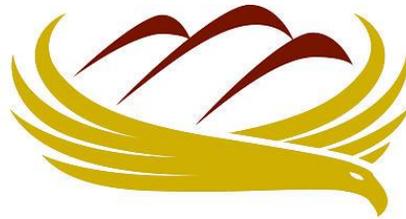


PARKS and RECREATION

Impact Fee Facilities Plan

January 2020



EAGLE
M O U N T A I N

HORROCKS

E N G I N E E R S

The logo graphic for Horrocks Engineers features a horizontal line with a central vertical element that resembles a stylized 'H' or a set of three vertical bars.

Impact Fee Facilities Plan Certification Page

I certify that the attached impact fee facilities plan:

1. Includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
 - d. existing deficiencies documented as such and not meant for inclusion in impact analysis.
2. Does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act

Drew W. Geiger, P.E.

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Introduction

Eagle Mountain City is a growing city. As a result, it will need to construct more recreational facilities to accommodate future growth. This plan will outline the City's recreation infrastructure needs to accommodate future growth and prepare an Impact Fee Facilities Plan in accordance with Title 11, Chapter 36a of the Utah Code. It should be updated regularly

Demographics

Demographics form the basis of the projections in this study. Demographic data and projections were obtained from the City. Eagle Mountain City is a city of approximately 39,127 residents. It is expected to grow to approximately 193,143 in the future.

Existing Facilities

Current population estimates were used to determine the Level of Service (LOS). Eagle Mountain City currently provides \$457,696 of recreational facilities per 1,000 residents. These facilities cover 489.78 acres of which 155.39 is active recreational space. The City documents 50 facilities that it currently owns, valued at \$17,908,268. Some of these facilities were financed with SID bonds and be developers that require reimbursement.

Future Facilities

As Eagle Mountain approaches build-out, it will need to have constructed \$88,453,506 of additional recreational facilities to maintain its current level of service. The City has already master planned some of those facilities in the Wride Memorial Park Master Plan. It has begun construction on another named Wren's Roost Park. Other trails and parks have been included conceptually in the Capital Facilities Plan.

Impact Fee Facilities Plan

The City has identified four parks that will need to be constructed in the next six years to maintain the current level of service for new development. The projects total approximately \$14,617,152.

Eagle Mountain City is a growing community located on the west side of Utah County and lying between the Oquirrh and Lake Mountains. The nearest communities to the west are Cedar Fort and Fairfield. To the east lies Saratoga Springs. Currently, Eagle Mountain has approximately 39,127 residents. As growth continues in the region, Eagle Mountain is projected to grow to as many as 193,143 residents. However, future population growth will depend largely upon densities of new developments that are approved by the City.

In an effort to properly plan and prepare for increased growth, Eagle Mountain officials are seeking to update their Parks and Recreation impact fees so that they can provide the needed infrastructure improvements to accommodate new development. This plan analyzes the City's future growth patterns and its projected Parks and Recreation infrastructure needs. The existing master plan will be used to create an Impact Fee Facilities Plan (IFFP) based upon development driven infrastructure projects anticipated in the next six years, including a prioritized schedule for construction and cost estimates in planning-year dollars required for future projects.

Since the basis for this plan is demographic projections, it is recommended that it be updated every three to five years. Zoning maps should be updated, along with population projections and land use plans. Facilities plans should be updated to delete projects that have been completed or re-prioritized, add new projects that were not previously identified, and adjust the costs of any projects that may have changed in scope or nature.

Proportionate Share

This document attempts to assign only a proportionate share of costs for future improvements due to anticipated future development. In accordance with the Utah Impact Fees Act, Title 11, Chapter 36a, every effort has been made to include accurate values of parks and recreation infrastructure installed in the past. Likewise, the IFFP only includes projects that are attributable to future growth within the next six years. As such, a current Level of Service (LOS) has been defined for maintaining the existing standards.

