

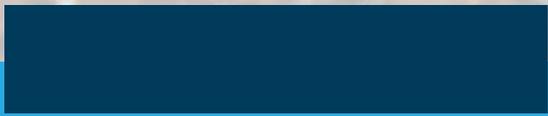


PREPARED FOR:

PREPARED BY:



**BOWEN COLLINS**  
& ASSOCIATES



NORTH SALT LAKE CITY

MARCH 2023

# STORM DRAIN IMPACT FEE FACILITIES PLAN

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# NORTH SALT LAKE CITY STORM DRAIN IMPACT FEE FACILITIES PLAN

March 2023



3/9/23

Prepared for:



Prepared by:



## EXECUTIVE SUMMARY

### INTRODUCTION

North Salt Lake City has retained Bowen Collins & Associates (BC&A) to prepare a storm drain impact fee facility plan (IFFP). The purpose of an IFFP is to identify demands placed upon City facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

### WHY IS AN IFFP NEEDED?

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

### SERVICE AREAS

There is a single service area for the entirety of North Salt Lake City. In the past, there were two separate service areas. However, the only difference in the second service area was the presence of a reimbursement agreement. Thus, as part of this IFFP update, the service areas will be combined for overall calculations, but there will be a reimbursement area discussed in the Impact Fee Analysis (IFA).

### PROJECTED FUTURE GROWTH

A large portion of the open space left in North Salt Lake City is not anticipated to ever be developed. This includes a portion of the City to the east that is both National Forest Land and typically too steep for development. This also includes a portion of the northwest corner of the City west of Leagacy parkway that is maintained for nature conservation.

### EXISTING CAPACITY AVAILABLE TO SERVE FUTURE GROWTH

Projected future growth will be met through a combination of available excess capacity in existing facilities and construction of additional capacity in new facilities. The calculated percentage of existing capacity currently in use by existing development, calculated percentage of growth during the next 10 years, and calculated percentage of growth after the 10-year period is presented in Table ES-1.

**ES-1**  
**Calculated Percentage of Capacity in the Existing Storm Drainage System**

Area	North Salt Lake (Percent)
Existing Development	91.7
10-yr Growth	4.8
Growth beyond 10 years	3.5

**REQUIRED SYSTEM IMPROVEMENTS**

Beyond available existing capacity, additional improvements will need to be constructed within the next 10 years to serve new growth. These improvements are summarized in Table ES-2.

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

Project ID	Total Estimated Cost 2020 Dollars	Percentage of Cost Attributable to:		
		Existing	10-year Growth	Beyond 10-Year Growth
HD-01	\$ 379,659.75	100.0%	0.0%	0.0%
HD-03	\$ 265,902.75	99.8%	0.2%	0.2%
HD-05	\$ 485,636.25	100.0%	0.0%	0.0%
HD-06	\$ 249,075.00	62.3%	37.7%	37.7%
HD-07	\$ 478,258.13	55.3%	44.7%	44.7%
HD-08	\$ 89,100.00	94.8%	5.2%	5.2%
HD-09	\$ 310,873.50	96.3%	3.7%	3.7%
HD-10	\$ 258,142.50	100.0%	0.0%	0.0%
HD-12	\$ 98,550.00	58.5%	41.5%	41.5%
CD-01	\$ 179,190.00	100.0%	0.0%	0.0%
CD-02	\$ 758,025.00	100.0%	0.0%	0.0%
CD-03	\$ 426,937.50	100.0%	0.0%	0.0%
CD-04	\$ 493,278.08	99.2%	0.8%	0.8%
CD-08	\$ 196,920.00	94.7%	5.3%	5.3%
CD-05	\$ 249,842.50	86.2%	6.7%	13.8%
CD-06	\$ 281,503.50	100.0%	0.0%	0.0%
CD-07	\$ 134,540.00	74.1%	25.9%	25.9%
CD-09	\$ 287,124.96	95.1%	4.9%	4.9%
<b>Total</b>	<b>\$ 5,622,559.41</b>	<b>\$ 5,159,283.78</b>	<b>\$ 445,541.81</b>	<b>\$ 463,275.63</b>

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

## **SECTION 1 – IMPACT FEE FACILITIES PLAN**

North Salt Lake City has retained Bowen Collins & Associates (BC&A) to prepare a Storm Drain Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA). The purpose of an IFFP is to identify demands placed upon City facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which may be funded through impact fees. A separate report will be prepared for the Storm Drain IFA.

