

ORDINANCE No. 2018-03

AN ORDINANCE AMENDING AND ADOPTING A PARK IMPACT FEE FACILITIES PLAN AND A WRITTEN PARK IMPACT FEE ANALYSIS; AMENDING AND ENACTING PARK IMPACT FEES; AND ESTABLISHING A SERVICE AREA FOR PURPOSES OF THE PARK IMPACT FEES.

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

WHEREAS, the City has previously enacted and imposed impact fees for parks and recreation facilities, known and referred to as the Park Development Fees, as adopted and amended by the City Council by Ordinance No. 2013-01 enacted on January 15, 2013, and as more particularly set forth in Section 12.010 of the Centerville Fee Schedule; and

WHEREAS, the City has legal authority, pursuant to Title 11, Chapter 36a of the Utah Code Annotated, as amended (“*Impact Fees Act*” or “*Act*”), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to new development activity; and

WHEREAS, the City has not amended or increased its Park Impact Fees since 2013 and now desires to update and amend such fees to be referred to hereafter as “Park Impact Fees” in accordance with applicable provisions of the Impact Fees Act in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate manner as more particularly provided herein; and

WHEREAS, the City has completed the necessary impact fee facilities plan and impact fee analysis associated with park infrastructure and facilities in accordance with applicable provisions of the Impact Fees Act, which facilities plan and analysis are more particularly described and adopted herein; and

WHEREAS, the City has provided the required notice and held a public hearing before the City Council regarding the proposed impact fees in accordance with applicable provisions of the Impact Fees Act; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Centerville City, State of Utah, as follows:

**SECTION I
ORDINANCE REPEALED**

Ordinance No. 2013-01 adopting and amending Park Impact Fees is hereby repealed in its entirety. To the extent any provisions of Chapter 15.08 of the Centerville Municipal Code are in

conflict with the provisions of this Ordinance regarding Park Impact Fees, the provisions of this Ordinance shall govern. This Ordinance may be referred to and cited as the “Park Impact Fees Ordinance.”

SECTION II PURPOSE

This Park Impact Fees Ordinance establishes the City’s Park Impact Fees policies and procedures and is promulgated pursuant to Title 11, Chapter 36a, Part 4, Enactment of Impact Fees, and other requirements of the Impact Fees Act. This Ordinance amends and adopts Park Impact Fees for parks and recreation facilities within the City Service Area as defined herein, describes certain capital improvements to be funded by Park Impact Fees, provides a schedule of Park Impact Fees for development activity, and sets forth direction for challenging, modifying and appealing Park Impact Fees.

SECTION III DEFINITIONS

Words and phrases that are defined in the Impact Fees Act shall have the same definition in this Park Impact Fees Ordinance. The following words and phrases are defined as follows:

1. “*City*” means a political subdivision of the State of Utah and is referred to herein as the City of Centerville, Utah.

2. “*Development Activity*” means any construction or expansion of a building, structure or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

3. “*Development Approval*” means any written authorization from the City that authorizes the commencement of development activity and any other approval as defined in Section 11-36a-102 of the Impact Fees Act.

4. “*Impact Fee*” means a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. “Impact fee” does not include a tax, special assessment, building permit fee, hookup fee, fee for project improvements, or other reasonable permit or application fee.

5. “*Impact Fee Analysis*” means the written analysis of each impact fee required by Section 11-36a-303 of the Impact Fees Act.

6. “*Impact Fee Facilities Plan*” means the plan required by Section 11-36a-301 of the Impact Fees Act.

7. “*Project Improvements*” means site improvements and facilities that are: planned and designed to provide service for development resulting from a development activity;

necessary for the use and convenience of the occupants or users of development resulting from a development activity; and not identified or reimbursed as a system improvement. "Project Improvements" does not mean system improvements as more particularly defined herein.

8. "*Proportionate Share*" means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.

9. "*Public Facilities*" means impact fee facilities as defined in the Impact Fees Act that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity. As defined in the Impact Fees Act, impact fee facilities includes parks, recreation facilities, open space, and trails.

10. "*Service Area*" means a geographic area designated by the City on the basis of sound planning or engineering principles in which a public facility, or a defined set of public facilities, provides service within the area. The Service Area for purposes of this Ordinance includes the entire area of the City as more particularly described in Section V.

11. "*System Improvements*" means existing public facilities that are: identified in the impact fee analysis under Section 11-36a-304 of the Impact Fees Act; and designed to provide services to service areas within the community at large and future public facilities identified in the impact fee analysis under Section 11-36a-304 that are intended to provide service to service areas within the community at large. "System improvements" do not include project improvements as defined herein.

SECTION IV STATUTORY AUTHORITY AND RESTRICTIONS

1. *Impact Fees Act Authority.* The City is authorized to impose impact fees subject to and in accordance with applicable provisions of the Impact Fees Act. An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fees may only be established for public facilities as defined in Section 11-36a-102 that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision. Public facilities for which impact fees may be imposed includes public facilities for "parks, recreation facilities, open space and trails."

2. *Impact Fees Act Restrictions.* Pursuant to Section 11-36a-202 of the Impact Fees Act, the City may not impose an impact fee to: (1) cure deficiencies in public facilities serving existing development; (2) raise the established level of service of a public facility serving existing development; (3) recoup more than the local political subdivision's costs actually incurred for excess capacity in an existing system improvement; or (4) include 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. *Specific Restriction on Park Impact Fees.* As specifically provided in Section 11-36a-202 of the Impact Fees Act, notwithstanding any other provisions of the Impact Fees Act, a political subdivision may not impose an impact fee on a school district or charter school for a park, recreation facility, open space or trail. In addition, the City may not delay the construction of a school or charter school because of a dispute with the school or charter school over impact fees.

SECTION V SERVICE AREA

The Impact Fees Act requires the City to establish one or more service areas within which the City will calculate and impose a particular impact fee. The service area within which the proposed Park Impact Fees will be imposed includes all of the area within the corporate limits and jurisdictional boundaries of the City. The City has concluded, based on analysis and usage, that the City's parks are a system of regional and City-wide amenities and are considered a parks and trails system for all citizens and residents of the City. Any improvements to this parks and trails system—meaning that they serve the entire community at large—are considered “system improvements”. Park improvements serving only specific developments (such as pocket parks) are considered “project improvements”. As a matter of fairness and equity, project improvements within the service area are excluded from the level of service or impact fee calculations. The Service Area is more particularly described and set forth in *Exhibit A: Map of City-Wide Park Impact Fee Service Area*.