The first step in updating an Impact Fee Facilities Plan (IFFP) is to identify and verify the City’s current demographics and future population projections. Demographics for this IFFP were calculated using data taken from the 2014 Impact Fees Facilities Plan and the City building permits from 2014 to current. They have been approved for use in this update. Therefore, this section will outline and reference population estimates, growth trends, and projected population at key milestones from the City’s approved demographic data.

2.1 Existing Conditions

Current Population

In the approved demographics, Eagle Mountain’s 2019 population was projected to be 39,092. Upon review this number appears to be relatively close to the actual population and does not warrant a lengthy demographic study and update using census data and building permits. Therefore, for purposed of this study, 39,127 will be used as the current population of Eagle Mountain.

Average Residents per Household

Using previous demographics data, the current average household density has been estimated at 4.06 residents per household, which compares favorably to the 2010 Census numbers.

2.2 Build-out Population

Total build-out for a city is reached when all vacant land within city boundaries has been developed to the current zoning and land use plans. Build-out population has been estimated at approximately 193,143 for Eagle Mountain City as illustrated below in Table 2-1.

Table 2-1: Eagle Mountain Build-out Projection

Land Use Classification	Area (acre)	Total Units	Residents per Unit*	Residents
Civic Institutional	94	0	0.00	0
Commercial/Residential	1,530	4,465	4.06	18,127
Mixed Use Residential	16,000	39,500	3.48	137,460
Mixed Use Commercial	2,375	1050	3.48	3,654
Rural Residential	5,826	8350	4.06	33,901
Airport	1,890	0	0.00	0
Agricultural	2,475	0	0.00	0
Industrial	649	0	0.00	0
Projected Build-Out Population				193,148

*Varying densities used are based on dwelling unit types, as discussed in Section 2.3

2.3 Current & Future Growth

Current Growth Trends

The City’s future needs were recently forecasted using multiple sources including:

- Building Permits Issued
- 2010 Census Information
- Governor’s Office Projections
- Regional Population Patterns
- Forecasted Build-out Population
- Current Developments Seeking Approval

This report uses the accepted densities previously assigned by City staff to evaluate future infrastructure needs. The number of residents per single family dwelling has been calculated to be 4.06 by Eagle Mountain City staff, while mixed use zones are considered as half single family dwellings and half multifamily dwellings. Thus, the mixed use zones have been considered as 3.48 residents per unit (average of 4.06/single family and 2.90/multifamily).

Future Growth Trends

The approved demographics projects build-out to be realized by approximately 2060. Table 2-1 shows total growth over that time period. It provides both Eagle Mountain demographics and Governor’s Office projections for comparison purposes. It also illustrates the number of single residential units represented by the population and number of new units generated by projected growth.

Table 2-2: Eagle Mountain Growth Projections

Year	GPB Population Projections	Eagle Mountain Building Permits	Population Projections based on building permits	Eagle Mountain Population Projections	Total Park ERU’s	New Park ERU’s
2015		490	26,186			
2016		673	28,918			
2017		920	32,653			
2018		671	35,377	35,377	8,713	
2019				39,092	9,628	915
2020	34,152			43,196	10,639	1,011
2021				47,732	11,757	1,117
2022				52,744	12,991	1,234
2023				58,282	14,355	1,364
2024				64,401	15,862	1,507
2025				71,163	17,528	1,666
2026				78,636	19,368	1,840
2027				86,892	21,402	2,034
2028				96,016	23,649	2,247
2030	54,095			106,098	26,132	

CHAPTER 2 – DEMOGRAPHICS

2035				117,238	28,876	
2040	76,469			129,548	31,908	
2045				143,151	35,259	
2050	114,400			158,181	38,961	
2055				174,790	43,052	
2060	152,500			193,148	47,572	

* Assuming all ERU's are single family homes

Eagle Mountain City provides high quality of life and health to the community through its parks and recreation facilities. This chapter outlines the level of service currently provided by the City.

