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ORDINANCE NO. 961

A NEW ORDINANCE FOR THE CITY OF REXBURG TO BE KNOWN AS THE "STREETS DEVELOPMENT IMPACT FEE ORDINANCE" TO ALLOW FOR THE COLLECTION OF DEVELOPMENT IMPACT FEES, ESTABLISHING SUCH FEES, AND MORE PARTICULARLY SETTING FORTH THE TITLE AND PURPOSE AND PRESCRIBING THE PROCEDURES FOR CARRYING OUT THE PURPOSE HEREOF; ATTACHING AND INCORPORATING THE "CITY OF REXBURG STREETS DEVELOPMENT IMPACT FEE REPORT" DATED July 05, 2006 AS APPENDIX "A" HERETO; PROVIDING FOR LIBERAL CONSTRUCTION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, after a public hearing by the City Council to consider a Report entitled, "City of Rexburg Streets Development Impact Fee Report," dated July 05, 2006, hereinafter referred to in this Ordinance as "Report," the City Council has made and does hereby make the following findings, to wit:

1) That the City is responsible for and committed to the provision of public facilities and services at levels necessary to cure any existing public service deficiencies in already developed areas;

2) That such facilities and service levels shall be provided by the City utilizing funds allocated via the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein;

3) That new development, however, will cause and impose increased and excessive demands on existing City public facilities and services that would not otherwise be necessary;

4) That the City Council has considered and accepted the findings contained in the "City of Rexburg Streets Development Impact Fee Report," dated July 05, 2006 which indicates build out projections, public facilities analysis and the methodology for the determination of impact fees and that these findings are incorporated herein by reference;

5) That the build out projections as contained in the "Report" are based on the land use assumptions obtained from the Madison County Transportation Plan, adjusted for the study area;

6) That the build out projections as contained in the "Report" indicate that such development will continue and will place ever increasing demands on the City to provide necessary public facilities;

7) That to the extent that new development places demands on public facility infrastructure, those demands should be satisfied by shifting the responsibility for financing the provision of such facilities from the public at large to the developments actually creating the demands;

8) That the amount of the impact fee to be imposed shall be determined by the cost of the additional public facilities needed to support such development;

9) That the City Council, after careful consideration of the matter, hereby finds and declares that an impact fee imposed upon future development to finance public facilities, the demand for which is created by such development is in the best interest of the general welfare of the City and its residents, is equitable, does not impose an unfair burden on such development by forcing developers and builders to pay more than their fair share or proportionate share of the cost, and deems it advisable to adopt this ordinance as hereinafter set forth;

10) That there is a reasonable relationship between the amount of the impact fee and the cost of public facilities attributable to the development upon which the fee will be imposed because the fee is based only on the cost of providing the facilities necessary to serve the new development as discussed in the "Report."

It is deemed by the Mayor and City Council to be for the interests of the City of Rexburg, Idaho, that said Ordinance be adopted, NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Rexburg that a new ordinance be designated as the "STREETS DEVELOPMENT IMPACT FEE ORDINANCE", and is to read as follows:

## Section 1
## Title, Purpose and Definitions

01.010 **TITLE AND PURPOSE:** The provisions of this ordinance shall be known as the "City of Rexburg Streets Development Impact Fee Ordinance." The purpose of these regulations is to prescribe the procedure whereby developers of land shall pay an impact fee as set forth in this Ordinance for the purpose of providing the public facilities and system improvements needed to serve future residents and users of such development. It is further the purpose of this Ordinance to:

1. Ensure that adequate facilities are available to serve new growth and development;

2. Promote orderly growth and development by establishing uniform standards by which the City may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities needed to serve new growth and development;

3. Ensure that those who benefit from new growth and development are required to pay no more than their proportionate share of the cost of public facilities needed to serve new growth and development and to prevent duplicate and ad hoc development requirements;

4. Collect and expend development impact fees pursuant to the enabling powers granted by the provision of the Idaho Development Impact Fee Act, Title 67, Chapter 82, Idaho Code;

5. Provide the legal and procedural basis for the implementation of development impact fees within the area of city impact; and

6. Ensure that any capital improvement funded wholly or in part with impact fee revenue shall first be included in an approved capital improvements plan that lists the capital improvements that may be funded with impact fee revenues as well as the estimated costs and timing for each improvement.

01.020 **DEFINITIONS:** As used in this Title, the following words and terms shall have the following meanings, unless another meaning is plainly intended:

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| **1.** | **BUILDING PERMIT:** | The permit required for new construction and additions. |
| **2.** | **CAPITAL IMPROVEMENTS:** | Improvements with a useful life of ten (10) years or more, by new construction or other action, which increase the service capacity of a public facility, or service improvement. |
| **3.** | **CAPITAL IMPROVEMENTS PLAN:** | A plan adopted and amended pursuant to the provision of the Development Impact Fee Act, Idaho Code 67-8208 that identifies capital improvements for which development impact fees may be used as a funding source. The capital improvements plan is included as a part of the Development Impact Fee Report. |
| **4.** | **CITY:** | The City of Rexburg, a municipal corporation duly organized pursuant to the laws of the state of Idaho. |
| **5.** | **DEVELOPMENT:** | Any man-made change to improved or unimproved real property, the use of any principal structure or land, or any other activity that requires issuance of a building permit, or manufactured/mobile home permit, which creates additional demand and need for public facilities. |
| **6.** | **DEVELOPMENT APPROVAL:** | Any written duly authorized document from the City that authorizes the commencement of a development. |
| **7.** | **DEVELOPMENT IMPACT FEE:** | A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development. This term is also referred to as |

an impact fee in this Ordinance. The term does not include the following:

a. A charge or fee to pay the administrative, plan review or inspection cost associated with permits required for development;

b. Connection or hookup charges;

c. Availability charges for drainage, sewer, water, or transportation charges for services provided directly to the development; or

d. Amounts collected from a developer in a transaction in which the City has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements, unless a written agreement is made pursuant to Section 67-8209(3), Idaho Code, for credit or reimbursement.

8. **DEVELOPMENT REQUIREMENT:** A requirement attached to a developmental approval or other governmental action approving or authorizing a particular development project including, but not limited to a rezoning, which requirement compels the payment, dedication or contribution of goods, services, land, or money as a condition of approval.

9. **EXTRAORDINARY COSTS:** Those costs incurred as a result of an extraordinary impact.

10. **EXTRAORDINARY IMPACT:** An impact which is reasonably determined by the City to:

a. Result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Section 67-8214(2), Idaho Code;

b. Result in the need for system improvements which are not identified in the Capital Improvements Plan;

c. Have an impact which results in a lower than acceptable level of service.

11. **FEE PAYER:** That person who pays or is required to pay a development impact fee.

12. **GROSS FLOOR AREA:** The sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics when not used for human occupancy, nor any floor space in an accessory building, carport, or the main building intended or designed for the parking of motor vehicles in order to meet any City parking requirement nor nonresidential facilities; arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general

public, and which are not designed or used as sales, display, storage, service, or production areas.

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| 13. | **IMPACT FEE:** | See Development Impact Fee. |
| 14. | **LAND USE ASSUMPTIONS:** | A description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a twenty (20) year period. |
| 15. | **LEVEL OF SERVICE:** | A measure of the relationship between service capacity and service demand for public facilities. |
| 16. | **MANUFACTURED HOME:** | A structure, constructed according to HUD/FHA manufactured home construction and safety standards, transportable in one (1) or more sections, which:<br>a. In the traveling mode, is eight (8) feet or more in width or is forty (40) body feet or more in length, or<br>b. When erected on site, is three hundred twenty (320) or more square feet; and<br>c. Is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and<br>d. Includes the plumbing, heating, air conditioning, and electrical systems contained therein;<br>e. Except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. 5401, et seq. |
| 17. | **MOBILE HOME:** | A structure similar to a manufactured home, but built to a mobile home code prior to June 15, 1976, the date of enactment of the Federal Manufactured Housing and Safety Standards Act (HUD Code). |
| 18. | **MODULAR BUILDING:** | Any building or building component, other than a manufactured / mobile home, which is constructed according to standards contained in the Uniform Building Code, as adopted or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site. |
| 19. | **PRESENT VALUE:** | The total current monetary value of past, present, or future payments, contributions or dedications of goods, services, materials, construction, or money. |
| 20. | **PROJECT:** | A particular development on an identified parcel of land. |
| 21. | **PROJECT IMPROVEMENTS:** | In contrast to system improvements, project improvements are site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and the convenience of the occupants or users of the project. |

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| **22.** | **PROPORTIONATE SHARE:** | That portion of the cost of system improvements determined pursuant to Section 67-8207, Idaho Code, which reasonably relates to the service demands and needs of the project. |
| **23.** | **PUBLIC FACILITIES:** | Means those types of improvements described in Idaho Code 50-1703, including but not limited to the following:<br>a. Circulation facilities, streets<br>b. Parks, open space and recreation areas, and related capital improvements; and<br>c. Public safety facilities, including law enforcement, fire, emergency medical and rescue. |
| **24.** | **RECREATIONAL VEHICLE:** | A vehicular type unit primarily designed as temporary quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. |
| **25.** | **SERVICE UNIT:** | A standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular public facility category (i.e. parks, law enforcement, fire, etc.) of capital improvements. |
| **26.** | **SYSTEM IMPROVEMENTS:** | In contrast to project improvements, mean capital improvements to public facilities which are designed to provide service to a service area including and without limitation, the type of improvements described in Section 50-1703, Idaho Code. |
| **27.** | **SYSTEM IMPROVEMENTS COSTS:** | Costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering and other costs attributable thereto, and also including, without limitation, the type of costs described in Section 50-1702 (h), Idaho Code, to provide additional public facilities needed to service new growth and development. For clarification, system improvement costs do not include:<br>a. Construction, acquisition or expansion of public facilities other than capital improvements identified in the capital improvements plan;<br>b. Repair, operation or maintenance of existing or new capital improvements;<br>c. Upgrading, updating, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;<br>d. Administrative and operating costs of the City unless such costs are attributable to development of the capital improvements plan, as provided in Section 67-8208, Idaho Code; or<br>e. Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the City to |

finance capital improvements identified in the capital improvements plan.