SECTION VI IMPACT FEE FACILITIES PLAN

1. *Impact Fee Facilities Plan Required.* Pursuant to Section 11-36a-301 of the Impact Fees Act, before imposing or amending an impact fee, the City is required to prepare an impact fee facilities plan to determine the public facilities required to serve development resulting from new development activity. The impact fee facilities plan shall identify the existing level of service; establish a proposed level of service; identify any excess capacity to accommodate future growth at the proposed level of service; identify demands placed upon existing public facilities by new development activity at the proposed level of service; identify the proposed means by which the City will meet those growth demands; and other requirements of Section 11-36a-302.

2. *Park Impact Fee Facilities Plan.* The City has researched and analyzed the factors set forth in Section 11-36a-302 of the Impact Fees Act and has prepared a Parks Impact Fee Facilities Plan, as more particularly set forth in *Exhibit B: Parks Impact Fee Facilities Plan and Park Impact Fee Analysis*. The Park Impact Fee Facilities Plan has been prepared based on reasonable growth assumptions for the City and general demand characteristics of current and future users of park facilities. The Parks Impact Fee Facilities Plan identifies the impact on system improvements created by development activity and estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to new development activity. As shown in the Parks Impact Fee Facilities Plan, the City has considered all revenue sources, including impact fees and anticipated dedication of system improvements, to finance the

impacts on system improvements. The Parks Impact Facilities Plan establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received.

3. *Plan Certification.* The Parks Impact Fee Facilities Plan includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the plan certifying that the Parks Impact Fee Facilities Plan complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in the Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

5. *Adoption of Park Impact Fee Facilities Plan.* The Park Impact Fee Facilities Plan as set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*, is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VII WRITTEN IMPACT FEE ANALYSIS

1. *Written Impact Fee Analysis Required.* Pursuant to Section 11-36a-303 of the Impact Fees Act, each local political subdivision intending to impose an impact fee shall prepare a written analysis of each impact fee to be imposed and a summary of the impact fee analysis designed to be understood by a lay person. The impact fee analysis shall identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity; identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility; demonstrate how the anticipated impacts are reasonably related to the anticipated development activity; estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity; identify how the impact fee is calculated; and other requirements of Section 11-36a-304.

2. *Park Impact Fee Analysis.* The City has researched and analyzed the factors set forth in Section 11-36a-304 of the Impact Fees Act, including the proportionate share analysis required therein, and has prepared a Parks Impact Fee Analysis, as more particularly set forth in

Exhibit B: Parks Impact Fee Facilities Plan and Park Impact Fee Analysis. The Park Impact Fee Analysis identifies the impacts upon public facilities required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity, estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to the development activity, and identify how the Park Impact Fees are calculated.

3. *Analysis Certification.* The Parks Impact Fee Analysis includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the analysis certifying that the Parks Impact Fee Analysis complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

5. *Adoption of Park Impact Fee Analysis.* The Park Impact Fee Analysis as set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*, is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VIII CALCULATION OF IMPACT FEES

1. *Impact Fee Calculations.* Pursuant to Section 11-36a-305, in calculating an impact fee, the City may include: the construction contract price; the cost of acquiring land, improvements, materials, and fixtures; the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and debt service charges if the City might use impact fees as a revenue stream to pay principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements. In calculating the proposed Park Impact Fees, the City has based such amounts calculated on realistic estimates and the assumptions underlying such estimates are more particularly disclosed in the Park Impact Fee Analysis set forth in *Exhibit B*.

2. *Previously Incurred Costs.* To the extent that new growth and development will be served by previously constructed improvements, the City's Park Impact Fees may include public facility costs and outstanding bond costs related to the Park improvements previously incurred by the City. These costs may include all projects included in the Park Impact Fee Facilities Plan

which are under construction or completed but have not been utilized to their capacity, as evidenced by outstanding debt obligations. Any future debt obligations determined to be necessitated by growth activity will also be included to offset the costs of future capital projects.

SECTION IX IMPACT FEE SCHEDULE AND FORMULA

1. *Impact Fee Schedule or Formula Required.* Pursuant to Section 11-36a-402 of the Impact Fees Act, the City is required to provide a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement or the formula that the City will use to calculate each impact fee.

2. *Maximum Park Impact Fee Schedule.* Based on the Park Impact Fee Analysis, the maximum Park Impact Fees which the City may impose on development activity within the defined Service Area for park facilities is set forth in the following schedule:

Maximum Park Impact Fee Schedule

Development Activity	Park Impact Fee Per Dwelling Unit
Residential Development	\$ 2,869.16

3. *Rates Established by Resolution.* The City Council, by this Ordinance, approves the maximum Park Impact Fees in accordance with the Park Impact Fee Analysis set forth in *Exhibit B: Park Impact Fee Facilities Plan and Park Impact Fee Analysis*. The City reserves the right to establish the Park Impact Fees as established in this Ordinance by Resolution amending the Centerville Fee Schedule. In no event will the Park Impact Fees established by Resolution exceed the maximum supportable Park Impact Fee Schedule as set forth herein.

SECTION X ADJUSTMENTS AND CREDITS

1. *Adjustments.* In accordance with Section 11-36a-402 of the Impact Fees Act, the City may adjust the Park Impact Fees at the time the fee is charged to respond to unusual circumstances in specific cases, to address development activity by the State, or to ensure that impact fees are imposed fairly. The Park Impact Fees may be adjusted at the time the fee is charged in response to unusual circumstances or to fairly allocate costs associated with impacts created by a development activity or project. The Park Impact Fees assessed to a particular development may also be adjusted should the developer supply sufficient written information and/or data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.

2. *Developer Credits.* In accordance with Section 11-36a-402 of the Impact Fees Act, a developer may be allowed a credit against Park Impact Fees or proportionate reimbursement of Park Impact Fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement; or dedicates a public facility that the City and the developer agree will reduce the need for a system improvement; *provided* that the system improvement is: (i) identified in the City's Park Impact Fee Facilities Plan; and (ii) is required by the City as a condition of approving the development activity. To the extent required in Section 11-36a-402, the City shall provide a credit against Park Impact Fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities are system improvements, as defined herein and included in the Park Impact Fee Facilities Plan; or are dedicated to the public and offset the need for an identified system improvement.

3. *Waiver for "Public Purpose".* The City Council may, on a project by project basis, authorize exceptions or adjustments to the Park Impact Fees for those projects the City Council determines to be of such benefit to the community as a whole to justify the exception or adjustment. Such projects may include affordable housing and other development activities with broad public purposes. The City Council may elect to waive or adjust Park Impact Fees for such projects. Applications for exceptions are to be filed with the City at the time the applicant first requests the extension of service to the applicant's development or property.