3.1 Level of Service (LOS)

As Eagle Mountain City has grown, it has become apparent that the City will need to provide its citizens with recreation facilities that are not all measurable by acreage. Therefore, Eagle Mountain will define its level of service in terms of value of recreational facilities per 1,000 residents.

Eagle Mountain's current LOS is based on its historic expenditures on recreation facilities. As defined in Table 3-1, Existing Parks Inventory, the value of the existing parks and recreation facilities, is documented as \$17,908,268.36. Since the current population is estimated at 39,127 residents, the LOS is calculated to be:

$$\$17,908,268.36 / 39,127 \text{ residents} = \mathbf{\$457,696/1,000 \text{ residents}}$$

3.2 Existing Facilities

Currently, the City provides approximately 490 acres of open space throughout the city. Of that acreage, the City has developed 155 acres of active recreational space including 45 city parks, 9 regional parks, a rodeo facility, a baseball complex and 2 splash pads. Therefore, Eagle Mountain provides a total of:

$$489.78 \text{ acres} / 39,127 \text{ residents} = 12.51 \text{ acres of per } 1,000 \text{ residents}$$

Active open space is provided at a rate of:

$$155.39 / 39,127 \text{ residents} = 3.97 \text{ acres of per } 1,000 \text{ residents}$$

At each update of this document, the acreage per 1,000 residents that is currently available will depend on how recently a park was constructed, at times calculating to greater than or less than the current amount of acreage provided per resident.

Table 3-1 summarizes the current inventory of parks within the city as illustrated in Figure 3-1. Cost estimates include land, infrastructure and amenities, but no operation, personnel or maintenance costs. More detailed estimates on infrastructure are provided in the Appendix in Figure B.1.

Table 3-1: Existing Parks Inventory

Recreation Facility	Size (acres)	Estimated Value (2019)
Autumn Ridge	9.26	\$347,761.76
Eagle Park	26.78	\$483,703.73
Eagle Point Park A (Entrance)	28.56	\$403,326.67
Eagle Point Park B	6.56	\$315,367.15
Eagle Point Park C	5.02	\$241,337.92
Meadow Ranch	29.78	\$602,107.00
Overland Park	5.54	\$266,290.93
Sage Valley Park	12.26	\$516,660.01
Westview Heights Park	4.62	\$175,699.61
White Hills Park	2.22	\$106,527.85
Pioneer Addition 5 pocket park	1.43	\$68,903.56
Pioneer Addition 6 pocket park	1.34	\$64,353.91
Pioneer Addition 7 pocket park	1.27	\$60,957.39
Lone Tree park	3.35	\$110,555.00
Ruby Valley park	2.16	\$103,653.28
Liberty Farms park	3.03	\$145,496.18
Saddle Back park	3.01	\$144,554.91
Porters Crossing park	5.63	\$270,651.89
Rush Valley park	2.5	\$120,214.32
Kiowa (Ute Dr) park	1.84	\$88,670.22
Silverlake PUE park	2.07	\$99,301.15
Silverlake 8 park	0.69	\$33,104.43
Southmoor park	2.54	\$71,726.10
Northmoor park	1.04	\$49,983.28
Mt. Airey Village park	0.8	\$38,621.84
Stonebridge park	3.41	\$164,103.07
Chimney Rock park	0.3	\$14,546.09
Kiowa Valley pond park	4.16	\$199,897.79
Kennekuk park	0.11	\$5,241.53
Eagles Gate entrance park	3.29	\$158,056.00
Eagles Gate east park	3.39	\$162,872.69
Heatherwood park	0.41	\$19,874.80
Walden Park	12.6	\$540,961.65