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

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

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

## **SECTION 2 – SERVICES AREAS & TYPES OF RECOMMENDED IMPROVEMENTS**

This section defines the service areas for North Salt Lake City and the difference between system improvements and local improvements.

### **SERVICE AREAS**

The entirety of North Salt Lake City is included in a single service area.

### **TYPES OF RECOMMENDED IMPROVEMENTS**

The recommended improvements identified in this IFFP and the Storm Drain Master Plan report (SDMP) include only major storm drain facilities that benefit the City as a whole (system improvements). Local storm drain facilities (project improvements), typically associated with individual development projects, are not included in the SDMP report nor are they eligible to be paid for using impact fees. The SDMP report defines system improvements and project improvements for North Salt Lake City's Storm Drain System. The definitions of system improvements and project improvements are presented below.

- **Conveyance Facilities** – Major storm drain conveyance facilities (system improvements) include pipelines or major channels that typically service multiple developments. Local facilities (project improvements) include smaller storm drain conveyance facilities that typically only serve one development and are used to convey storm water runoff to the major conveyance facilities.
- **Detention Facilities** – Development is required to provide local detention facilities (project improvements) to attenuate peak storm water discharges to the limits stated in the SDMP report. A major regional detention facility (system improvement) will attenuate peak runoff from multiple developments to levels that can be safely conveyed through existing downstream facilities.

## **SECTION 3 – EXISTING LEVEL OF SERVICE (11-36A-302.1.A.I)**

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

### **PERFORMANCE STANDARD**

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

### **STORM DRAIN PIPELINES**

Storm drain pipelines are not allowed to surcharge to within two feet from the ground surface during the 10 percent annual chance (10-year) design storm event. Storm drain trunklines are also not to be smaller than 15 inches in diameter. It is important to note that roadways become the major storm water conveyance facility during storms that are larger than the 10-year design event.

### **OPEN CHANNELS**

Open channels should have at least one foot of free board during the 1 percent annual chance (100-year) design storm event. Open channels should also have protective lining. If velocities are less than 4 ft per second (ft/s), the channel may be grass lined. However, if the peak velocity in a channel is over 4 ft/s, then grass will not be sufficient to protect the channel from erosion damage and armoring will be required.

### **DETENTION BASINS**

Detention facilities need to have capacity for the 100-year storm, with at least one foot of freeboard, and have an emergency overflow that directs water away from private property.

### **DESIGN STORM PARAMETERS**

The design storm defines how much precipitation falls and at what rate for a projected precipitation event. The rainfall depth for system evaluation is based on the National Oceanic and Atmospheric Administration (NOAA) Atlas 14. The storm distribution is the 3-hour modified Farmer-Fletcher distribution as described in the SDMP. This data is commonly used by professionals in the industry and has been shown to produce accurate results in studies conducted in neighboring communities.

It is important to note that not all of the existing facilities in the storm drain system meet the existing level of service. Those deficient storm drain facilities will be remedied over the next 6-years and will be paid for independent of the impact fees.

## **SECTION 4 - PROPOSED LEVEL OF SERVICE (11-36A-302.1.A.II)**

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

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

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

## SECTION 5 – EXCESS CAPACITY TO ACCOMMODATE FUTURE GROWTH (11-36A-302.1.A.III)

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

### EXISTING DEMAND AND DETERMINATION OF EXCESS CAPACITY

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

- **Calculate Potential Drainage Area of the Facilities** – The drainage area contributing to the existing storm drain system facilities in each service area was calculated for both existing and future development scenarios (See Section 6). Additionally, the area that will be served by future projects was removed from these areas to only counting the existing facilities.
- **Identify Existing Development** – Based on GIS records and available aerial photography, existing developed areas within each service area have been identified.
- **Identify 10-year Growth** – Areas of 10-year growth are identified in Figure 5-1.
- **Calculate Percent of Excess Capacity Used by 10-year Growth** – The percent of excess capacity being used in each service area was calculated by dividing the growth in use in the existing facilities (10-year developed area less existing developed area) by the maximum use of capacity at buildout (total drainage area for the service areas).