**28. UNIT(S) OF DEVELOPMENT:** A quantifiable increment of development activity measured in terms of dwelling units, or other appropriate measurements contained in the impact fee schedule incorporated in the "Report."

Section 2
Application

02.010 **APPLICATION:**

A. The provisions of this Ordinance shall apply uniformly to all those who benefit from new growth and development except as provided below.

B. The provisions of this Ordinance shall not apply to the following:

1. Rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe, providing the structure is rebuilt and ready for occupancy within two (2) years of its destruction;

2. Remodeling or repairing a structure that does not increase the number of service units;

3. Replacing a residential unit, including a modular building or manufactured / mobile home, with another residential unit on the same lot, provided that the number of service units does not increase;

4. Placing a temporary construction trailer or office on a lot;

5. Constructing an addition on a residential structure that does not increase the number of service units;

6. Adding uses that are typically accessory to residential uses, such as tennis courts or clubhouse, unless it can be clearly demonstrated that the use creates a significant impact on the capacity of system improvements;

7. Upon demonstration by fee payer by documentation such as utility bills and tax records, to the installation of a modular building, manufactured / mobile home or recreational vehicle on that same lot or space for which a development impact fee has been paid previously, and as long as there is no increase in service units.

C. An exemption must be claimed by the fee payer upon application for a building permit. Any exemption not so claimed shall be deemed waived by the fee payer. Applications for exemption shall be submitted to and determined by the City Clerk, or his or her duly designated agent, within ninety (90) days. Appeals of the City Clerk's, or his or her duly designated agent, determination shall be made under the provisions of Section 11 of this Ordinance entitled "Appeals."

Section 3
Collection of Impact Fee

03.010 **COLLECTION OF IMPACT FEE:**

A. The development impact fee shall be paid and collected at the time of issuance of a building permit or a manufactured/mobile home installation permit.

B. No building permit or other equivalent City approval shall be issued for development as herein defined unless the impact fee is paid pursuant to this Ordinance.

C. A manufactured / mobile home unit may not locate on a manufactured / mobile home site unless the impact fee is paid pursuant to this Ordinance or has been paid on a previous manufactured / mobile home unit on the same site.

D. In the event payment is dishonored, the City shall have all lawful remedies including but not necessarily limited to the withholding of utility services, the imposition of reasonable interest and penalties, the imposition of liens pursuant to Chapter 5, Title 45, Idaho Code, the withholding of other City approvals required for the development of other properties owned by the fee payer, and the issuance of "stop work" orders, and the revocation or suspension of the building permit.

Section 4
Capital Improvement Projects

04.010 **CAPITAL IMPROVEMENT PROJECTS:**

The capital improvement projects to be financed by the impact fee are those as listed in the "Report," incorporated herein by reference along with all footnotes, exhibits, appendices, and other attachments referenced.

Section 5
Calculation of Impact Fee

05.010 **CALCULATION OF IMPACT FEE:**

A. The City shall calculate the amount of the impact fee due for each building permit and manufactured / mobile home installation permit by the procedure set forth in the "Report".

B. The calculation of a development impact fee shall be in accordance with generally accepted accounting principles. A development impact fee shall not be deemed invalid because payment of the fee may result in an incidental benefit to owners or developers within the service area other than the person paying the fee.

C. A development impact fee shall be calculated on the basis of the Performance Standard for public facilities adopted in this Ordinance and in the "Report" that are applicable to existing development as well as new growth and development. The construction, improvement, expansion or enlargement of new or existing public facilities for which a development impact fee is imposed must be attributable to the capacity demands generated by the new development.

D. If the development for which a building permit is sought contains a mix of uses, the impact fee will be calculated for each type of use.

E. Certification: Prior to making an application for a building permit or manufactured / mobile home installation permit, a prospective applicant may request in writing a written certification of the development impact fee schedule or individual assessment for a particular project which shall establish the development fee for a period of one (1) year from the date of certification. The certification shall include an explanation of facilities considered under Section 67-8207, Idaho Code. The certification shall specify the system improvement(s) for which the impact fee is intended to be used.

F. Individual Assessment: Individual assessment of impact fees is permitted in situations where the fee payer can demonstrate by clear and convincing evidence that the established impact fee is inappropriate.

    1. Individual assessments of development impact fees may be made by application to the City Clerk, or his or her duly designated agent, prior to receiving building permits manufactured / mobile home installation permits, or other necessary approvals from the City. The City Clerk, or his or her duly designated agent, shall evaluate such individual assessments under the guidelines provided for in section 05.010.F.4. If the guidelines are met, the individual assessment shall be approved by the City Clerk, or his or her duly designated agent. Any decision regarding a request for an individual assessment shall be provided in writing to the applicant and a copy of said decision, along with supporting documentation, shall be provided to the City Council within thirty (30) days of the decision.

    2. Late applications for individual assessments may be submitted within thirty (30) days after the receipt of a building permit only if the fee payer makes a showing that the facts supporting such application were not known or discoverable prior to receipt of a building permit and that undue hardship would result if said application is not considered.

    3. The City Clerk, or his or her duly designated agent, shall render a written decision regarding the individual assessment and forward it to the City Council within thirty (30) days of the date a complete application is submitted. The decision of the City Clerk, or his or her duly designated agent, shall establish the impact fee for the project in question for a period of one (1) year from the date said decision becomes final.

4. The City Clerk, or his or her duly designated agent, shall evaluate an application for individual assessment and may approve the same if fee payer has shown by clear and convincing evidence that the established impact fee is inappropriate and that the following facts and conditions exist.

   a. Exceptional or extraordinary circumstances or conditions apply to the development that does not apply generally to other properties in the vicinity of the development.

   b. An individual assessment is necessary for the reasonable and acceptable development of the property.

   c. The approval of the individual assessment will not be materially detrimental to the public welfare or injurious to property in the vicinity in which the development is located.

   d. The approval of the individual assessment will not adversely affect the capital improvement plan for the City.

5. Appeals to the City Clerk, or his or her duly designated agent, determination of individual assessment shall be made to the City Council by the filing of an appeal with the City Clerk within thirty (30) days of the date of mailing, faxing, or personal delivery of written notice of the decision of the City Clerk, or his or her duly designated agent. Final determination regarding the appeal of individual assessments shall be made by the City Council.

Section 6
General Methodology for Calculation

06.010 **GENERAL METHODOLOGY FOR CALCULATION:**

A. The amount of the impact fee shall be calculated using the methodology contained in the "Report."

B. A development impact fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with Section 67-8207, Idaho Code. Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs.

C. A developer shall have the right to elect to pay a project's proportionate share of system improvement costs by payment of development impact fees according to the fee schedule as full and complete payment of the development project's proportionate share of system improvement costs, except as provided in Section 67-8214(3), Idaho Code. The schedule of development impact fees for various land users per unit of development shall be as set forth in the "Report."

D. Proportionate Share Determination:

   1. All development impact fees shall be based on a reasonable and fair formula or method under which the development impact fee imposed does not exceed a proportionate share of the costs incurred or to be incurred by the City in the provision of system improvements to serve the new development. The proportionate share is the cost attributable to the new development after the City considers the following:

      a. Any appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements;

      b. Payments reasonably anticipated to be made by or as a result of a new development in the form of user fees, debt service payments, or taxes which are dedicated for system improvements for which development impact fees would otherwise be imposed; and

      c. All other available sources of funding such system improvements.

   2. In determining the proportionate share of the cost of system improvements to be paid by the developer, the following factors shall be considered by the City:

      a. The cost of existing system improvements within the service area or areas;

b. The means by which existing system improvements have been financed;

c. The extent to which the new development will contribute to the cost of system improvements through taxation, assessments, or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions.

d. The extent to which the new development is required to contribute to the cost of existing system improvements in the future.

e. The extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas;

f. Extraordinary costs, if any, incurred in serving the new development;

g. The time and price differential inherent in a fair comparison of fees paid at different times; and

h. The availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation. The City shall develop a plan for alternative sources of revenue, which shall include but not necessarily be limited to plans generated during the City's annual budget process, lobbying efforts, tax increment financing, implementation of user fees and various forms of utilities.

Section 7
Inflationary Adjustment for Impact Fee

07.010 **INFLATIONARY ADJUSTMENT INDEX FOR IMPACT FEE:**

This ordinance provides for an automatic annual adjustment to the impact fee based on the Constructions Materials index for Seattle. The adjustment may increase or decrease the impact fee depending on the value of the index for that year. The inflationary adjustment will be capped at 2.5% each year. The annual effective date of this fee adjustment shall coincide with the beginning date of the City's annual budget.

Section 8
Administration of Impact Fee

08.010 **ADMINISTRATION OF IMPACT FEE:**

A. Transfer of funds to City Finance Officer: Upon receipt of impact fees, the City Finance Officer, or his or her duly designated agent, shall be responsible for placement of such funds into separate accounts as hereinafter specified. All such funds shall be deposited in interest-bearing accounts, within the Capital Projects Fund, in a bank authorized to receive deposits of city funds. Interest earned by each account shall be credited to that account and shall be used solely for the purposes specified for funds of such account.

B. Establishment and maintenance of accounts: The City Finance Officer, or his or her duly designated agent, shall establish separate accounts and maintain records for each such account whereby impact fees collected can be segregated.

C. Maintenance of records: The City Finance Officer, or his or her duly designated agent, shall maintain and keep accurate financial records for each such account that shall show the source and disbursement of all revenues; that shall account for all monies received; that shall ensure that the disbursement of funds from each account shall be used solely and exclusively for the provision of projects specified in the capital improvements program; and that shall provide an annual accounting for each impact fee account showing the source and amount of all funds collected and the projects that were funded.

D. Development impact fees shall only be spent for the public facility category (i.e. streets, parks, law enforcement, fire, etc.) of system improvements for which the fees are collected and either within or for the benefit of the service area in which the project is located.

E. Review and modification: Unless the City Council deems some other time period is appropriate, the City shall at least once every five (5) years commencing from the date of the original adoption of the capital improvement plan, review the development potential of the area and update the capital improvements plan in accordance with the procedures set forth in Idaho Code Section 67-8206. The City may make any updates as are deemed necessary as a result of (1) development occurring in the prior year; (2) capital improvements actually constructed; (3) changing facility needs; (4) inflation; (5) revised cost estimates for capital improvements; (6) changes in the availability of other funding projects; and (7) such other factors as may be relevant.