SECTION XI NOTICE AND HEARING

1. *Notice.* All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Park Impact Fee Facilities Plan and Park Impact Fee Analysis, together with the summary and this Ordinance, in Centerville Branch of the Davis County Public Library and the City Recorder's Office at Centerville City Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of *Utah Code Ann.* § 10-9a-205.

2. *Hearing.* The City Council held a public hearing regarding the Parks Impact Fee Facilities Plan, the Parks Impact Fee Analysis, and this Park Impact Fee Ordinance, on January 2, 2018, and a copy of the Ordinance was available in its substantially final form at the Centerville Branch of the Davis County Public Library and the City Recorder's Office in the Centerville City Hall at least ten (10) days before the date of the hearing, all in conformity with the requirements of *Utah Code Ann.* § 10-9a-205 and applicable noticing provisions of the Impact Fees Act.

SECTION XII IMPACT FEE ACCOUNTING AND EXPENDITURES

1. *Impact Fees Accounting.* Pursuant to Section 11-36a-601 of the Impact Fees Act, the City will establish a separate interest bearing ledger account for each type of public facility for which an impact fee is collected, deposit a receipt for an impact fee in the appropriate ledger account established herein, and retain the interest earned on each fund or ledger account in the fund or ledger account.

2. *Reporting.* At the end of each fiscal year, the City shall prepare a report on each fund or ledger account showing the source and expenditures as required by law. Annually, the City shall produce and transmit to the State Auditor a certified report in accordance with Section 11-36a-601 in a format developed by the State Auditor.

3. *Impact Fee Expenditures.* Pursuant to Section 11-36a-602 of the Impact Fees Act, the City may expend Park Impact Fees only for a system improvement: (i) identified in the Parks Impact Fee Facilities Plan; and (ii) for the specific public facility type for which the fee was collected. Impact fees will be expended on a First-In First-Out basis.

4. *Time of Expenditure.* Except as otherwise provided by law, the City shall expend or encumber Park Impact Fees for a permissible use within six (6) years after the impact fee is collected. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

5. *Extension of Time.* Pursuant to Section 11-36a-602 of the Impact Fees Act, the City may hold the impact fees for longer than six (6) years if it identifies in writing: (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

6. *Refunds.* Pursuant to Section 11-36a-603 of the Impact Fees Act, the City shall refund any Park Impact Fees paid by a developer, plus interest earned, when: (i) the developer does not proceed with the development activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund from the City 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 developer's planned development activity even though that capacity may, at some future time, be utilized by another development.

7. *Other Impact Fees.* To the extent allowed by law, the City Council may negotiate or otherwise impose impact fees and other fees different from those currently charged. Those charges may, at the discretion of the City Council, include but not be limited to reductions or increases in impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City's system.

8. *Additional Fees and Costs.* The Park Impact Fees authorized herein are separate from and in addition to user fees and other charges lawfully imposed by the City and other fees and costs that may not be included as itemized component parts of the Park Impact Fee Schedule. In charging any such fees as a condition of development approval, the City recognizes that the fees must be a reasonable charge for the service provided.

9. *Fees Effective at Time of Payment.* The City will collect the Park Impact Fees at the time of building permit issuance. The fees will be calculated by the City. Unless the City is otherwise bound by a contractual requirement, the Park Impact Fees shall be determined from the fee schedule in effect at the time of payment.

10. *Imposition of Additional Fee or Refund after Development.* Should any developer undertake development activities such that the ultimate density or other impact of the development activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or the Park Impact Fee is not initially charged against all units or the total density within the development, the City shall be entitled to charge an additional Park Impact Fee to the developer or other appropriate person covering the density for which an impact fee was not previously paid.

SECTION XIII CHALLENGES TO IMPACT FEES

1. *Request for Information.* Pursuant to Section 11-36a-701, a person or entity required to pay a Parks Impact Fee who believes the the impact fee does not meet the requirements of law may file a written request for information with the City Manager. As required by law, the City Manager shall, within two (2) weeks after the receipt of the request for information provide the person or entity with the Park Impact Fee Facilities Plan, the Park Impact Fee Analysis, and any other relevant information relating to the Park Impact Fee.

2. *Advisory Opinion.* A potentially aggrieved person may request an advisory opinion from a neutral third party regarding compliance of the Park Impact Fees with the Impact Fees Act by filing such request with the Office of the Property Rights Ombudsman in accordance with the procedures and provisions of Title 13, Chapter 43, known as the Property Rights Ombudsman Act. The aggrieved party requesting an advisory opinion is not required to exhaust the administrative appeals procedures set forth in Subsection 4 before requesting an advisory opinion.

3. *Appeal.* A person or entity that has paid Park Impact Fees under the provisions of this Ordinance may challenge such impact fees pursuant to the provisions set forth in Title 11, Chapter 36a, Part 7 of the Impact Fees Act regarding Challenges.

a. *Grounds for Challenge.* Pursuant to Section 11-36a-701, a person or entity that has paid Park Impact Fees under the provisions of this Ordinance may challenge: (1) the impact fees; (2) whether the City complied with the notice requirements

of the Impact Fees Act with respect to the imposition of the impact fees; and/or (3) whether the City complied with other procedural requirements of the Impact Fees Act for imposing the impact fee.

b. *Sole Remedy.* The sole remedy for challenging the notice requirements is the equitable remedy of requiring the City to correct the defective notice and repeat the process. The sole remedy for challenging the impact fee is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated. Reasonable attorneys fees may be awarded to the substantially prevailing party to the extent provided in the Impact Fees Act.

c. *Initiation.* A challenge to an impact fee is initiated by filing:

- i. An appeal to the City Council pursuant to the administrative appeal procedures set forth herein;
- ii. A request for arbitration as provided in Section 11-36a-705 of the Impact Fees Act; or
- iii. An action in district court.

d. *Time Restrictions.* The time for filing a challenge to the impact fees shall be filed in accordance with the time limitations set forth in Section 11-36a-702, depending upon the type of challenge. The deadline to file an action in district court is tolled from the date that a challenge is filed using the administrative procedures set forth in Subsection 4 until thirty (30) days after the day on which a final decision is rendered in the administrative appeals procedure.