CHAPTER 3- EXISTING FACILITIES

Smith Ranch Regional Park	23.53	\$548,601.71
Bike park	72.99	\$912,699.07
Nolan Park	37.4	\$1,797,594.84
Nolan East	10.25	\$492,817.93
Pioneer Park	23.34	\$720,573.92
North Ranch	5.94	\$194,791.76
Cory Wride Memorial Park	51.54	\$2,054,775.15
Pony Express Regional Park	36.27	\$1,637,307.87
Silverlake Amphitheater	16.09	\$658,349.62
Sweetwater Park	9.11	\$275,870.25
Pioneer Addition (Open Space)	2.63	\$221,936.51
Eagle Gate West	0.93	\$164,529.02
Ash Point Park	0.67	\$103,871.77
Fremont Springs	0.49	\$88,833.53
Skate Park	0.4	\$441,392.40
Friday Station	0.15	\$17,990.05
Willow Springs	0.68	\$110,143.96
Sunset Ridge	1.05	\$496,566.45
Spring Run	3.7	\$551,740.50
Lake View Estates	1.65	\$222,798.33
Total	489.78	\$17,908,268.36

Many of these existing parks and recreation facilities were funded by Special Improvement Districts (SID) bonds or reimbursement agreements. Table 3-2 and 3-3 identify the necessary reimbursements required to satisfy the SID's and the reimbursement agreements.

Table 3-2: Parks and Recreation SID Bonds

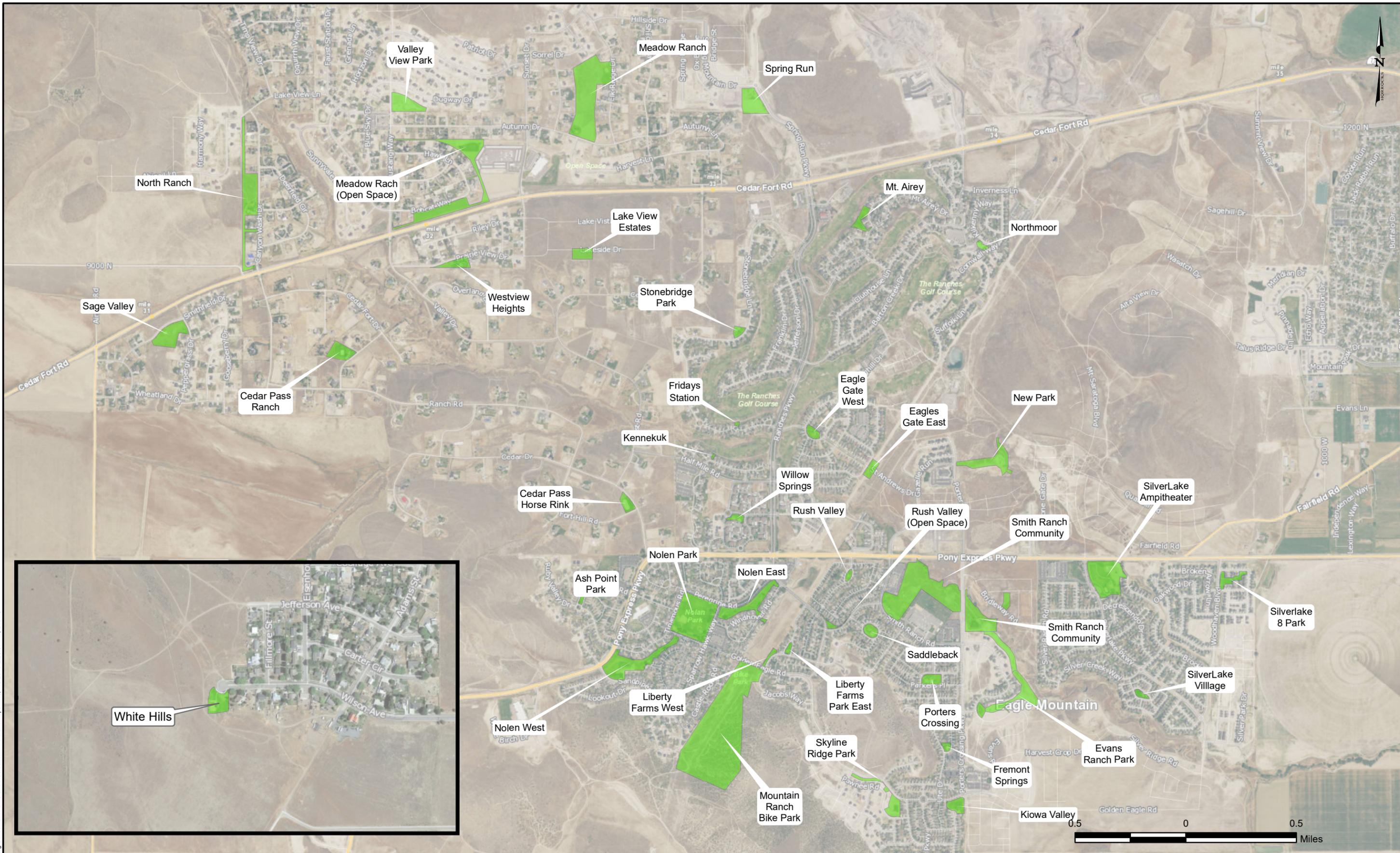
Construction Year	Project Name	Cost (Construction Year)	Original Estimated Capacity	Existing Used Capacity	Current Remaining Capacity
1998	Landscaping	\$196,793	6,000	200	5,800
2000	Ranches and PE Landscape	\$1,378,801	7,000	2,325	4,675
2000	Paul Evans Trailways	\$311,249	6,300	2,325	3,975
2000	Grant Smith Trail	\$159,291	6,300	2,325	3,975
2000	Red Hawk Ranch Park	\$338,554	2,000	2,325	0
2000	Meadow Ranch Trails	\$154,633	6,300	2,325	3,975
2000	Ranches Entrance Monument	\$160,000	6,300	2,325	3,975