F. The City shall annually adopt a capital budget.

G. As part of its annual audit process, the City shall prepare an annual Report describing the amount of all development impact fees collected, appropriated, or spent during the preceding year by category of public facility and service area.

H. All other requirements of Idaho Code 67-8210, regarding earmarking and expenditure of collected development impact fees, shall apply.

Section 9
Credits

09.010 **CREDITS AND REIMBURSEMENT:**

A. In the calculation of development impact fees for a particular project, credit or reimbursement shall be given for the present value of any construction of system improvements or contribution or dedication of land or money required by the City from a developer for system improvements of the public facility category (i.e. parks, police, circulation) for which the development impact fee is being collected. Credit or reimbursement shall not be given for project improvements unless those improvements are identified in the "Report" as a system improvement. In that event, the credit given will only be given for those project improvements that are specifically listed in the "Report" and not for any portion of the improvements that would otherwise be required by zoning, subdivision, or other city regulations.

B. If a developer is required to construct, fund or contribute system improvements in excess of the development project's proportionate share of system improvement costs, the developer shall receive a credit on future impact fees or be reimbursed at the developer's choice for such excess construction, funding or contribution from development impact fees paid by future development which impacts the system improvements constructed, funded or contributed by the developer(s) or fee payer. If a credit for the payment of future impact fees is requested, the credit shall be given only for the public facility category that received system improvements in excess of the development's proportionate share.

C. If credit or reimbursement is due to the developer pursuant to this section, the City shall enter into a written agreement, with the fee payer, negotiated in good faith, prior to the construction, funding, or contribution. The agreement shall provide for the amount of credit or the amount, time and form of reimbursement.

D. Any person requesting such credit or reimbursement shall submit their request in writing on a form provided by the City and present documentation of costs or payments for facilities to the City Public Works Director or his or her duly designated agent prior to issuance of a building permit or manufactured / mobile home installation permit. The determination shall be made no more than forty-five (45) days after complete documentation is submitted to the City Public Works Director or his or her duly designated agent. Any appeal from such a determination by the City Public Works Director, or his or her duly designated agent, shall be pursuant to Section 11 of this Ordinance.

Section 10
Refunds

10.010 **REFUNDS:**

A. The current owner or contract purchaser of property on which an impact fee has been paid may request a refund of such fee if:

1. Service is available but never provided;

2. The project for which a building permit has been used has been lawfully altered resulting in a decrease in the amount of the impact fee due; or

3. The City, after collecting the fee when service is not available, has failed to appropriate and expend the collected development impact fees pursuant to Section 67-8210(4) Idaho Code.

4. A building permit or permit for installation of a manufactured / mobile home is denied or abandoned.

B. The request for refund must be filed in writing and submitted to the City Clerk or his or her duly designated agent on a form provided by the City for such purpose. The Owner shall provide such documentation as the City Clerk, or his or her duly designated agent, may require proving such satisfaction, reconveyance, or releases from contract sellers, mortgagees, lien holders, and / or others having an interest in the real property for which an impact fee has been paid.

C. A request for refund must be filed within the time allowed by law.

D. Within ninety (90) days of the date of receipt of a request for refund, the City Clerk or his or her duly designated agent must provide the owner, in writing, with a decision on the refund request including the reasons for the decision. If a right to refund exists, the City is required to send a refund to the owner of record within ninety (90) days after it is determined that a refund is due. A refund shall include a refund of interest at one-half (½) the legal rate provided for in Section 28-22-104, Idaho Code.

E. Owner may appeal the determination of the City Clerk, or his or her duly designated agent, to the City Council pursuant to the provisions in Section 11 of this Ordinance.

## Section 11
## Appeals

11.010 **APPEALS:**

A. A developer or fee payer may appeal the written determination of the applicability and amount of the development impact fee, or refund, or any discretionary action or inaction by or on behalf of the City to the City Council.

B. The developer or fee payer must file a notice of appeal to the City Council with the City Clerk within thirty (30) days following the written determination, discretionary action, or inaction. When filing an appeal, the fee payer shall submit a letter providing a full explanation of the request, the reason for appeal, as well as all supporting documentation.

C. The filing of an appeal shall not stay required payment of the impact fee, however, a fee payer can pay a development impact fee under protest in order to obtain development approval or building permit.

D. Upon voluntary agreement by the fee payer and the City, any disagreement related to the impact fee for the proposed development may be mediated by a qualified independent party.

1. Mediation may take place at any time during the appeals process and participation in mediation does not preclude the fee payer from pursuing other remedies provided for in this Ordinance.

2. The fee payer and the City shall share mediation costs equally.

## Section 12
## Extraordinary Impacts

12.010 **EXTRAORDINARY IMPACTS:**

In determining the proportionate share of the cost of system improvements to be paid by the developer, the City Clerk or his or her duly designated agent shall consider whether any extraordinary costs will be incurred in serving the development based upon an extraordinary impact as defined in Section 1 of this ordinance. This determination shall be made prior to issuance of any permit for development and shall be paid prior to any such issuance except as may be provided pursuant to a private agreement between the parties as authorized by Idaho Code Section 67-8214.

If the City Clerk or his or her duly designated agent determines that the development will result in an extraordinary impact, it shall advise the fee payer in writing what the extraordinary impact is, the reason for the extraordinary impact, and the estimated costs to be incurred as a result of the extraordinary impact.

Nothing in this Ordinance shall obligate the City to approve any development that results in extraordinary impact.

The fee payer may appeal the determination of an extraordinary impact or the amount of extraordinary costs incurred in writing by filing a notice of appeal to the City Council with the City Clerk pursuant to the terms set forth in Section 11, entitled "Appeals." When filing an appeal, the fee payer shall submit a letter providing the reason for the appeal along with supporting documentation. The City Council shall consider the appeal and make a final determination within ninety (90) days of receipt of the written appeal.

Section 13
Streets Development Impact Fee Report

13.010 **ADDENDUM "A":**

Addendum "A" entitled "Streets Development Impact Fee Report" dated <u>July 05, 2006</u>, along with all footnotes, exhibits, appendices, and other attachments referenced therein, all of which are by this reference incorporated herein as if set forth fully. A description of acceptable levels of service for system improvements is described in the "Report."

Section 14
Bonding

14.010 **BONDING:**

Funds pledged toward retirement of bonds, revenue certificates, or other obligations of indebtedness for such projects may include impact fees and other city revenues as may be allocated by the City Council.

Section 15
Effects of Impact Fee on Zoning and Subdivision
Regulations, Impact Fee as Additional
and Supplemental Requirement

15.010 **EFFECT OF IMPACT FEE ON ZONING AND SUBDIVISION REGULATIONS:**

This Ordinance shall not affect, in any manner, the permissible use of property, density of development, design and improvement standards and requirements, or any other aspect of the development of land or provision of capital improvements subject to the zoning and subdivision regulations or other regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such development.

Section 16
Other Powers and Rights Not Affected

16.010 **OTHER POWERS AND RIGHTS NOT AFFECTED:**

A. Nothing in this Ordinance shall prevent the City from requiring a developer to construct reasonable project improvements in conjunction with a development project.

B. Nothing in this Ordinance shall be construed to prevent or prohibit private agreements between property owners and developers, the Idaho Transportation Department, the City, and other governmental entities in regard to the construction or installation of system improvements or providing for credits or reimbursements for system improvement costs incurred by a developer including inter-project transfers of credits or providing for reimbursement for project improvements which are used or shared by more than one (1) development project. If it can be shown that a proposed development has a direct impact on a public facility under the jurisdiction of the Idaho Transportation Department, then the agreement shall include a provision for the allocation of impact fees collected from the developer for the improvement of the public facility by the Idaho Transportation Department.

C. Nothing in this Ordinance shall obligate the City to approve development that results in an extraordinary impact. Extraordinary impacts shall be determined and processed pursuant to Section 12 of this Ordinance.

D. Nothing in this Ordinance shall obligate the City to approve a development request that may reasonably be expected to reduce levels of service below minimum acceptable levels established in the development impact fee ordinance. To this end, the City may impose a development impact fee for system improvement costs incurred subsequent to adoption of the ordinance to the extent that new growth and development will be served by the system improvements.

E. Nothing in this Ordinance shall be construed to create any additional right to develop real property or diminish the power of the City in regulating the orderly development of real property.

F. Nothing in this Ordinance shall work to limit the use by the City of the power of eminent domain or supersede or conflict with requirements or procedures authorized in the Idaho Code for local improvement districts or general obligation bond issues.

G. Nothing herein shall restrict or diminish the power of the City to annex property into its territorial boundaries or exclude property from its territorial boundaries upon request of a developer or owner, or to impose reasonable conditions thereon, including the recovery of project or system improvement costs required as a result of such voluntary annexation.

Section 17
Severability

17.010 **SEVERABILITY:**

The provisions of this Ordinance are hereby declared to be severable and if any provision of the Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 18
Public Health, Safety and Welfare

**18.010 PUBLIC HEALTH, SAFETY AND WELFARE:**

The provisions of this Ordinance are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience, and it shall be liberally construed to effectively carry out its purposes.

Section 19
Conflicts

**19.010 CONFLICTS:**

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 20
Partial Invalidity

**20.010 PARTIAL INVALIDITY:**

Should any sentence, section, clause, part, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 21
No Waiver

**21.010 NO WAIVER:**

Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be constructed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Rexburg City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

Section 22
Public Notice

**22.010 PUBLIC NOTICE**

This ordinance shall be published in full or in summary in one (1) issue of the Standard Journal, a newspaper of general circulation published within the City of Rexburg and the official newspaper thereof.

Section 23
Public Notice

**23.010 EFFECTIVE DATE**

This Ordinance shall be in full force and effect 30 days after adoption by City Council subject to meeting the public notice requirement of Section 22.010.

Approved by the Mayor this 05th Day of July, 2006.