Based on the method described above, the percentage of existing capacity currently in use by existing development was calculated, the percentage of growth during the next 10 years was calculated, and percentage of growth after the 10-year period was calculated and is presented in Table 5-1.

**Table 5-1  
Calculated Percentage of Capacity in the Existing Storm Drainage System**

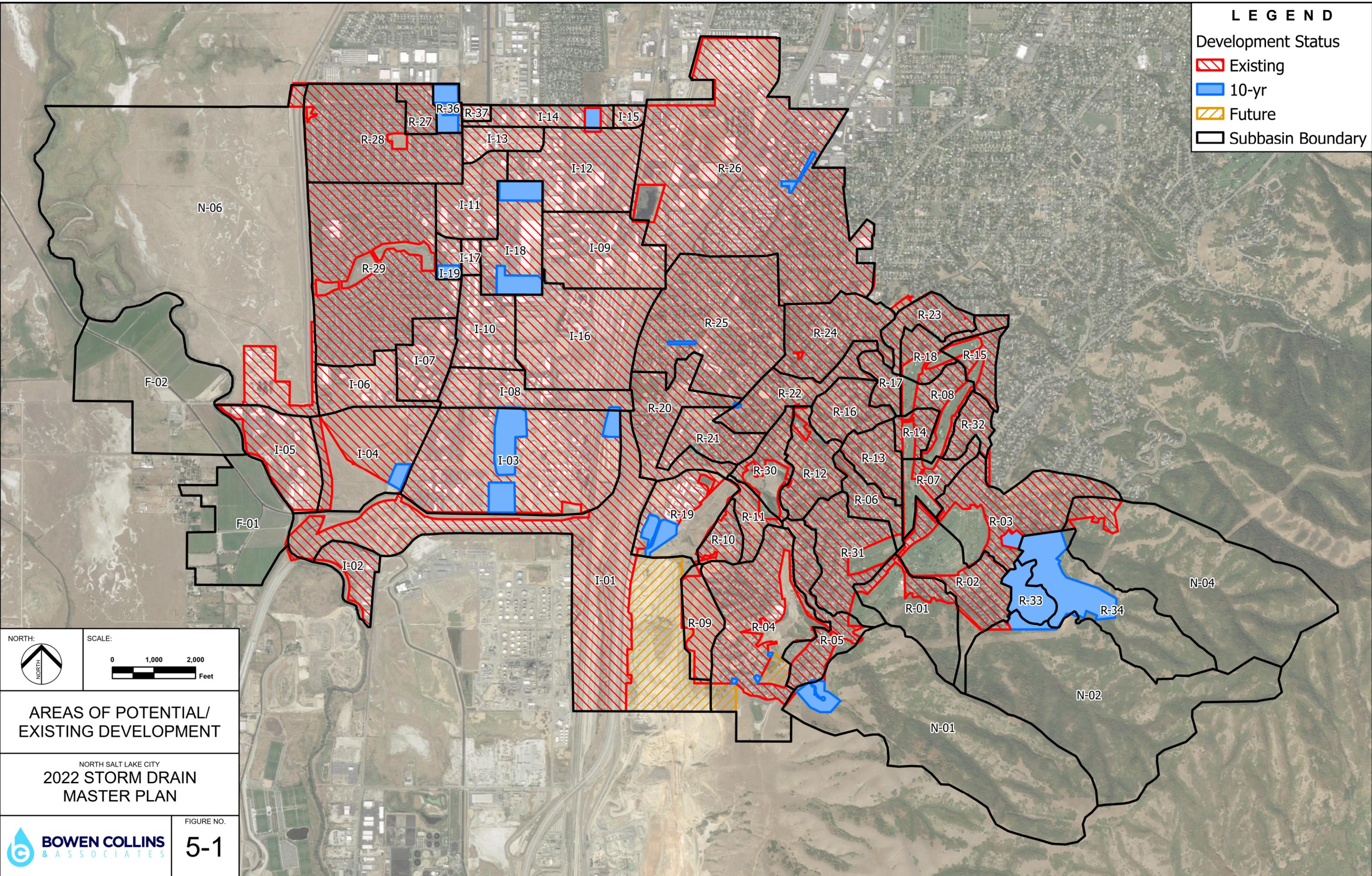
	North Salt Lake City (Percent)
Existing Development	91.7
10-yr Growth	4.8
Growth beyond 10 years	3.5
<b>Total</b>	<b>100.0</b>

