.06.

TABLE 8: EXCESS CAPACITY COST ATTRIBUTABLE TO NEW DEVELOPMENT OVER 10 YEARS

Project ID	Actual Cost	Amount Attributable to 10-Year Timeframe
SAR.219	$946,434.81	$210,108.53
EP.1	$222,280.50	$144,037.76
SAR.187	$578,243.25	$9,830.14
SAR.177	$147,082.80	$15,590.78
SAR.148	$250,500.00	$0.00
EP.2	$678,970.35	$111,351.14
EP.3	$326,351.00	$197,442.36
EP.4	$446,597.50	$305,472.69
EP.5	$52,248.00	$34,692.67
EP.6	$130,461.50	$0.00
TOTAL	**$3,779,169.71**	**$1,028,526.06**

Impact on System Improvements by Anticipated New Development

The City has determined to maintain its current level of storm water service. Therefore, additional storm water improvements will be required in order to maintain the established storm water level of service.

TABLE 9: NEW SYSTEM

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to 10- Year Timeframe	Cost to be Shared over 10 Years
CN11	400 North and Riverside Drive	Complete	$105,616	75.00%	$79,212.00
DBN5	Upsize Det. Basin - Orchard Park	Complete	$94,241	0.00%	$0.00
OCN2	Tickville Gulch	Complete	$107,331	54.93%	$58,956.92
OCN3	400 North East of Redwood	Complete	$66,626	71.04%	$47,331.11
PN4	Talus Ridge Phase 2	Complete	$11,372	64.11%	$7,290.59
PN7	Tickville Gulch	Complete	$2,723,253	54.93%	$1,495,882.87
CN10	Tickville Gulch Redwood Rd	Complete	$327,566	54.93%	$179,932.00
DS1	Harbor Park Way	2016	$1,109,500	0.00%	$0.00
OCS1	Village Parkway & Redwood Road	2016	$33,620	73.38%	$24,670.36
PN6a	Pioneer Crossing to Market St.	2016	$562,200	24.94%	$140,212.68
PN6b	Market St. Outfall	Complete	$331,909	86.49%	$287,068.09
PN8a(partial)	1200 N SD under Pioneer Crossing	Complete	$49,000	30.00%	$14,700.00
PS1	Harbor Parkway	2016	$212,000	0.00%	$0.00
PN13	Harvest Moon Dr. 1	Complete	$154,820	3.00%	$4,644.60
OCS2	Clark Canyon	2017	$21,340	16.44%	$3,508.30
PN12	Harvest Hills to Jordan River 1	2017	$851,300	88.09%	$749,910.17
PN18a	SR-73 Phsae 1	Complete	$144,380	1.70%	$2,454.46
PN18b	SR-73 Phase 2	2017	$99,900	1.70%	$1,698.30
OCS3	Limekiln Canyon	2018	$32,160	0.00%	$0.00
CS3	Redwood Road & Limekiln Canyon	2019	$110,000	0.00%	$0.00
PN16	1900 North/Redwood Rd	2019	$11,600	21.34%	$2,475.44

Project Identifier	Project Name	Construction Year	Total Estimated Cost	Percent Attributable to 10- Year Timeframe	Cost to be Shared over 10 Years
CS12	Village Court Rd.	2020	$110,000	52.29%	$57,519.00
PN1	Redwood Rd. Near Grandview Blvd	Complete	$0	47.70%	$0.00
PE3	Saratoga Road to Jordan River	2018	$993,200	29.74%	$295,377.68
PE2A	400 N to PE2B	2019	$363,300	24.21%	$87,954.93
PE2B	400 N to Jordan River	2019	$732,700	24.21%	$177,386.67
PE5	145 North to Utah Lake	2020	$402,000	29.07%	$116,861.40
	TOTAL		**$9,760,934**		**$3,835,047.57**

Relation of Anticipated Development Activity to Impacts on Existing Capacity and System Improvements

The demand placed on existing storm water improvements by new development activity is attributed to the increased developed acres related to both residential and nonresidential growth. Platted acreage, the first step in the development process, is expected to increase by 2,734 acres over ten years.