4. *Administrative Appeal Procedure.* The City hereby adopts an administrative appeal procedure to consider and decide challenges to the Park Impact Fees. Any person or entity that has paid a Park Impact Fee pursuant to this Ordinance may challenge or appeal the impact fee by filing written notice of administrative appeal with the City Manager within thirty (30) days after the day on which the person or entity paid the impact fee. The notice of appeal shall set forth the grounds for the appeal and shall include any applicable filing fees as set forth in the City's Consolidated Fee Schedule. Upon receiving the written notice of appeal, the City Council shall set a hearing date to consider the merits of the challenge or appeal. The person or entity challenging or appealing the fee may appear at the hearing and present any written or oral evidence deemed relevant to the challenge or appeal. Representatives of the City may also appear and present evidence to support the imposition of the fee. The City Council shall hold a hearing and make a decision within thirty (30) days after the date the challenge or appeal is filed.

5. *Mediation.* In addition to the methods of challenging an impact fee as provided herein, a specified public agency may require the City to participate in mediation of any applicable impact fee in accordance with the provisions of Section 11-36a-704 of the Impact Fees

Act. A written request for mediation must be filed in accordance with Section 11-36a-704 no later than thirty (30) days after the day on which the impact fee is paid.

6. *Declaratory Judgment Action.* Pursuant to Section 11-36a-701, a person or entity residing in or owning property within the Service Area, or an organization, association, or a corporation representing the interests of persons or entities owning property within the Service Area, are deemed to have standing to file a declaratory judgment action challenging the validity of an impact fee.

SECTION XIV MISCELLANEOUS

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

2. *Interpretation.* This Park Impact Fee Ordinance has been divided into sections, subsections, paragraphs and clauses for convenience only and the interpretation of this Ordinance shall not be affected by such division or by any heading contained herein.

3. *Other Impact Fees Not Repealed.* Except as otherwise specifically provided herein, this Park Impact Fee Ordinance shall not repeal, modify or affect any impact fee of the City in existence as of the effective date of this Ordinance.

SECTION XV EFFECTIVE DATE

In accordance with the provisions of *Utah Code Ann.* § 11-36a-401, this ordinance and the impact fees adopted herein or pursuant hereto shall not take effect until ninety (90) days after the day on which the ordinance is approved.

[Signature Page to Follow]

PASSED AND APPROVED this 2 day of January, 2018.

CENTERVILLE CITY COUNCIL

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

[SEAL]



VOTING:

Council Member Fillmore	Yea <u>X</u>	Nay ____
Council Member Ince	Yea <u>X</u>	Nay ____
Council Member Ivie	Yea <u>X</u>	Nay ____
Council Member McEwan	Yea <u>X</u>	Nay ____
Council Member Mecham	Yea <u>X</u>	Nay ____

ATTEST:

By Marsha L. Morrow
Marsha L. Morrow, City Recorder

DEPOSITED in the office of the City Recorder this 10 day of January, 2018.

RECORDED this 10 day of January, 2018.

EXHIBIT A

**MAP OF CITY-WIDE PARK IMPACT FEE
SERVICE AREA**



Date: 12/11/2012



City Boundary

Centerville City Park Impact Fee Service Area

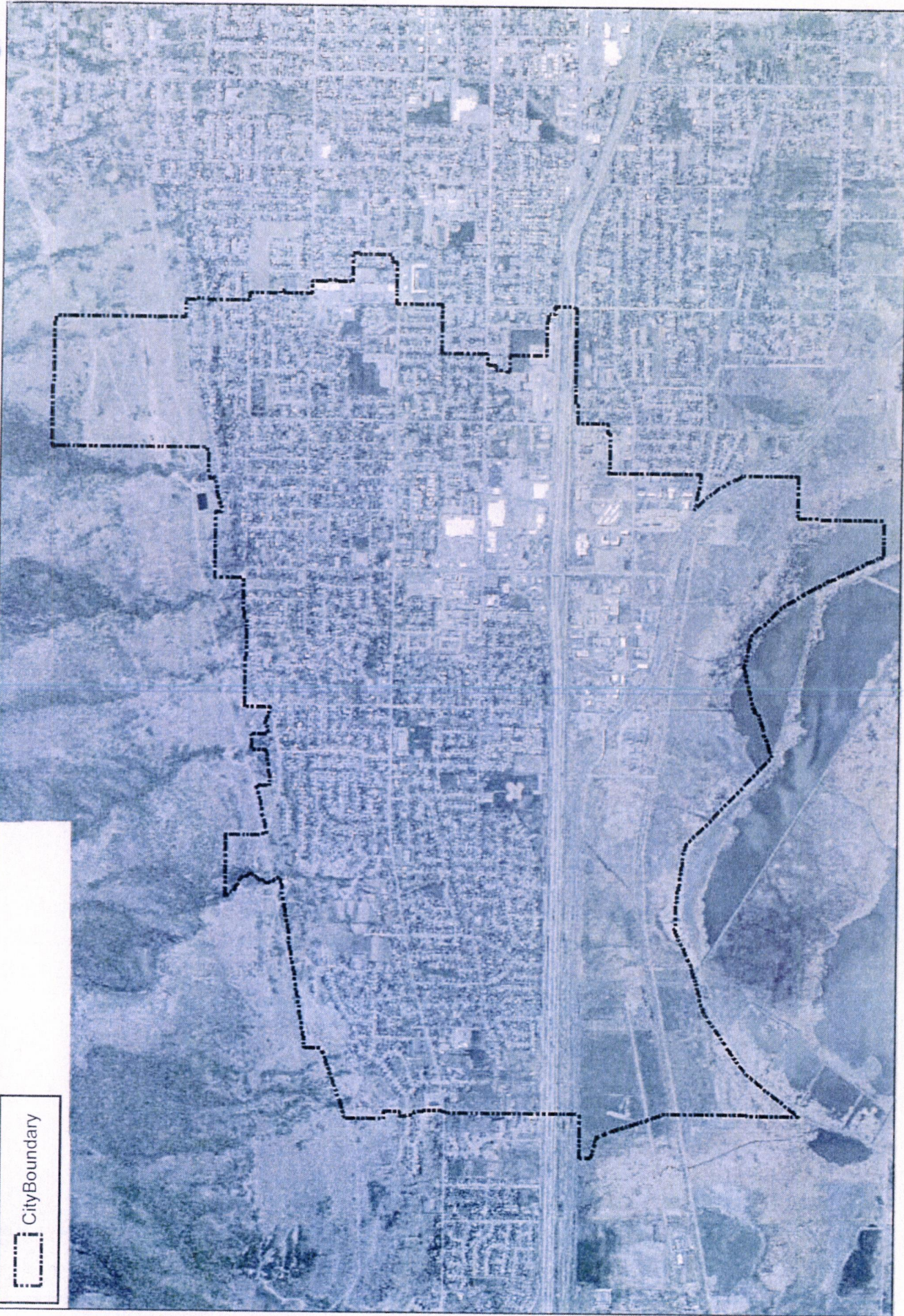


EXHIBIT B

PARK IMPACT FEE FACILITIES PLAN AND PARK IMPACT FEE ANALYSIS

CENTERVILLE CITY PARK IMPACT FEE FACILITIES PLAN AND PARK IMPACT FEE ANALYSIS



December 2012
(amended January 2018)

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

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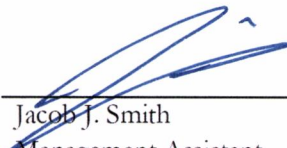
Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE FACILITIES PLAN 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. 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 methodology 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 Fee Act.