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

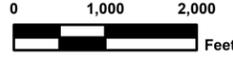
**LEGEND**

Development Status

-  Existing
-  10-yr
-  Future
-  Subbasin Boundary



NORTH: 

SCALE:  Feet

**AREAS OF POTENTIAL/  
EXISTING DEVELOPMENT**

NORTH SALT LAKE CITY  
**2022 STORM DRAIN  
MASTER PLAN**

 **BOWEN COLLINS  
& ASSOCIATES**

FIGURE NO.  
**5-1**

## SECTION 6 – DEMANDS PLACED ON FACILITIES BY NEW DEVELOPMENT (11-36A-302.1.A.IV)

Growth and new development in North Salt Lake City is based on discussions with City Personnel. There is little open space available within the City for new development due to the existing National Forest and Conservations boundaries. Potential development areas are presented in Figure 5-1. The total area of potential growth is provided in Table 6-1 below.

**Table 6-1  
Total Potential Development in North Salt Lake City**

	Total North Salt Lake Area (ac)	Area Contributing to Improvements (ac)
Total Existing Developed Area	3,791	1,224
Total 10-yr Growth	200	120
Greater than 10-yr Growth	144	23
Total Developed Area	4,135	1,367

## SECTION 7 – INFRASTRUCTURE REQUIRED TO MEET DEMANDS OF NEW DEVELOPMENT (11-36A-302.1.A.V)

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

1. **Existing Capacity** – The capacities of the existing facilities were evaluated using a hydraulic storm water model as part of the master plan.
2. **Existing Deficiencies** – Existing deficiencies in the system were identified by comparing defined levels of service against calculated capacities. Identified deficiencies were verified by City staff (see Chapter 5 of the SDMP).
3. **Future Demand** - The demand that future development will place on the system was estimated based on development projections as discussed in Section 6.
4. **Future Deficiencies** - Future deficiencies in the storm drain infrastructure were identified based on the defined level of service.
5. **Recommended Improvements** – Needed storm drain improvements were identified to resolve the projected deficiencies.

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

### 10-YEAR IMPROVEMENT PLAN

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

To identify improvements to be built within the 10-year window, BC&A compared all of the projects identified at build-out with the distribution of projected 10-yr growth as identified in Figure 5-1. Those projects that will service areas of projected growth within the next 10 years were added to the City’s 10-year improvement plan. Table 7-1 summarizes the projects that are projected to be needed within the next ten years. The location of these projects is shown on Figures 7-1 and 7-2.

It should be noted that Table 7-1 only includes those projects with components of cost that are eligible to be included in the impact fee calculation. Other storm drain projects that may be completed over the next ten years but have not been shown in the table include: projects for maintenance and repair (to be paid for by existing users) and project level improvements (to be paid for by individual developers).