Proportionate Share Analysis

Utah Code 11-36a-304(1)(d)(i) and (ii)

Costs for Existing Capacity

Because the existing storm water system has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system in order 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. The total historical cost for storm water improvements paid for by the City is $3,779,169.71. The value of the excess capacity is based on varying percentages of actual cost for each storm water capital facility. The value of the excess capacity that will be consumed by new development over ten years is $1,028,526.06.

TABLE 10: PER ACRE BUY-IN COST FOR EXISTING CAPACITY

	Amount
Storm Water System Actual Cost	$3,779,169.71
Storm Water Excess Capacity Consumed Over 10 Years	$1,028,526.06
Total Acres Served by Excess Capacity Over 10 Years	2,734
Cost of Excess Capacity per Acre	**$376.20**

Costs of System Improvements Related to New Development Activity

The City intends to maintain its existing level of service for storm water services through adding the new improvements described in the Impact Fee Facilities Plan and previously in this Impact Fee Analysis. In

addition, engineering and consultant fees are considered a legitimate cost in calculating impact fees. These costs are also summarized below.

Total impact-fee eligible costs for new construction, attributable to new development over ten years, are $3,835,047.57. Consultant costs are estimated at $80,835 in order to prepare the engineering plans, impact fee facility plans and impact fee analysis that were necessary in order to calculate defensible impact fees. The engineering and consultant studies are considered to serve development over ten years.

TABLE 11: PER ACRE COST FOR NEW SYSTEM IMPROVEMENTS

	Amount
New Construction Costs:	
Impact Fee Eligible System Improvements Due to Development for10 Years	$3,835,047.57
Acres Served by Construction of New System Improvements Over 10 Years	2,734
Cost per Acre	$1,402.72
Consultant Costs:	
Consultant Costs	$80,835
Acres Served by Consultant Costs	2,734
Consultant Costs per Acre	$29.57

Impact Fee Calculation

The maximum impact fee allowable under law includes buy-in costs of $376.20, plus new system costs of $1,402.72 per acre, plus consultant costs of $29.57 per acre, less an outstanding fund balance of $88,715.96 that will benefit new development by defraying costs for the new facilities,[1] result in total maximum impact fees per acre of $1,776.04.

TABLE 12: PROPORTIONATE SHARE IMPACT FEE CALCULATION

	Fee
Buy-In Cost per Acre	$376.20
New System Improvements Cost per Acre	$1,402.72
Consultant Fees	$29.57
Fund Balance Credit	($32.45)
Cost per Acre	**$1,776.04**

Impact fees would be charged to new development by multiplying the cost per acres ($1,776.04) by the number of new acres platted.

[1] The reduced amount per acre, due to the fund balance, is calculated by dividing the $88,715.96 fund balance by the 2,734 future acres to be developed.

Manner of Financing, Credits, Etc.

Utah Code 11-36a-304(2)(c),(d),(e),(f),(g), and (h)

Part of the proportionate share analysis is a consideration of the manner of funding existing public facilities. A City typically funds existing infrastructure through several different funding sources including:

- General Fund Revenues
- User Fees
- Grants
- Bond Proceeds
- Developer Exactions
- Impact Fees

At the present time the City is not considering using general fund revenues, user fees, grants or bond proceeds to fund storm water construction to offset the needs created by new development. The City intends for the costs imposed by new development to be paid for through impact fees. Using impact fees places a burden on future users that is equal to the burden that was borne in the past by existing users. (Utah Impact Fees Act, 11-36a-304(2) (c) (d))

There is no outstanding debt on the storm water facilities and therefore no credits have been applied.

Certification

Zions Bank Public Finance 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.

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.