Shawn Larsen

Shawn Larsen, Mayor

Attest:

Blair D. Kay

Blair D. Kay, City Clerk

CITY OF REXBURG CORPORATE SEAL STATE OF IDAHO

STATE OF IDAHO )
:ss
County of Madison )

I, BLAIR D. KAY, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

A NEW ORDINANCE FOR THE CITY OF REXBURG TO BE KNOWN AS THE "STREETS DEVELOPMENT IMPACT FEE ORDINANCE" TO ALLOW FOR THE COLLECTION OF DEVELOPMENT IMPACT FEES, ESTABLISHING SUCH FEES, AND MORE PARTICULARLY SETTING FORTH THE TITLE AND PURPOSE AND PRESCRIBING THE PROCEDURES FOR CARRYING OUT THE PURPOSE HEREOF; ATTACHING AND INCORPORATING THE "CITY OF REXBURG STREETS DEVELOPMENT IMPACT FEE REPORT" DATED July 05, 2006 AS APPENDIX "A" HERETO; PROVIDING FOR LIBERAL CONSTRUCTION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Passed by the City Council and approved by the Mayor this 05th day of July, 2006.

Blair D. Kay

Blair D. Kay, City Clerk

CITY OF REXBURG CORPORATE SEAL STATE OF IDAHO

# CITY OF REXBURG

# STREETS DEVELOPMENT IMPACT FEE PROGRAM/ CAPITAL IMPROVEMENT PLAN

**Prepared for:**

**City of Rexburg**
12 North Center
Rexburg, Idaho 83440

**Prepared by:**

**Hofman Planning Associates**

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**FINAL**
**July 5, 2006**

## Individuals Responsible for Preparation of this Report:

### CITY STAFF

Mr. Richard Horner, Chief Financial Officer
Mr. John Millar, Public Works Director

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Brett Jensen
Judy Hobbs
Rick Nielson
Nyle Fullmer

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### HOFMAN PLANNING ASSOCIATES

Bill Hofman, President
Leslie Punelli, Senior Planner

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## LIST OF EXHIBITS

# EXECUTIVE SUMMARY

The City of Rexburg Development Impact Fee Program provides the necessary detail to support a development impact fee for the identified facilities in conformance with Idaho State Statute Title 67, Chapter 82 Development Impact Fees. This enabling legislation allows for impact fees to be collected and sets parameters to ensure that those fees are both fair and equitable. When implemented, these fees will provide a funding mechanism by which future development will pay an equitable share of the costs associated with future public facility construction and/or improvements. The *City of Rexburg Development Impact Fee Program* and *Development Impact Fee Ordinance* comply with Idaho State Statutes. The format of this report is such that it is comprehensible without sacrificing the detail necessary to withstand close scrutiny, either legal or otherwise.

The *City of Rexburg Development Impact Fee Program* identifies build-out projections for the City of Rexburg and the Area of Impact based on the Madison County Transportation Plan and Rexburg Traffic Analysis prepared by Keller Associates. Build-out projections were used to determine the impacts to public facilities created by the projected future development. The costs required for future facility improvements were then determined and utilized in this report as methodology components to provide a rational nexus between the public facility improvement needs and the impact fee to be paid by future development.

Two definitions will be helpful in understanding this document:

**Build Out Projections** – the residential forecast of growth within the Study Area from the present time until all available land has been developed to the extent realistically permitted by the terrain. Build out projections are not time dependent.

**Performance Standard** – A standard applied to a facility that ensures that adequate public facilities are provided at a desirable level. This standard can be population based or square footage based depending on the facility.

The findings of this study can be summarized as follows:

**BUILDOUT PROJECTIONS**

**Dwelling Units**

| | |
|---|---|
| Total Existing Dwelling Units | 7,400 Units |
| Total Future Dwelling Units | 14,420 Units |
| Total Build Out Dwelling Units | 21,820 Units |

**Non-Residential Sq. Footage**

| | |
|---|---|
| Existing Square Feet | 6,956,005 Square Feet |
| Future Square Feet | 7,128,161 Square Feet |
| Build Out Square Feet | 14,084,166 Square Feet |

**Population**

| | |
|---|---|
| Total Existing Population | 27,477 Persons |
| Total Future Population | 54,361 Persons |
| Total Build Out Population | 81,838 Persons |

## FACILITY ANALYSIS

### Circulation

| | |
|---|---|
| Level of Service Standard | LOS C |
| Estimated Costs to be funded by Impact Fees | $21,999,450.00 |
| Fee per Single Family Dwelling Unit | $804.25 |
| Fee per Multi-Family Dwelling Unit | $643.40 |
| Fee per Average Daily Trip (Non-Residential) | $16.80 |

# CHAPTER 1 : INTRODUCTION AND PURPOSE

The City of Rexburg, an established community located in eastern Idaho, is anticipating consistent and sustained growth in coming decades. As this growth occurs, an increasing population will place heavier demands upon city services and infrastructure. To maintain desirable levels of service (LOS), and to ensure that future development pays an equitable

portion of the cost for construction of future public facilities, the City of Rexburg elected to enact a development impact fee program to serve as its primary financial mechanism in paying for public facility improvements made necessary by new development.
Specifically, this report identifies appropriate impact fees for the following (public) facilities:

- Circulation Facilities

The Idaho Development Impact Fee Act is the state enabling legislation that allows for impact fees to be collected by a local jurisdiction and sets the parameters to ensure that the fees are fair and equitable. The required contents of the Development Impact Fee Report are outlined in Section 67-8206(2) of the Idaho Development Impact Fee Act. This act specifies that a Capital Improvements Plan (CIP) must be provided to allow for the collection of impact fees. The CIP must include the following information:

- A general description of existing facilities
- A commitment by the City to cure existing deficiencies
- An analysis of capacity and current level of use
- A description of land use assumptions
- An inventory of existing facilities
- A table establishing specific levels of use or consumption by service unit
- A description of all improvements and costs
- The total number of service units attributed to new development
- The projected demand for improvements
- Identification of funding sources
- A time schedule for the commencement and completion of improvements

**Facilities Analysis**

The *first step* of this study was to inventory land uses and existing facilities. The *next step* in the facilities analysis was to obtain build out projections. These projections, which provided an essential basis for the rest of the process, are explained in the Build Out Projections Chapter. *Step three* in the facilities analysis process was to establish Performance Standards for the facilities being studied. These standards indicate a measurement of the acceptable or appropriate level of service that the City intends to provide to its citizens. Once the performance standards were established, existing facility deficiencies, if any, were identified along with the projected need for additional facilities at build out. The *fourth step* in preparing the facilities analysis was to make cost estimates for the new or expanded facilities that will be needed at build out.

**Development Impact Fee**

The City Council has determined that development impact fees should be a primary funding mechanism to finance future public facilities improvements needed to serve new development. The facilities analysis provides the necessary information for the development impact fee program for the City of Rexburg. There are provisions in the Idaho Development Impact Fee Act that allow for the modification and updating of the development impact fees. Additionally, the Act (Section 67-8208(2)) requires that all Capital Improvements Plans be updated every five years.

Based on the research conducted, the analysis of impacts to facilities and the costs associated with those impacts, a proportionate share determination must be made to ensure that the resulting development impact fee reasonably relates to the service demands and needs for future development. The proportionate share determination, in accordance with Idaho Code Section 67-8207 specifies a number of "considerations" that must be made by the City to ensure that the development impact is "based on a reasonable and fair formula or method..." Explanations for the proportionate share determinations are provided at the end of each chapter. The final result of the research, discussions, analysis, and re-analysis is a development impact fee study and ordinance that reflect both professional expertise and local experience.

The information provided in this report is intended to be as accurate as possible, and able to withstand close scrutiny, either legal or otherwise. Further, it is the intention of this report to be easily comprehended, without sacrificing necessary detail.

# CHAPTER 2 : BUILD OUT ANALYSIS

Build out projections forecast residential and nonresidential growth within an area from existing conditions to the point at which all available land has been developed. Build out projections are not time dependent, meaning there is no projected build out year. The time it will take for a community to reach build out will vary depending on many factors, including the economic market in the region. Therefore, this analysis does not attempt to predict when build out will occur, but rather provides a snapshot of the area at build out. The following defines the Study Area and then discusses the methodology, assumptions and resulting build out projections for both residential and nonresidential development.

## I. STUDY AREA

The Study Area for this Development Impact Fee Program is defined as the City of Rexburg's Area of Impact, as identified in Exhibit 1 on page 7. A city's Area of Impact is a planning tool utilized to identify areas that are likely to be annexed into the city in the future. It is appropriate to include the annexation areas into the Development Impact Fee Program since this area will contribute to future demand on city services.

**Exhibit 1: Development Impact Fee Study Area**

# II. RESIDENTIAL BUILD OUT PROJECTIONS

Residential build out projections predict future residential growth. A build out model was developed within the Rexburg Impact Fee Traffic Analysis to assess the amount of existing and future dwelling units in the Study Area. The analysis utilized the Madison County Transportation Plan and employment projections corrected for the Study Area boundaries to predict the build out dwelling units. A more detailed discussion of this methodology can be found in Appendix A.

## A. Existing Residential Development

Residential development has been divided into two main categories: single family and multi-family housing. The multi-family category is broken down further to reflect the differences in student dwelling units, with subcategories designated as "singles" and "married/non-singles". Based on the total multi-family units from the Keller study, the breakdown of MF Singles units and MF Non-singles units was derived from information from BYU Idaho, provided by City of Rexburg, as to the ratio of married/non-single to single students and the related dwelling units. The details of this information and methodology are explained further in Appendix B.

Based on the number of existing dwelling units, the existing population is extrapolated based on persons per dwelling unit factors for single family, multi-family singles, and multi-family non-singles. The persons per dwelling unit factors are 3.8[1], 5.6[2], and 2.3[3], respectively. Below is a summary of existing residential development and population projections.

Table 1: Existing Dwelling Units and Population

| Housing Type | Existing Dwelling Units | Existing Population |
|---|---|---|
| **Single Family (SF)** | **3,060** | **11,628** |
| **Multi-Family (MF)** | | |
| MF- Singles | 1,778 | 9,957 |
| MF- Non-singles | 2,562 | 5,893 |
| **MF Subtotal** | **4,340** | **15,849** |
| **Total** | **7,400** | **27,477** |

[1] Persons per dwelling unit for single family is based on the multi-family factors and an overall average of 3.71 per the 2000 Census
[2] The persons per dwelling unit factors for multi-family were provided by City of Rexburg/BYU Idaho.
[3] Ibid.