Centerville City



Jacob J. Smith
Management Assistant

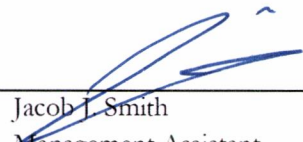
Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE ANALYSIS CERTIFICATION

I certify that the attached impact fee analysis:

1. Includes only the costs of public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
 - a. Costs of operation and maintenance of public facilities;
 - b. Costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - 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.

Centerville City



Jacob T. Smith
Management Assistant

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

EXECUTIVE SUMMARY

Centerville City is growing and that growth increases the demand on the City's public systems including its parks, recreational facilities, and trails. An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. The Utah Impact Fees Act allows cities and towns to charge impact fees for "parks, recreation facilities, open space and trails," as long as there exists a reasonable relationship between the fees imposed and the needs generated by new development [Utah Code 11-36a-102 (15)(f)].

Park impact fees may be implemented to sustain the current level of service (LOS) for developed parks, recreational facilities, and paved trails, but park impact fees may not be used to increase the LOS. The purpose of this Park Impact Fee Facilities Plan (IFFP) and Park Impact Fee Analysis (IFA) is to identify the parks, park amenities and trails LOS standards to ensure that the capacities of projects financed through impact fees do not exceed the standard. This is done through estimating future demand, explaining how future demand will be met along with the associated costs, and distributing the impacts equally with a park impact fee.

The Centerville parks, park amenities, and trails standards as identified in the Park IFFP and IFA is 2.79 acres of developed parks per 1,000 residents, 1 pavilion/restroom and playground per 2,723 residents, 1 sport court per 3,268 residents, and .51 miles of paved trails per 1,000 residents.

It is estimated that Centerville currently has 16,339 residents and according to current land availability and zoning designations, it is anticipated the City will add an additional 1,215 units or 3,815 new residents to its population. Build out is projected to occur sometime in 2029 with a total population of 20,154 residents. To maintain the current LOS with an additional 3,815 residents, the City will need to provide an additional 10.64 acres of developed parks, 1 additional sport court, pavilion, restroom, and playground (park amenities) and 1.95 miles of paved trails.

The Park IFFP identifies the planned parks, park amenities, and trails needed to maintain the current LOS along with the associated costs. The total cost to add the additional park acreage, park amenities, and paved trails is estimated to be around \$2,500,000. Impact fees will be charged only to residential development as commercial development is assumed to create no new demand on the parks, park amenities and trail systems. Impact fees will also be the primary source for funding the additional improvements.

Centerville currently charges and has been charging since July 7, 1998 a park impact fee of \$1,200 per residential unit. This is the lowest fee in South Davis County except for the notable exception of Bountiful, which does not charge a park impact fee. The average park impact fee in neighboring communities is \$2,238.17 (\$1,918.43 including Bountiful).

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is \$2,500,000. This cost distributed equally to the new residential units would justify a maximum park impact fee of \$2,057.61.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

LEGISLATIVE FRAMEWORK

Centerville City is authorized to impose impact fees subject to and in accordance with applicable provisions of the Utah Impact Fees Act, as set forth in *Utah Code Ann.* §§ 11-36a-101, *et seq.*, as amended (“Impact Fees Act”). An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fees may only be established for public facilities as defined in Section 11-36a-102 that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision. Public facilities for which impact fees may be imposed includes public facilities for “parks, recreation facilities, open space and trails.”

Impact fees may not be imposed or calculated to: (1) cure deficiencies in public facilities serving existing development; (2) raise the established level of service of a public facility serving existing development; (3) recoup more than the local political subdivision’s costs actually incurred for excess capacity in an existing system improvement; or (4) include 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. *Utah Code Ann.* § 11-36a-202. Notwithstanding any other provisions of the Impact Fees Act, a political subdivision “may not impose an impact fee . . . on a school district or charter school for a park, recreation facility, open space or trail.” *Utah Code Ann.* § 11-36a-202.

IMPACT FEE FACILITIES PLAN EXPLANATION

Before imposing or amending an impact fee, the City is required to prepare an impact fee facilities plan (“IFFP”) to determine the public facilities required to serve development resulting from new development activity. *Utah Code Ann.* § 11-36a-301. The IFFP is required by law to identify demands placed upon existing public facilities by new development activity and the proposed means by which the city will meet those demands. In preparing the IFFP, the City shall generally consider all revenue sources, including impact fees and anticipated dedication of system improvements, to finance the impacts on system improvements. The City may only impose impact fees on development activities when the City’s plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. *Utah Code Ann.* § 11-36a-302.

IMPACT FEE ANALYSIS EXPLANATION

Before imposing or amending an impact fee, the City is required to prepare a written analysis of each impact fee (“IFA”), together with a summary of such impact fee analysis designed to be understood by a lay person. *Utah Code Ann.* § 11-36a-303. The IFA shall: (1) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity; (2) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility; (3) demonstrate how the anticipated impacts described are reasonably related to the anticipated development activity; (4) estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity; and (4) identify how the impact fee was calculated. *Utah Code Ann.* § 11-36a-304.

In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the City shall identify, if applicable: (1) the cost of each existing public facility

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

that has excess capacity to serve the anticipated development resulting from the new development activity; (2) the cost of system improvements for each public facility; (3) 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; (4) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by payment from the proceeds of general taxes; (5) the relative extent to which development activity will contribute the cost of existing public facilities and system improvements in the future; (6) 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; (7) extraordinary costs, if any, in servicing the newly developed properties; and (8) the time-price differential inherent in fair comparison of amounts paid at different times.

IMPACT FEE CALCULATION

In calculating an impact fee, the City may include: (1) the construction contract price; (2) the cost of acquiring land, improvements, materials and fixtures; (3) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvement; and (4) debt service charges, if the City 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. *Utah Code Ann.* § 11-36a-305. All impact fee calculations shall be based on realistic estimates and the assumptions underlying such estimates shall be disclosed in the IFA.