**Table 7-1  
Summary of Future Storm Drain Impact Fee Facility Improvements**

Project Identifier	Total Estimated Cost	Existing Developed Area (ac)	10-yr Developed Area (ac)	Future Developed Area (ac)	Percentage of Cost Attributable to:			Cost Attributable to:		
					Existing Development	10-yr Growth	Future Development	Existing Development	10-yr Growth	Future Development
HD-01	\$ 379,659.75	25.70	0.00	25.70	100.0%	0.0%	0.0%	\$ 379,659.75	\$ -	\$ -
HD-03	\$ 265,902.75	390.97	0.92	391.89	99.8%	0.2%	0.2%	\$ 265,278.52	\$ 624.23	\$ 624.23
HD-05	\$ 485,636.25	48.78	0.00	48.78	100.0%	0.0%	0.0%	\$ 485,636.25	\$ -	\$ -
HD-06	\$ 249,075.00	146.11	88.4	234.51	62.3%	37.7%	37.7%	\$ 155,184.63	\$ 93,890.37	\$ 93,890.37
HD-07	\$ 478,258.13	70.14	56.69	126.83	55.3%	44.7%	44.7%	\$ 264,488.09	\$ 213,770.03	\$ 213,770.03
HD-08	\$ 89,100.00	70.12	3.88	74.00	94.8%	5.2%	5.2%	\$ 84,428.27	\$ 4,671.73	\$ 4,671.73
HD-09	\$ 310,873.50	208.95	8.08	217.03	96.3%	3.7%	3.7%	\$ 299,299.72	\$ 11,573.78	\$ 11,573.78
HD-10	\$ 258,142.50	50.32	0.00	50.32	100.0%	0.0%	0.0%	\$ 58,142.50	\$ -	\$ -
HD-12	\$ 98,550.00	124.96	88.4	213.09	58.5%	41.5%	41.5%	\$ 57,666.71	\$ 40,883.29	\$ 40,883.29
CD-01	\$ 179,190.00	72.93	0.00	72.93	100.0%	0.0%	0.0%	\$ 179,190.00	\$ -	\$ -
CD-02	\$ 758,025.00	48.78	0.00	48.78	100.0%	0.0%	0.0%	\$ 758,025.00	\$ -	\$ -
CD-03	\$ 426,937.50	41.35	0.00	41.35	100.0%	0.0%	0.0%	\$ 426,937.50	\$ -	\$ -
CD-04	\$ 493,278.08	118.68	0.99	119.67	99.2%	0.8%	0.8%	\$ 489,197.31	\$ 4,080.77	\$ 4,080.77
CD-08	\$ 196,920.00	69.17	3.88	73.05	94.7%	5.3%	5.3%	\$ 186,460.73	\$ 10,459.27	\$ 10,459.27
CD-05	\$ 249,842.50	277.36	21.45	321.64	86.2%	6.7%	13.8%	\$ 215,446.82	\$ 16,661.86	\$ 34,395.68
CD-06	\$ 281,503.50	87.52	0.00	87.52	100.0%	0.0%	0.0%	\$ 281,503.50	\$ -	\$ -
CD-07	\$ 134,540.00	253.38	88.4	341.78	74.1%	25.9%	25.9%	\$ 99,741.78	\$ 34,798.22	\$ 34,798.22
CD-09	\$ 287,124.96	158.06	8.18	166.24	95.1%	4.9%	4.9%	\$ 272,996.70	\$ 14,128.26	\$ 14,128.26
<b>Total</b>								<b>\$ 5,159,283.78</b>	<b>\$ 445,541.81</b>	<b>\$ 463,275.63</b>

## PROJECT COST ATTRIBUTABLE TO FUTURE GROWTH

To satisfy the requirements of state law, Table 7-1 provides a breakdown of the impact fee facility projects and the percentage of the project costs attributed to existing and future users. As defined in Section 11-36-304, the impact fee facilities plan should only include “the proportionate share of the costs of public facilities [that] are reasonably related to the new development activity.”