## B. Future Residential Projections

The number of future dwelling units includes all residential units that will develop between now and build out. The future residential development is projected to add 14,420 dwelling units. The same methodology and assumptions discussed above in the existing residential development were used to determine the breakdown of future multi-family units, and the future population. The following table provides a summary of future residential and population projections:

Table 2: Future Dwelling Unit and Population Projections

| Housing Type | Future Dwelling Units | Future Population |
|---|---|---|
| **Single Family** | **11,470** | **43,586** |
| **Multi-Family** | | |
| MF- Singles | 1,209 | 6,770 |
| MF- Non-singles | 1,741 | 4,004 |
| **MF Subtotal** | **2,950** | **10,775** |
| **Total** | **14,420** | **54,361** |

## C. Build Out Residential Projections

The build out residential projections are determined by adding the existing development and the future development projections. As a result, the total number of residential dwelling units is projected to reach 21,820 at build out. Based on existing and future population projections, the build out population in the Study Area is expected to be approximately 81,838 people. The following table summarizes the build out residential development in the study area:

Table 3: Build Out Residential Summary

| Housing Type | Build Out Dwelling Units | Build Out Population |
|---|---|---|
| **Single Family** | **14,530** | **55,214** |
| **Multi-Family** | | |
| MF- Singles | 2,987 | 16,727 |
| MF Non-singles | 4,303 | 9,897 |
| **MF Subtotal** | **7,290** | **26,624** |
| **Total** | **21,820** | **81,838** |

# III. NON-RESIDENTIAL BUILD OUT PROJECTIONS

Non-residential build out projections predict the future non-residential growth based on the Rexburg Comprehensive Plan land use designations and an average coverage factor. The coverage factor for non-residential development was determined to be 30%. This percentage was determined using aerial photographs to compare the portion of a parcel covered by a building to the size of the entire parcel. Below is a summary of existing development and future projections for non-residential development.

## A. Existing Non-Residential Development

There is a total of 6,956,005 square feet of existing non-residential development within the Study Area. Non-residential development exists both in the city limits and the Area of Impact, yet the majority currently exists within the city limits.

## B. Future Non-Residential Projections

Projections show that a total of 7,128,161 square feet of non-residential development is expected to occur in the Study Area. The majority of the future non-residential development is expected to occur within the Area of Impact.

## C. Build Out Non-Residential Projections

The resulting build out square footage for non-residential development is anticipated to reach 14,084,166 square feet within the Study Area. The following table summarizes the existing, future, and build out non-residential development in the study area:

Table 4: Non-Residential Build Out Summary

| Existing Square Footage | Future Square Footage | Build Out Square Footage |
|---|---|---|
| 6,956,005 | 7,128,161 | 14,084,166 |

# CHAPTER 3 : CIRCULATION

The circulation analysis is based on information from the Rexburg Traffic Analysis prepared by Keller Associates dated March 2006. The traffic study analyzes the existing level of service in the City and identifies future circulation needs based on projections of future residential and non-residential development in the study area.

## I. LEVEL OF SERVICE

Traffic operations are evaluated based on the level of service (LOS) methodologies of the Highway Capacity Manual (HCM). The HCM is a nationally recognized and locally accepted method of measuring traffic flow and congestion. The level of service (LOS) as defined by the Highway Capacity Manual is "a qualitative measure describing operational conditions within a traffic stream, generally in terms of such factors as speed, travel time, freedom to maneuver, traffic interruptions, comfort and convenience and safety." Criteria range from LOS A, indicating free-flow conditions with minimal vehicle delays to LOS F, indicating extreme congestion with significant delays. The level of service standard for this study and impact fee is LOS C.

The following provides a general definition for each level of service:

LOS A: Very low delay; most vehicles arrive during the green time; most vehicles do not stop at all.

LOS B: Low delay; more vehicles stop than for LOS A causing higher delays; more vehicles stop but all vehicles clear the traffic signal.

LOS C: Average delay; vehicles may wait longer due to longer cycle lengths; number of vehicles stopped is significant, although many pass through the intersection without stopping.

LOS D: Significant delay; congestion becomes more noticeable; long cycle lengths; many vehicles stop and the portion of vehicles not stopping declines; some vehicles may not clear intersection.

LOS E: Heavy delay; congestion is apparent; longer cycle lengths; almost all vehicles stop; may take waiting through at least one cycle to clear intersection.

LOS F: Extreme delay; very long cycle lengths; all vehicles stop; takes at least two or more cycles to clear intersection.

# II. FACILITY ANALYSIS

Circulation is a key component to the development of a city. Recent growth in the City and the surrounding areas has placed pressures on the existing infrastructure. As previously mentioned, a traffic analysis was prepared by Keller Associates to assess existing level of service in the study area and identify any existing deficiencies and future improvements to the circulation system. The following is a summary of the methodology and facility analysis from the Keller study. The complete analysis can be found in Appendix A.

Intersections of roadways on the primary circulation system were evaluated to assess existing deficiencies and future improvements. A three step approach was used for the intersection evaluations.[4]

- A "Screening Level" evaluation was made to determine which intersections were likely to require existing or future improvements. This analysis is based on a presumption of traffic signal control of the intersections
- Those intersections identified as having potential deficiencies were subject to further evaluation using normal intersection capacity analysis techniques. These analyses verified the need for intersection signalization and defined the number of approach lanes necessary.
- As a secondary check, higher volume intersections not identified as needing signalization or additional approach lanes were further evaluated to determine if acceptable operation was possible with stop sign control.

## A. Adequacy of Existing Circulation Infrastructure

As a result of the evaluation discussed above the following existing deficiencies were identified:

- Main Street and 2nd East
- 2nd South and 2nd West
- 2nd South and 2nd East

The specific project recommendations to correct these deficiencies are discussed in the Keller Traffic Analysis located in Appendix A. Impact fees cannot pay for existing deficiencies, as a result these project improvements will need to be funded by another source per Idaho statutes. The City of Rexburg has identified other funding sources for the existing deficiencies. The following table provides a cost estimate to correct the existing deficiencies.

[4] Rexburg Traffic Analysis, Keller Associates (2006)

**Table 5: Existing Deficiencies**

| Existing Deficiencies | |
|---|---|
| **MAIN AND 2ND EAST**<br>Add second southbound right turn lane<br>Add second northbound through lane<br>Upgrade signal | $1,465,000 |
| **2ND SOUTH AND 2ND WEST**<br>Add second westbound through lane<br>Add second northbound through lane<br>Upgrade signal | $37,000 |
| **2ND SOUTH AND 2ND EAST**<br>Add traffic signal<br>Restripe north and south approaches for L-TR operation | $381,000 |
| **TOTAL COST** | **$1,883,000** |

## B. Future Demand for Circulation Infrastructure

The circulation analysis resulted in the identification of project improvements needed to sustain acceptable levels of service through build out. A number of the intersections identified through the analysis are located along State Highway 33. As a result, the Idaho Transportation Department would be responsible, but Rexburg may be required to pay its fair share. A complete list of improvements can be found in the Traffic Analysis in Appendix A. The list of project improvements to be covered by this impact fee include:

- 2nd East from 3rd South to 1st North
- Add Turn Lane at 2nd S / 2nd E
- Restripe Main and 2nd W
- Widen 12th West
- Widen Salem Highway
- Widen 2000 N
- East Parkway
- 2nd West – 1st North Alignment (all improvements between Main St and end of 2nd W-1st N curve)
- Relocate Pioneer/Main Intersection
- Rexburg 2nd E and 7th S

- 7th South from 2nd W to Old Yellowstone Hwy[5]

# III. CIRCULATION FACILITY COSTS

Development impact fees can only pay for infrastructure and improvements related to future growth, not existing deficiencies. The circulation improvements included within this analysis do not include those improvements that would typically be provided by a development as part of its normal subdivision improvements. Usually, these are improvements for one half the width of streets that the development has frontage on. This typically includes half street paving, curbs, gutters, sidewalks, landscaping and streetlights. The reason these improvements are not included in this analysis is that, under State law, developments must receive a credit for any improvements that they provide that is also an improvement that would be paid by impact fees. This will relieve the city of the burden of processing numerous credit requests and keep a distinction between subdivision improvements and improvements that have a wider public benefit.

Appendix D contains the list of assumptions used in determining what is included in the costs for street construction that will be eligible for funding through the impact fees. Table 6 on the following page provides a description of the project improvements and costs.

[5] City Council recommended inclusion of this project improvement and cost was estimated by City Engineer.

## Table 6: Circulation Facility Costs

| PROJECT | PROJECT ELEMENTS/DESCRIPTION | COST |
|---|---|---|
| **2nd East From 3rd South To 1st North** | Widen 18' from 3rd S to 1st S<br>Widen 5' from 1st S to Main<br>Widen 12' from 1st N to 2nd N<br>Replace storm sewer, curb & gutter, sidewalk<br>Reconstruct full width pavement<br>Traffic signal at 1st N & 2nd E | $2,590,000 |
| **Add Turn Lane at 2nd S / 2nd E** | Widen pavement 12' x 350'<br>Replace storm sewer, curb & gutter, sidewalk (one side) | $238,000 |
| **Restripe Main/Restripe 2nd W** | Restripe Main/Restipe 2nd W<br>Signal | $164,000 |
| **Widen 12th West** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace 130' x 24' bridge with new 130' x 56' bridge<br>Replace 4,600' irrigation canal with 72" pipe<br>Lighting for full length<br>Reconstruct full length | $5,620,000 |
| **Widen Salem Highway** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace railroad crossing<br>Includes 2 signals (SH 33 and 2000 N)<br>Replace 6350' irrigation canal with 72" pipe<br>Reconstruct 3900' of road<br>Widen and overlay 4000' of road<br>Add northbound right turn lane at | $2,870,000 |
| **Widen 2000 N** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace railroad crossing<br>Reconstruct full length<br>Lighting | $1,794,450 |
| **East Parkway** | New roadway with curb & gutter, sidewalks, storm sewer<br>Lighting<br>Teton River bridge (180' x 72')<br>Irrigation canal bridge (90' x 72') | $17,061,000 |
| **2nd West - 1st North Alignment (all improvements between Main St and end of 2nd W-1st N curve)** | Widen 12'<br>Reconstruct 63' x 1350'<br>Replace Railroad Crossing<br>Replace storm sewer, curb & gutter, sidewalks | $2,508,000 |
| **Relocate Pioneer/Main Intersection** | New roadway with curb & gutter, sidewalks, storm sewer<br>Lighting<br>New traffic signal<br>Box culvert at canal | $1,356,000 |
| **Rexburg 2nd E & 7th S** | New roadway with curb & gutter, sidewalks, storm sewer<br>Lighting<br>New traffic signal | $1,298,000 |
| **7th South from 2W to Old Yellowstone Hwy** | Widen roadway from 2 to 5 lanes | $500,000 |
| TOTAL | | **$35,999,450** |

# IV. FEE CALCULATION

## A. Impact of Future Development

After the costs for circulation facilities have been identified, the next step in calculating the fee is to quantify the impacts of future development.