SERVICE AREA

The Impact Fees Act requires the City to establish one or more service areas within which the City will calculate and impose a particular impact fee. The service area within which the proposed Park Impact Fees will be imposed includes all of the area within the corporate limits and jurisdictional boundaries of the City. The City has concluded, based on analysis and usage, that the City's parks are a system of regional and City-wide amenities and are considered a parks and trails system for all citizens and residents of the City. Any improvements to this parks and trails system—meaning that they serve the entire community at large—are considered “system improvements”. Park improvements serving only specific developments (such as pocket parks) are considered “project improvements”. As a matter of fairness and equity, project improvements within the service area are excluded from the level of service or impact fee calculations.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CENTERVILLE PARK AND PARK AMENITY STANDARDS

According to Centerville City's General Plan [12-460-1(3)(a)], the City's LOS for developed parks based on 2010 census data is 3.24 acres per 1,000 residents. The following data illustrates the current inventory of developed parks and park amenities.

TABLE A: DEVELOPED PARK INVENTORY

Park Name	Developed Acres	Planned Acres	Pavilion/ Restrooms	Playgrounds	Sport Courts
Centerville Community Park	21.23	6.0	1	1	-
Freedom Hills Park	9.28	-	1	1	-
Island View Park	6.00	-	1	1	2
Parrish Creek Parkway	0.00	1.5	-	-	-
Centerville Commons	0.68	-	-	-	-
Founders Park	2.52	-	1	1	-
Porter-Walton Park	3.00	-	1	1	1
Smoot Park	6.90	-	1	1	2
Total	49.61	7.5	6	6	5

According to the 2010 U.S. Census, Centerville had a population of 15,335 with an average of 3.14 persons per household. Table A shows a total of 49.61 acres of developed parks. The LOS was determined using the following formula:

$$\frac{49.61 \text{ ACRES OF DEVELOPED PARK}}{15,335 \text{ RESIDENTS}} \times 1,000 = 3.24 \text{ ACRES OF DEVELOPED PARKS PER 1,000 RESIDENTS}$$

ADJUSTMENTS TO THE PARK STANDARDS FOR IMPACT FEES

The standard of 3.24 acres/1,000 residents as outlined in the General Plan was based on the inventory of developed parks and the population in 2010. The population has since changed. In 2011, 212 building permits were issued and in 2012 there were 127 (339 total). Based on the following calculation, Centerville's estimated population is 16,339.

$$339 \text{ BUILDING PERMITS} \times 3.14 \text{ PERSON PER HOUSEHOLD} + 15,335 \text{ 2010 POPULATION} = 16,339$$

When determining the LOS that should be used to determine the maximum park impact fee, the inventory of parks needs to be adjusted to reflect the following: how the parks were financed to arrive at the 49.61 acres of developed parks, any park parcels donated to the City or owned by other entities and any pocket parks that should not be included in the park inventory as they do not serve the entire population of Centerville.

PARK FINANCING

The Centerville Community Park, the developed part of the Freedom Hills Park, Island View Park, and the Porter-Walton Park were all purchased and developed by the City either through the sale of other city-owned property, impact fees, or General Funds.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

NON-CITY OWNED/DONATED PARCELS

The City owns 1.15 of the 2.52 acres of Founders Park, but developed and maintains all of it. All 6.9 acres of Smoot Park was donated to Centerville City as the land was located in a flood plain and unbuildable. The original owners donated the land with an agreement the City would develop and maintain the property as a park. The City developed and maintains all of Smoot Park.

As the Park Impact Fee Facilities Plan (Table D) shows, development of a park can conservatively be estimated to be 60% of the cost of a city park. For this reason, 1.97 acres of Founders park (1.15 city owned + .82 county owned) and 4.14 acres of Smoot Park will remain in this analysis as being financed and developed by the City. The remaining 3.31 will be removed from the total acres of developed parks for an adjusted total of 46.3 acres.

POCKET PARKS

The Centerville Commons Park does not serve the entire population of Centerville; for this reason, the .68 acres will not be considered when determining the park impact fee. The total acres of developed parks for this study will then be adjusted to 45.62 acres.

ADJUSTED LOS FOR DEVELOPED PARKS AND PARK AMENITIES

The current estimated population is 16,339 residents and the adjusted amount of developed parks is 45.62 acres. The actual LOS for developed parks is then 2.79 acres of developed parks per 1,000 residents.

$$\frac{45.62 \text{ ACRES OF DEVELOPED PARK}}{16,339 \text{ RESIDENTS}} \times 1,000 = 2.79 \text{ ACRES OF DEVELOPED PARKS PER 1,000 RESIDENTS}$$

In addition, Centerville currently has six (6) pavilions and restrooms, (6) community playgrounds and five (5) sport courts used for either tennis or basketball. Together, these are referred to as the park amenities. The LOS for the park amenities are one (1) pavilion/restroom and playground per 2,723 residents and one (1) sport court per 3,268 residents.

$$\frac{6 \text{ PAVILIONS/RESTROOMS AND PLAYGROUNDS}}{16,339} = 1 \text{ PER } 2,723 \text{ RESIDENTS}$$
$$\frac{5 \text{ COURTS}}{16,339 \text{ RESIDENTS}} = 1 \text{ PER } 3,268 \text{ RESIDENTS}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CENTERVILLE PAVED TRAILS STANDARD

Table B is an inventory of paved trails in Centerville.

TABLE B: PAVED TRAILS INVENTORY

Trail Location/Name	Miles
Freedom Hills Park	1.66
Community Park	0.86
Frontage Road Parkway	1.80
Porter/Walton Park	0.33
Island View Park	0.22
Legacy Parkway	2.86
Bamberger Trail	0.58
Total	8.31

Using the same methodology for determining parks per 1,000 residents, the LOS for paved trails in Centerville is .51 miles of paved trail per 1,000 residents. The LOS was determined using the following formula:

$$\frac{8.31 \text{ MILES OF PAVED TRAILS}}{16,339 \text{ RESIDENTS}} \times 1,000 = .51 \text{ MILES OF PAVED TRAILS PER 1,000 RESIDENTS}$$

FUTURE DEMAND

The build out population for Centerville is projected to include an additional 1,215 units or 3,815 new residents based on December 2012 data of available land and the zoning designations for that land.

$$1,215 \text{ UNITS} \times 3.14 \text{ PERSONS PER HOUSEHOLD} = 3,815 \text{ NEW RESIDENTS}$$

This land and zoning data is provided below.