For some projects, the division of costs between existing and future users is easy because 100 percent of the project costs can be attributed to one category or the other (e.g. infrastructure needed solely to serve new development can be 100 percent attributed to new growth). There are some projects that will benefit existing users (e.g., a new facility is being added that will be used to convey flow from both existing and future sources). An example of this is the situation where an existing flow development discharges into a small open ditch. The ditch may have capacity for the existing flows but is not capable of conveying future flows. In this case, no existing deficiencies exist at this location. However, with the construction of a new pipeline for future growth, it makes little sense for the City to maintain the ditch parallel to the new pipeline to convey existing flows. As a result, this plan identifies installation of a new pipeline with adequate capacity for both existing and future flows and abandonment of the existing ditch. In this type of situation, costs have been divided between the two categories based on the ratio of flow needed for each type of user. For example, if the peak flow through a proposed facility will save 4.0 acres of existing development and 10.0 acres at buildout, 40 percent of the costs of the project have been assigned to existing users with 60 percent assigned to future growth.

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

- **Calculate Potential Drainage Area of the Facilities** – The total developable drainage area contributing to each project at buildout was calculated.
- **Identify Existing Development** – Based on GIS records and available aerial photography, existing developed areas within each drainage area were identified.
- **Identify 10-year Growth** – Based on developable land and City input, Figure 5-1 identifies the 10-year growth.
- **Calculate Percent of Capacity Used by Future Growth** – The percent of capacity being used in each facility was calculated by dividing the developable area of each type (existing, 10-year, and beyond 10-year) contributing to each facility by the total drainage area for the project.

It should be noted that Table 7-1 does not include bond costs related to paying for impact fee eligible improvements. These costs, if any, should be added as part of the impact fee analysis.

## PROJECT COST ATTRIBUTABLE TO 10 YEAR GROWTH

Included in Table 7-1 is a breakdown of capacity associated with growth through the next 10 years and for growth beyond 10 years. A challenge with storm drain infrastructure is that it is not cost effective to add capacity in small increments. Once a pipeline is being built, it needs to be built to satisfy long-term capacity needs. As a result, the improvements proposed in the impact fee facility plan will include capacity for growth beyond the 10-year planning window. To most accurately evaluate the cost of providing service for growth during the next ten years, added consideration has been given to evaluating how much of each improvement will be used in the next 10 years. This has been done following the same methodology as described above.

## **BASIS OF CONSTRUCTION COST ESTIMATES**

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

## **SECTION 8 – ADDITIONAL CONSIDERATIONS**

### **MANNER OF FINANCING (11-36A-302.2)**

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

### **FEDERAL AND STATE GRANTS AND DONATIONS**

Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Grants and donations are not currently contemplated in this analysis. If grants become available for constructing facilities, impact fees will need to be recalculated and an appropriate credit given. Any existing infrastructure funded through past grants will be removed from the system value during the impact fee analysis.

### **BONDS**

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

### **INTERFUND LOANS**

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

### **IMPACT FEES**

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

### **DEVELOPER DEDICATIONS AND EXACTIONS**

Developer exactions are not the same as grants. Developer exactions may be considered in the inventory of current and future Storm Drain infrastructure. If a developer constructs facility or dedicates land within the development, the value of the dedication is credited against that particular developer's impact fee liability.

If the value of the dedication/exaction is less than the development's impact fee liability, the developer will owe the balance of the liability to the City. If the value of the improvements dedicated is worth more than the development's impact fee liability, the City must reimburse the difference to the developer from impact fee revenues collected from other developments.

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

facility plan), developers will be responsible for the construction of the improvements without credit against the impact fee.

No developer dedications are expected for system level Storm Drain infrastructure.

### **NECESSITY OF IMPROVEMENTS TO MAINTAIN LEVEL OF SERVICE (11-36A-302.3)**

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

### **SCHOOL RELATED INFRASTRUCTURE (11-36A-302.2)**

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

### **NOTICING AND ADOPTION REQUIREMENTS (11-36A-502)**

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

## **SECTION 9 – IMPACT FEE CERTIFICATION (11-36A-306.1)**

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

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

I certify that this impact fee facility plan:

1. Includes only the cost 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 of qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
  - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.

*Kameron Ballentine*

Dated: March 9, 2023

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