The fee calculation applies to both residential and non-residential development. The numbers of trips generated by land use are used to determine the impacts of development on roadways. Provided below are the trip generation rates for non-residential and residential development used in this circulation analysis:

**Table 7: Trip Generation Rates by Land Uses**

| Land Use | Trip Generation Rate |
|---|---|
| Single Family | 10 trips/du |
| Multi-Family | 8 trips/du |
| Commercial | 120 trips/ 1000 sq.ft. |
| Industrial | 12 trips/ 1000 sq.ft. |

These trips are representative averages used nationally to estimate the impact of development on roadways. Specifically, the commercial standard is based on the trips for a Neighborhood Shopping Center. The trips for industrial land uses is generated from an average of Industrial and combined Industrial/Commercial land use. The multi-family trip generation is an average for all types multi-family dwelling units.

The total impact of future development on roadways is calculated by multiplying the trips for each land use category by the future residential dwelling units and non-residential square footage in the study area.

## B. Credit for Non-Residential Development

An adjustment must be made to account for the double counting of commercial and residential trips. For example, round trips from a dwelling unit may include a trip to a commercial destination within the City. This same trip, however, is included in the trips for the commercial land use. To adjust for double counting of trips, this analysis assigns a 40% discount to non-residential development. As a result, this discount factor provides a more accurate trip generation measurement.

To make this adjustment, the percentage of traffic impact is calculated for each land use. The percentage is then multiplied by the total cost for facilities to identify the proportional cost for each land use. The fee credit, however, reduces this cost to non-residential development by 40% and transfers the cost proportionally to residential development. If the cost was reduced by 40% and not transferred to residential development, the fee would be insufficient and there would be a shortage of funds collected by the City for future improvements.

The transfer of the 40% credit is reapportioned to residential development based on the percentage of single family and multi-family units of residential development within the study area. The transfer of credit for non-residential development to residential development results in a revised cost for each of the four land use categories: SFD, MFD, commercial and industrial land use.

## C. Cost per land use

The last step in the fee calculation is to divide the cost per land use by the future trips projected for the four land uses. Due to the credit transfer, the result is a difference in cost per trip between residential and non-residential land uses.

Since the non-residential fee is based on a per trip generation rate and different non-residential land uses have different trip generation rates, all non-residential land uses will not have the same fee. Unfortunately, this tends to complicate the collection of circulation impact fees because it is difficult to assign a trip generation rate for all the various land uses.

The generation rates should be based on either the ITE standards or on another set of generation tables which more closely resemble conditions in Rexburg. A simplified trip generation rate table is provided in Appendix C. This table should be consulted when determining development impact fees for non-residential uses. However, for uses not listed, the Public Works Director shall make the decision regarding the appropriate traffic generation rate. This determination shall be based upon ITE standards or traffic reports submitted with the proposed non-residential use.

A detailed breakdown of circulation impact fee calculations is shown on Table 8.

## Table 8: Circulation Fee Calculation

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **STEP 1:** | **Identify Total Cost** | | | | | | | |
| Total Cost | $35,999,450.00 | | | | | | | |
| Other Funds | $14,000,000.00 | | | | | | | |
| | $21,999,450.00 | | | | | | | |
| **STEP 2:** | **Proportional Share of Future Traffic Generation** | | | | | | | |
| Single Family Detached (SFD) | 11,470 | DUs | x | 10 | Trips/DU | = | 114,700 | Trips |
| Multi-family (MF) | 2,950 | DUs | x | 8 | Trips/DU | = | 23,600 | Trips |
| Commercial (COMM) | 5,203,558 | Sq. Ft. | x | 120 | Trips/1000 sf | = | 624,427 | Trips |
| Industrial (IND) | 1,924,603 | Sq. Ft. | x | 12 | Trips/1000 sf | = | 23,095 | Trips |
| | | | | | | | 785,822 | Trips |
| **STEP 3:** | **Percent of Total Trips/Proportional Cost** | | | | | | | |
| SFD | 114,700 | Trips | 14.6% | = | $3,211,078.91 | | | |
| MF | 23,600 | Trips | 3.0% | = | $660,692.78 | | | |
| COMM | 624,427 | Trips | 79.5% | = | $17,481,116.47 | | | |
| IND | 23,095 | Trips | 2.9% | = | $646,561.84 | | | |
| | | | 100.0% | | $21,999,450.00 | | | |
| **STEP 4:** | **Commercial/Industrial Credit and Reapportionment** | | | | | | | |
| COMM | $17,481,116.47 | x | 40% | = | $6,992,446.59 | | | |
| IND | $646,561.84 | x | 40% | = | $258,624.74 | | | |
| | | | | | $7,251,071.32 | | | |
| SFD Trips | 114,700 | Trips = | 82.9% | | $6,013,722.93 | | | |
| MF Trips | 23,600 | Trips = | 17.1% | | $1,237,348.40 | | | |
| | 138,300 | | | | $7,251,071.32 | | | |
| **STEP 5:** | **Revised Costs based on Reapportionment** | | | | | | | |
| SFD | $3,211,078.91 | | + | | $6,013,722.93 | = | $9,224,801.83 | |
| MF | $660,692.78 | | + | | $1,237,348.40 | = | $1,898,041.18 | |
| COMM | $17,481,116.47 | | - | | $6,992,446.59 | = | $10,488,669.88 | |
| IND | $646,561.84 | | - | | $258,624.74 | = | $387,937.11 | |
| | | | | | | | $21,999,450.00 | |
| **STEP 6:** | **Cost per Trip** | | | | | | | |
| SFD | $9,224,801.83 | | / | | 114,700 Trips | | $80.43 / Trip | |
| MF | $1,898,041.18 | | / | | 23,600 Trips | | $80.43 / Trip | |
| COMM | $10,488,669.88 | | / | | 624,427 Trips | | $16.80 / Trip | |
| IND | $387,937.11 | | / | | 23,095 Trips | | $16.80 / Trip | |
| **STEP 7:** | **Cost per Residential Dwelling Unit & Commercial/Industrial Trips** | | | | | | | |
| SFD | $80.43 / Trip | | x | 10 Trips/DU | | | **$804.25 /DU** | |
| MF | $80.43 / Trip | | x | 8 Trips/DU | | | **$643.40 /DU** | |
| COMM | | | | | | | **$16.80 / Trip** | |
| IND | | | | | | | **$16.80 / Trip** | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | | | **Total to be Collected** |
| Single Family Unit | $804.25 | / | DU | x | 11,470 DUs | = | $9,224,801.83 |
| Multi-family Unit | $643.40 | / | DU | x | 2,950 DUs | = | $1,898,041.18 |
| Non-residential 1000 Sq. Ft. | $16.80 | / | Trip | x | 647,522 Trips | = | $10,876,606.99 |
| | | | | | | | **$21,999,450.00** |

# CHAPTER 4 : IMPLEMENTATION

This section addresses the actual mechanics of collecting the impact fee. The implementation measures to be discussed include the application of impact fees, timing of collection, the method of collection and the creation of an inflationary adjustment index.

## I. APPLICATION OF IMPACT FEES

All new construction, residential and non-residential, will be subject to development impact fees. For additions and expansions, the key determination is intensification. For example, the remodel and expansion of a single family home that resulted in simply a larger single family home would not be subject to impact fees. A single family home that is torn down and replaced with two dwelling units would be required to pay impact fees for the intensification. Therefore, the impact fee would be required for one dwelling unit. For non-residential development, the concept of intensification is the same. For example, the expansion of a 6,000 square foot building to a 10,000 square foot building would intensify the use and increase the traffic generation rates for the site. In this instance, the development impact fee would apply to the additional 4,000 square feet.

## II. TIMING OF FEE COLLECTION

The collection of the impact fee should occur at the time of building permit issuance. There are several reasons for collecting the impact fees at building permit issuance rather than at an earlier development stage or at a later occupancy stage. First, the collection of the fee at building permit issuance is timed more closely to when the actual impacts of the development to public facilities will occur. In most instances, when a building permit is acquired, construction usually occurs in a relatively short period of time. Collecting a fee earlier in the process (e.g. at the development approval stage) contains a greater risk that the development will not actually be constructed. In that event, the City is obligated to refund any fees collected after a certain period of time. This can create both financial and administrative problems for the City, especially if the money has already been spent on a new facility.

Second, collection of the fee at building permit issuance will be administratively easier since most other fees are collected at this time. The developer can pay and the City can collect the fees all at the same time. The necessary accounting of fees to ensure that the monies are spent on facilities actually being impacted by the particular development will be much easier if the money is collected at this stage.

Third, collection the fee at a later stage of development (e.g. time of occupancy) creates another burden on the City to collect the fee after construction is complete. Many people may not be willing to pay the fee at that point making it necessary for the City to institute enforcement procedures. This typically adds another strain on City resources and does not lend itself to good public relations.

# III. FEE COLLECTION METHOD

The method the City uses to collect fees is critical to ensure that fees are collected in a proper manner and accounted for in order to withstand any legal challenges. It is recommended that the fees for each facility be charged separately. Although this may sound cumbersome, it is the best way to guarantee an accurate accounting of all fees collected. The basic premise of collecting impact fees is that the fees will be used for specific facilities that are being impacted by the new development. The City is required to account for every penny collected and to set up separate accounts for holding and subsequently spending these fees. Money collected for parks cannot be spent on circulation. Monies collected to pay for a circulation facility cannot be spent somewhere else in the City.

Another reason fees should be collected separately is that if one fee is successfully challenged in the courts, the remaining fees will remain intact. In other words, successful challenge of one fee will not invalidate the entire fee program.