TABLE C-1: AVAILABLE LAND AND ZONING DESIGNATIONS

Zone	Acres	Units/Acre	~New Units
R-H	1.4	12	17
R-L	37.7	4	151
A-L Redevelopment	179.1	3	537
A-L Undeveloped	127.6	4	510
Total New Units			1,215

Source: Cory Snyder, Centerville Community Development Director

Based on demographic and economic projections provided by the Utah Governor's Office of Planning and Budget (GOPB) for Davis County beginning in 2013 and beyond, the assumption Centerville will grow at the same rate as the County, building permit data in 2011 and 2012 (1,004 new residents), and census data of 3.14 persons per household, Centerville is projected to reach build-out sometime in 2029 with a population of 20,154 as shown in the Table C-2.

Downloaded from <http://ajph.org/> on November 10, 2015

$$3.915 \times 10^{-11} \text{ W/m}^2 \text{ Hz}^{-1} \text{ m}^{-1} / 2.523 \times 10^{-11} \text{ W/m}^2 \text{ Hz}^{-1} \text{ m}^{-1} = 1.551$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

TABLE D: PARK IMPACT FEE FACILITIES PLAN

Park/Trail	Description	Cost
Trail Improvements	D&RG Trail Match (pave 1.34 miles)	\$ 40,000
Community Park Expansion (6.0 acres)	Total	\$ 820,000
	<i>Phase 1: Concept and Design</i>	\$ 20,000
	<i>Phase 2: Grading</i>	\$ 50,000
	<i>Phase 3: Drainage and Utilities</i>	\$ 100,000
	<i>Phase 4: Irrigation and Seed</i>	\$ 500,000
	<i>Phase 5: Parking and Path (pave .26 miles)</i>	\$ 150,000
Parrish Creek Parkway (1.5 acres)		\$ 150,000
Future Park(s) (Location Not Yet Determined)*	Total	\$ 490,000
	<i>Purchase of Property (2.16 acres)</i>	\$ 205,000
	<i>Phase 1: Concept and Design</i>	\$ 6,000
	<i>Phase 2: Grading</i>	\$ 18,000
	<i>Phase 3: Drainage and Utilities</i>	\$ 36,000
	<i>Phase 4: Irrigation and Seed</i>	\$ 180,000
	<i>Phase 5: Parking and Path (pave .35 miles)</i>	\$ 45,000
Park Amenities (Sport Court, Pavilion/Restroom, Playground)		\$ 300,000
City Hall/Founders Park Expansion (.98 acres)	Purchase and Improve	\$ 700,000
	Total	\$ 2,500,000

Included in the Park IFFP are 10.64 acres of developed parks, park amenities including 1 pavilion/restroom, playground, and sport court and 1.95 miles of paved trails needed to maintain the current LOS in Centerville for parks, park amenities and trails with the additional 3,815 future residents.

*The Parks CIP shows Future Park(s) at 7.21 additional acres, this is based on a park standard of 3.24 acres per 1,000 residents. The Park IFFP shows 2.16 acres; this is the portion of the Future Park(s) required to maintain the adjusted LOS of 2.79 acres of developed parks per 1,000 residents.

FUNDING

Centerville will use park impact fees as the primary source of revenue for new parks, park amenities and trails identified in the Park IFFP in an effort to maintain the LOS. Impact fees are necessary to achieve an equitable allocation of costs incurred as a direct result of new growth.

At the discretion of the City and in accordance with the applicable ordinances, General Plan and Parks CIP, a developer may choose to donate land for parks and trails in lieu of paying park impact fees. The City would determine if a potential donation would meet City needs and determine the fair market value of the donation.

Because commercial development is assumed to create no new demand for developed parks, park amenities or paved trails, only residential development will be charged a park impact fee.

CASH FLOW ANALYSIS FOR PARKS, PARK AMENITIES AND TRAILS

The cash flow summary shown below in Table E indicates impact fee revenue and expenditures necessary to meet demand for growth-related parks, park amenities and trail facilities. This cash flow analysis is for illustrative purposes only and is based on the Park IFFP and maximum justified park impact fee; The City

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

Council will determine the actual timing and costs of specific park improvements and trails as well as the actual amount of the park impact fee.

Population estimates are based on demographic projections provided by the GOPB, building permit information and assume Centerville will grow at the same rate as Davis County. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the cash flow and timing of projects.

TABLE E: CASH FLOW ANALYSIS

Year	Population	New Units	Impact Fee Revenue	Park/Trail Project (Identified in IFFP)	Capital Costs	Surplus (Deficit)
2013	16,600	83	\$ 170,781.89	D&RG Trail Match; Community Park Exp P1 & 2	\$ 110,000.00	\$ 60,781.89
2014	16,859	82	\$ 168,724.28	Community Park Exp P3	\$ 100,000.00	\$ 129,506.17
2015	17,115	82	\$ 168,724.28			\$ 298,230.45
2016	17,368	81	\$ 166,666.67	Community Park Exp P4	\$ 500,000.00	\$ (35,102.88)
2017	17,618	80	\$ 164,609.05	Community Park Exp P5	\$ 150,000.00	\$ (20,493.83)
2018	17,866	79	\$ 162,551.44	Parrish Creek Parkway	\$ 150,000.00	\$ (7,942.39)
2019	18,111	78	\$ 160,493.83			\$ 152,551.44
2020	18,344	74	\$ 152,263.37	Future Park Purchase	\$ 205,000.00	\$ 99,814.81
2021	18,573	73	\$ 150,205.76	Future Park P1 & 2	\$ 24,000.00	\$ 226,020.58
2022	18,799	72	\$ 148,148.15	Future Park P3 & 4	\$ 216,000.00	\$ 158,168.72
2023	19,022	71	\$ 146,090.53	Future Park P5	\$ 45,000.00	\$ 259,259.26
2024	19,242	70	\$ 144,032.92	Park Amenities	\$ 300,000.00	\$ 103,292.18
2025	19,459	69	\$ 141,975.31			\$ 245,267.49
2026	19,674	68	\$ 139,917.70			\$ 385,185.19
2027	19,885	67	\$ 137,860.08			\$ 523,045.27
2028	20,093	66	\$ 135,802.47	Founders Park Expansion	\$ 700,000.00	\$ (41,152.26)
2029	20,154	20	\$ 41,152.26			\$ 0.00
Total			\$ 2,500,000.00		Balance	\$ 0.00

The Impact Fee Act requires that any funds collected by impact fees be used within six years of collection and must be used for projects identified on the Park IFFP. This cash flow analysis assumes park improvements outlined on the Park IFFP would take place in a timely manner as development occurs and impact fees are collected. However, if City Council chooses to accelerate the construction of park improvements, they could ask voters to approve a bond issue. Any related indebtedness could then be paid, at least in part, with future park impact fees as they become available.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

CURRENT PARK IMPACT FEES

Centerville currently charges and has been charging since July 7, 1998 a park impact fee of \$1,200 per residential unit. This is the lowest fee in South Davis County except for the notable exception of Bountiful, which does not charge a park impact fee. The average park impact fee in neighboring communities is \$2,238.17 (\$1,918.43 including Bountiful). Kaysville is currently reviewing their park impact fee.