From the developer's point of view, it makes no difference if the fees are accounted for separately. The developer would receive a cost accounting of individual fees, but only one check for the total fee would be required.

# IV. INFLATIONARY ADJUSTMENT INDEX

Development impact fees will be collected over a number of years, as development continues to occur. Therefore, the development impact fee ordinance will incorporate an index to automatically adjust the fees each year to factor in inflation. The inflationary factor will be based on an engineering construction index to reflect costs of development at that period in time.

# CHAPTER 5 : CAPITAL IMPROVEMENT PHASING

The City of Rexburg Capital Improvement Program (CIP) is a planning document that outlines the expenditures for future capital improvement projects and the corresponding revenues to pay for those expenditures.

The following tables identify the future capital improvement projects, provide a brief description of the project, identify funding source and improvement cost. For some of the proposed improvements it is difficult to determine exactly at what point in the future construction will occur. Therefore, the timing for the CIP projects is based on three categories:

- ✓ Improvements within 5 years
- ✓ Improvements within 5 to 10 years; and
- ✓ 10 year plus improvements

The CIP is a planning document and not a commitment for spending. Spending authorization occurs when the City Council formally adopts the proposed budget and funds are only appropriated for the following fiscal year. The information on projects that will occur in subsequent years is to provide a comprehensive overview of all the future facilities the City of Rexburg plans to construct. The Capital Improvement Plan is a living and breathing document subject to annual change. It will become part of the City's annual budgeting process.

## CIP PHASING[6]

| PROJECT | PROJECT DESCRIPTION | FUND | BUDGET |
|---|---|---|---|
| **0-5 YEARS** | | | |
| **Main Street and 2nd East** | Add northbound thru lane<br>Add southbound right turn lane | Other | $1,465,000 |
| **2nd South and 2nd West** | Restripe adding left turn lane | Other | $37,000 |
| **2nd South and 2nd East** | Traffic Signal<br>Restripe for left turn lanes | Other | $381,000 |
| **2nd E and 7th S** | New roadway with curb & gutter, sidewalks, storm sewer | DIF | $954,000 |
| **7th South from 2W to Old Yellowstone Hwy** | Widen road from 2 lanes to 5 lanes | DIF | $500,000 |
| **5-10 YEARS** | | | |
| **2nd East From 3rd South To 1st North** | Widen 18' from 3rd S to 1st S<br>Widen 5' from 1st S to Main<br>Widen 12' from 1st N to 2nd N<br>Replace storm sewer, curb & gutter, sidewalk<br>Reconstruct full width pavement<br>Traffic signal at 1st N & 2nd E<br>Lighting | DIF | $2,590,000 |
| **Add EB / WB Left Turn Lanes at 2nd S / 2nd E** | Add eastbound and westbound turn lanes | DIF | $238,000 |
| **2nd West - 1st North Alignment (all improvements between Main St and end of 2nd W-1st N curve)** | Widen 12'<br>Reconstruct 63' x 1350'<br>Replace Railroad Crossing<br>Replace storm sewer, curb & gutter, sidewalks | DIF | $2,508,000 |
| **Restripe Main/Restripe 2nd W** | Restripe Main/Restipe 2nd W<br>Signal | DIF | $164,000 |
| **Widen Salem Highway** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace railroad crossing<br>Includes 2 signals (SH 33 and 2000 N)<br>Replace 6350' irrigation canal with 72" pipe<br>Reconstruct 3900' of road<br>Widen and overlay 4000' of road<br>Add northbound right turn lane at | DIF | $2,870,000 |
| **2nd E and 7th S** | New traffic signal | DIF | $344,000 |
| **10 YEARS PLUS** | | | |
| **East Parkway** | New roadway with curb & gutter, sidewalks, storm sewer<br>Lighting<br>Teton River bridge (180' x 72')<br>Irrigation canal bridge (90' x 72') | DIF | $17,061,000 |
| **Widen 12th West** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace 130' x 24' bridge with new 130' x 56' bridge<br>Replace 4,600' irrigation canal with 72" pipe<br>Lighting for full length<br>Reconstruct full length | DIF | $5,620,000 |
| **Relocate Pioneer/Main Intersection** | New roadway with curb & gutter, sidewalks, storm sewer<br>Lighting<br>New traffic signal<br>Box culvert at canal | DIF | $1,356,000 |
| **Widen 2000 N** | Add storm sewer, curb & gutter, sidewalk (both sides)<br>Replace railroad crossing<br>Reconstruct full length<br>Lighting | DIF | $1,794,450 |

[6] The following phasing is a recommendation from Keller Associates based on traffic analysis; City Engineer should review to ensure timing is inline with City needs and priorities.

# APPENDIX A:

## REXBURG TRAFFIC ANALYSIS, KELLER ASSOCIATES

# APPENDIX B:

# MULTI-FAMILY ASSUMPTIONS

## Methodology for breakdown of Multi-family Units into subcategories

The known quantity is future student dwelling units = 2,950

We need to determine breakdown between multi-family single and multi-family non-single. The following information from BYUI was used to calculate the breakdown:

- BYUI says that their student body is currently and should stay at about 75.56% single students and 24.44% married
- BYU determines its married/non-single housing units based on 77% of total married student population to take into account that both spouses sometimes attend school

Based on the information above, the following methodology was used:

Future population = X

Single students = .75X
Non-Single = .25X

1du/5.6 single students* (.75X) = Multi-family Singles DUs (Y) = .134X

1 du/1 married student (.25X)(.77)= Multi-family Non-single DUs (Z) = .193X

MF Single DUs + MF Non-Single DUs = Total Multi-family DUs
.134X + .193X = 2,950

X = 9,021

| | | | |
|---|---|---|---|
| MF Single DUs | = .134(9,021) | = | 1,209 MF Singles DUs |
| MF Non-Single DUs | = .193(9,021) | = | 1,741 MF Non-Single DUs |
| | | | 2,950 MF Total |

# APPENDIX C:

## TRIP GENERATION TABLE

| LAND USE | ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE |
|---|---|
| | |
| **AIRPORT** | |
| Commercial | 60/acre, 100/flight, 70/1000 sq. ft. |
| General Aviation | 6/acre, 2/flight, 6/ based aircraft |
| | |
| **AUTOMOBILE** | |
| Car Wash | |
| a. Automatic | 900/site, 600/acre |
| b. Self-serve | 100/wash stall |
| Gas Station | |
| a. With food mart | 160/vehicle fueling space |
| b. With food mart & car wash | 155/vehicle fueling space |
| c. Old service station design | 900/station, 150/vehicle fueling space |
| Sales (Dealer & Repair) | 50/1000 sq. ft., 300/acre, 60/service stall |
| Auto Repair Center | 20/1000 sq. ft., 400/acre, 20/service stall |
| Auto Parts Sales | 60/1000 sq. ft. |
| Quick Lube | 40/service stall |
| Tire Store | 25/1000 sq. ft., 30/service stall |
| | |
| **CEMETERY** | 5/acre |
| | |
| **CHURCH** | 9/1000 sq. ft., 30/acre (quadruple rates for Sunday, or days of assembly) |
| | |
| **COMMERCIAL RETAIL** | |
| Regional Shopping Center | 50/1000 sq. ft., 500/acre |
| Community Shopping Center (10-30 acres,100,000-300,000 sq. ft. w/usually 1 major store and a detached restaurant) | 80/1000 sq. ft., 700/acre |
| Neighborhood Shopping Center (Less than 10 acres, less than 100,000 sq. ft. w/usually grocery store & drug store) | 120/1000 sq. ft., 1200/acre |
| Commercial Shops | |
| a. Specialty retail/strip commercial* | 40/1000 sq, ft., 400/acre |
| b. Supermarket | 150/1000 sq, ft., 2000/acre |
| c. Convenience market (15-16 hrs.) | 500/1000 sq. ft. |
| d. Convenience market (24 hrs.) | 700/1000 sq. ft. |
| e. Discount club | 60/1000 sq, ft., 800/acre |
| f. Discount store | 60/1000 sq, ft., 600/acre |
| g. Furniture store | 6/1000 sq, ft., 100/acre |
| h. Lumber store | 30/1000 sq, ft., 150/acre |
| i. Hardware/paint store | 60/1000 sq, ft., 600/acre |
| j. Drug store | 90/1000 sq. ft. |
| k. Garden nursery | 40/1000 sq, ft., 90/acre |
| | |
| **EDUCATION**** | |
| High School | 15/1000 sq. ft., 60/acre |
| Middle/Junior High | 12/1000 sq. ft., 50/acre |
| Elementary | 14/1000 sq. ft., 90/acre |
| Day Care | 80/1000 sq. ft. |
| | |
| **FINANCIAL** | |
| Bank | |
| a. Walk-in only | 150/1000 sq. ft., 1000/acre |
| b. With Drive-through | 200/1000 sq. ft., 1500/acre |
| c. Drive-through only | 250 (125 one-way)/lane |
| Savings & Loan | 60/1000 sq. ft., 600/acre |
| a. Drive-through only | 100 (50 one-way)/lane |

| LAND USE | ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE |
|---|---|
| | |
| **HOSPITAL** | |
| a. General | 20/bed, 25/1000 sq. ft., 250/acre |
| b. Convalescent/Nursing | 3/bed |
| | |
| **INDUSTRIAL** | |
| Industrial/Business Park (with commercial)*** | 16/1000 sq. ft., 200/acre |
| Industrial Park (no commercial) | 8/1000 sq. ft., 90/acre |
| Industrial Plant (multiple shifts) | 10/1000 sq. ft., 120/acre |
| Manufacturing/Assembly | 4/1000 sq. ft., 50/acre |
| Warehousing | 5/1000 sq. ft., 60/acre |
| Storage | 2/1000 sq. ft., 0.2/vault, 30/acre |
| Science Research & Development | 8/1000 sq. ft., 80/acre |
| Landfill and Recycling Center | 6/acre |
| | |
| **LIBRARY** | 50/1000 sq. ft., 400/acre |
| | |
| **LODGING** | |
| Campground | 4/campsite |
| Hotel (with convention facilities/restaurant) | 10/room, 300/acre |
| Motel | 9/room, 200/acre |
| Resort Hotel | 8/room, 100/acre |
| Business Hotel | 7/room |
| | |
| **OFFICE** | |
| Standard Commercial Office**** | 20/1000 sq. ft., 300/acre |
| Single tenant Office***** | 14/1000 sq. ft., 180/acre |
| Office Park (less than 400,000 sq ft) | 16/1000 sq. ft. |
| Office Park (400,000+ sq. ft.) | 12/1000 sq. ft., 200/acre |
| Government (Civic Center) | 30/1000 sq. ft. |
| Post Office | |
| a. Central/Walk-in Only | 90/1000 sq. ft. |
| b. Community (no mail drop lane) | 200/1000 sq. ft./ 1300/acre |
| c. Community (w/ mail drop lane) | 300/1000 sq. ft / 2000/acre |
| Department of Motor Vehicles | 180/1000 sq. ft., 900/acre |
| Medical/Dental | 50/1000 sq. ft., 500/acre |
| | |
| **RECREATION** | |
| Bowling Center | 30/lane, 300/acre |
| Golf Course | 7/acre, 40/hole, 600/course |
| a. Driving Range Only | 70/acre |
| Racquetball/Health Club | 30/1000 sq. ft., 300/acre, 40/court |
| Tennis Courts | 16/acre, 30/court |
| Theaters (multiplex) | 80/1000 sq. ft., 1.8/seat |
| | |
| **RESTAURANT** | |
| Quality | 100/1000 sq. ft., 3/seat, 500/acre |
| Sit-down, high turnover | 160/1000 sq. ft., 6/seat, 1000/acre |
| Fast Food (with drive through) | 650/1000 sq. ft., 20/seat, 3000/acre |
| Fast Food (without drive through) | 700/1000 sq. ft. |
| Delicatessen (7am-4pm) | 150/1000 sq. ft., 11/seat |

**NOTES:**
**For uses not listed, the Public Works Director shall make the decision regarding the appropriate traffic generation rate. This determination shall be based upon ITE standards or traffic reports submitted with the proposed non-residential use.**

**ADDITIONAL NOTES:**

For all uses in which more than one method of calculation is listed (i.e. ADT/square feet, ADT/acre, ADT/student, etc.), only one method (not the sum) will be used. The Public Works Director shall make the decision regarding which method to use for calculation. This determination shall be based up on ITE standards or traffic reports submitted with the proposed non-residential use.

*Specialty commercial - Examples would be a flower shop, a store with crafts/knick knacks, a ceramics shop etc.

**Education Facilities - For purposes of general impact fee calculation, the fee will be based on square footage. If a traffic study is prepared to look in further detail at traffic impacts, per student ratios are sometimes utilized. Examples of ADT per student are the following: 1.3/student for high school, 1.4/student for junior high, and 1.6/student for elementary. This method of calculation may also be used but the Public Works Director shall make decision on which calculation is appropriate based on ITE Standards or traffic reports submitted with the proposed use.

***Industrial /Business Park (with commercial) - This would be an industrial park that has a deli and/or reproduction that are commercial establishments within the park.

**** Standard Commercial Office -Most offices would fall in this category. Typically this type of office would have customers. Examples would be a Real Estate Office, HR Block (taxes).

****Single tenant office would be a building with only one tenant, often a corporate headquarters. It would likely be a destination more for the employees, rather than bringing in a large amount of public customers.

# APPENDIX D:

## ASSUMPTIONS FOR IMPROVEMENT COSTS

CITY OF
REXBURG
America's Family Community

# Rexburg Street Impact Fee Rules for Usage:

The following assumptions are to be used in determining what work is to be included in the costs for street construction that will be eligible for funding through the impact fees. This policy applies to only those streets defined in the street impact fee study.

1. All initial construction of sidewalks, curbs and gutters are to be done by the property owners and are not to be included in impact fees.

2. All initial streets and amenities such as signing, lighting, landscaping, fencing, costs to widen or enlarge irrigation facilities driven by a new development are to be done by the property owners and are not to be included in impact fees.

3. If the new street is part of a street designated in the street impact fee study that requires more than two traffic lanes, the owners on each side of the street are each responsible for 19.5 feet of finished street and applicable amenities. The additional lanes can be funded through the impact fees.

4. Roads that exist can be widened with impact fees but the costs to reconstruct the existing facilities cannot. Seal coating of the widened street can be included one time in the impact fee calculation.

5. Bridges that require widening can be widened but the costs to reconstruct the existing bridge cannot be done with impact fees.

6. Additional storm drainage facilities that are driven by the development of a road widening will be included in impact fee calculations.

7. For existing streets, street amenities such as signing, lighting, landscaping, fencing, costs to widen or enlarge irrigation facilities driven by the road widening will be included.

8 New traffic control devices such as traffic signal can be included in impact fee calculations. If the costs for up-grading of existing traffic signals will increase the traffic capacity, then the costs will be included. If the replacement of an existing signal is required the capacity of the existing signal system cannot be included.

9. Rail crossings that are require widening can have only the costs for the widening included in the fee calculation. New controlled crossings that have changed status because of the increased capacity can be included in the calculations.

10. Ancillary work, such as surveying, flagging, traffic control during construction and similar work can be included in the calculation.

| | |
|---|---|
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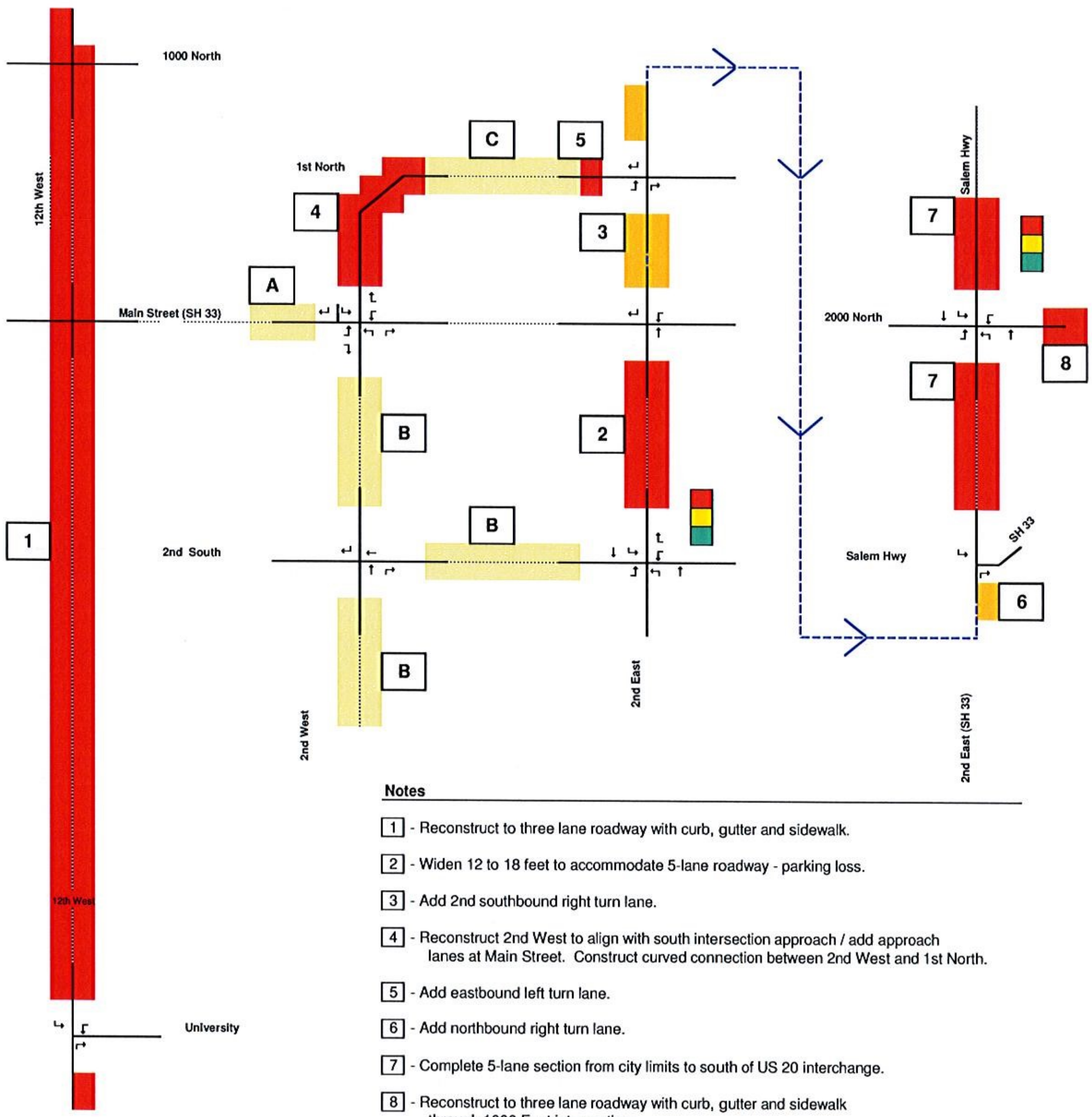
| Number of Characters: | 32,746 (approx.) |

**Figure 4**
**Summary of Street Build-out System Improvements**

**Legend**
- Pavement Widening Required - City Road
- Pavement Widening Required - State Hwy
- New Signal Required at Intersection
(Other existing signals require replacement.)
- Lane Configuration can be Achieved Without Pavement Widening
- Additional Lanes Needed on Approach




**Notes**

1 - Reconstruct to three lane roadway with curb, gutter and sidewalk.

2 - Widen 12 to 18 feet to accommodate 5-lane roadway - parking loss.

3 - Add 2nd southbound right turn lane.

4 - Reconstruct 2nd West to align with south intersection approach / add approach lanes at Main Street. Construct curved connection between 2nd West and 1st North.

5 - Add eastbound left turn lane.

6 - Add northbound right turn lane.

7 - Complete 5-lane section from city limits to south of US 20 interchange.

8 - Reconstruct to three lane roadway with curb, gutter and sidewalk through 1000 East intersection

A - Restripe 90 foot wide street to accommodate 5 lane section, plus right turn lanes ahead of intersection. Parallel parking ok where right turn lanes not necessary.

B - Restripe with possible loss of parking at intersection approaches.

C - Restripe with to provide 5-lane operation with loss of parking.