TABLE F: PARK IMPACT FEE COMPARISON

City	Park Impact Fee
West Bountiful	\$ 2,822.00
Bountiful	\$ -
Farmington	\$ 2,500.00
Woods Cross	\$ 2,314.00
North Salt Lake	\$ 2,300.00
Layton	\$ 1,873.00
Kaysville	\$ 1,620.00
Centerville	\$ 1,200.00

RECOMMENDED PARK IMPACT FEE

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is \$2,500,000. This cost distributed equally to the new residential units would justify a maximum park impact fee of \$2,057.61.

$$\text{\$2,500,000 TOTAL COSTS} / \text{1,215 UNITS} = \text{\$2,057.61}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

AMENDMENT TO THE 2012 PARK IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS (JANUARY 2017)

At the time the City prepared the 2012 Park Impact Fee Facilities Plan and Impact Fee Analysis (IFFP/IFA), the City relied upon estimates for future park development. Since that time, the City has initiated the development of an expansion of the Centerville Community Park. Due to the inflation of construction costs, actual costs are much higher than estimated. The city is now amending the 2012 Park IFFP/IFA to reflect actual costs.

EXECUTIVE SUMMARY AMENDMENTS

The following paragraphs have been amended to read as follows:

The Park IFFP identifies the planned parks, park amenities, and trails needed to maintain the current LOS along with the associated costs. The total cost to add the additional park acreage, park amenities, and paved trails is estimated to be around ~~\$2,500,000~~ **3,486,028**. Impact fees will be charged only to residential development as commercial development is assumed to create no new demand on the parks, park amenities and trail systems. Impact fees will also be the primary source for funding the additional improvements.

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is ~~\$2,500,000~~ **3,486,028**. This cost distributed equally to the new residential units would justify a maximum park impact fee of ~~\$2,057.61~~ **2,869.16**.

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

TABLE D: PARK IMPACT FEE FACILITIES PLAN AMENDMENTS

The following amended table shows updated actual costs for the Community Park Expansion and new estimates for the Future Park(s) based on actual costs. The cost per acre to develop the park is \$286,166 (\$1,716,995/6.0 acres).

Water requirements at the park expansion required an irrigation reservoir but may not be needed at future park(s); also, the City anticipates parking requirements for the future park(s) and associated costs will be half what they are for the park expansion. The associated costs (\$498,471 for the reservoir and half of the parking costs) taken from the total cost to develop the park expansion give a cost per acre to develop a park of \$203,081 (\$1,716,955-\$498,471/6.0 acres).

AMENDED TABLE D: PARK IMPACT FEE FACILITIES PLAN

Park/Trail	Description	Cost	Amended
Trail Improvements	D&RG Trail Match (pave 1.34 miles)	\$ 40,000	\$ 25,379
Community Park Expansion (6.0 acres)	Total	\$ 820,000	\$ 1,716,995
	<i>Phase 1: Concept and Design</i>	\$ 20,000	
	<i>Phase 2: Grading 2015 Phase</i>	\$ 50,000	\$ 408,560
	<i>Phase 3: Drainage and Utilities 2017 Phase</i>	\$ 100,000	\$ 671,955
	<i>Phase 4: Irrigation and Seed 2018 Phase</i>	\$ 500,000	\$ 636,480
	<i>Phase 5: Parking and Path (pave .26 miles)</i>	\$ 150,000	
Parrish Creek Parkway (1.5 acres)		\$ 150,000	\$ 150,000
Future Park(s) (Location Not Yet Determined)*	Total	\$ 490,000	\$ 643,654
	<i>Purchase of Property (2.16 acres)</i>	\$ 205,000	\$ 205,000
	<i>Phase 1: Concept and Design</i>	\$ 6,000	
	<i>Phase 2: Grading-Park Development</i>	\$ 18,000	\$ 438,654
	<i>Phase 3: Drainage and Utilities</i>	\$ 36,000	
	<i>Phase 4: Irrigation and Seed</i>	\$ 180,000	
	<i>Phase 5: Parking and Path (pave .35 miles)</i>	\$ 45,000	
Park Amenities (Sport Court, Pavilion/Restroom, Playground)		\$ 300,000	\$ 250,000
City Hall/Founders Park Expansion (.98 acres)	Purchase and Improve	\$ 700,000	\$ 700,000
	Total	\$ 2,500,000	\$ 3,486,028

*The Parks CIP shows Future Park(s) at 7.21 additional acres, this is based on a park standard of 3.24 acres per 1,000 residents. The Park IFFP shows 2.16 acres; this is the portion of the Future Park(s) required to maintain the adjusted LOS of 2.79 acres of developed parks per 1,000 residents.

RECOMMENDED PARK IMPACT FEE AMENDMENT

Based on the amended Park Impact Fee Facilities Plan (Amended Table D above), the recommended park impact fee calculation is amended to read as follows:

The proportionate cost for the future 1,215 units to maintain the current LOS for developed parks, park amenities and paved trails in Centerville is ~~\$2,500,000~~ **\$3,486,028**. This cost distributed equally to the new residential units would justify a maximum park impact fee of ~~\$2,057.61~~ **2,869.16**.

$$\text{\$2,500,000 TOTAL COSTS/1,215 UNITS} = \text{\$2,057.61}$$

$$\text{\$3,486,028 TOTAL COSTS/1,215 UNITS} = \text{\$2,869.16}$$

Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE FACILITIES PLAN RECERTIFICATION

I certify the impact fee facilities plan as amended:

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 methodology 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 Fee Act.

Centerville City



Jacob J. Smith
Management Services Director

1-2-18

Date

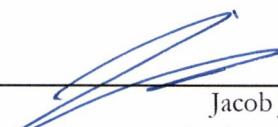
Centerville City Park Impact Fee Facilities Plan and Impact Fee Analysis

PARK IMPACT FEE ANALYSIS RECERTIFICATION

I certify the impact fee analysis as amended:

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.

Centerville City



Jacob J. Smith
Management Services Director

1-2-18

Date