CHAPTER 3- EXISTING FACILITIES

2000	Eagle Mountain Entrance Sign	\$58,500	6,300	2,325	3,975
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Table 3-3: Recreation Reimbursement Agreements

Construction Year	Project Name	Cost (Construction Year)	Original Estimated Capacity	Existing Used Capacity	Current Remaining Capacity
2002	Mid- Valley Reginal Park	\$1,100,000	10,000	6,936	3,064

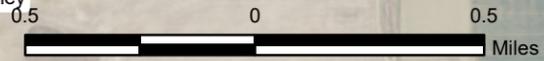


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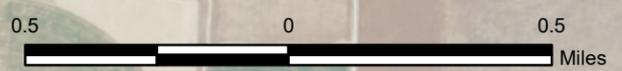
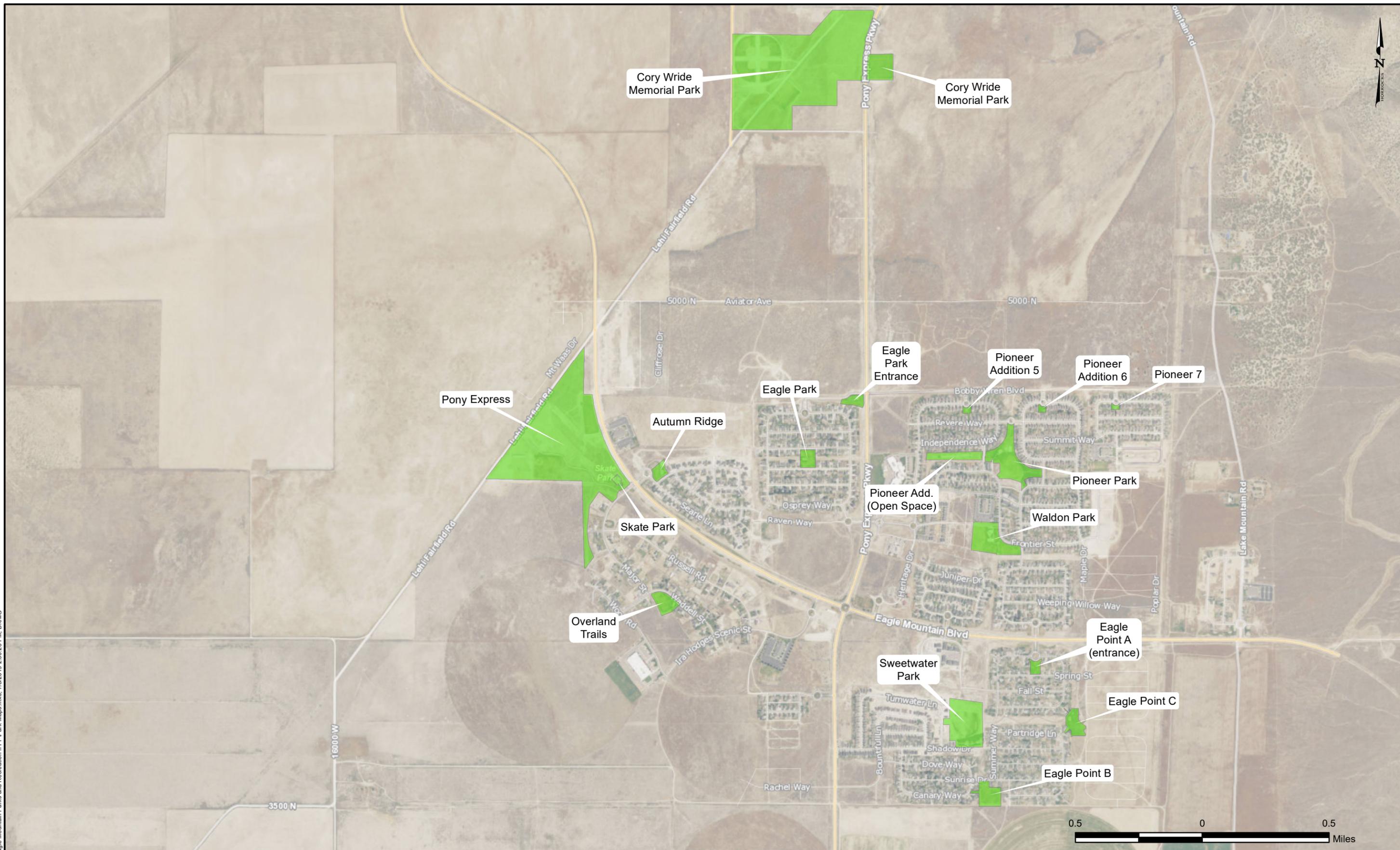
2162 West Grove Parkway
Suite 400
Pleasant Grove, UT 84062
(801) 763-5100

EAGLE MOUNTAIN PARKS AND RECREATION IMPACT FEE
NORTH EAGLE MOUNTAIN



DATE	7/8/2019
DRAWN	
Figure 3.1	

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2162 West Grove Parkway
 Suite 400
 Pleasant Grove, UT 84062
 (801) 763-5100

EAGLE MOUNTAIN PARKS AND RECREATION IMPACT FEE
SOUTH EAGLE MOUNTAIN

DATE	7/8/2019
DRAWN	
Figure 3.2	

CHAPTER 4- PARKS AND RECREATION PLANNING

In order to maintain its current quality of life, Eagle Mountain City must continue to provide new parks and recreation facilities as the population grows.

4.1 Future Facilities

This chapter analyzes the growth period of 2019 to 2060 (Build-out) when the projected population will be approximately 193,143. In order to maintain the existing LOS, Eagle Mountain will need to continue to provide recreational facilities valuing approximately \$457,696 per 1,000 residents. In other words, to provide the necessary facilities, Eagle Mountain will need to construct facilities valuing approximately \$88,453,506 (i.e. 193,143 x \$457,696/1,000) to provide for the future population.

4.2 Capital Facilities Plan

The city already has plans to develop additional parks and trails to help maintain its unique position as a leader in recreational properties and activities. As Eagle Mountain grows, it will need additional facilities like these to help meet the needs of a growing population. Table 4-1 outlines a conceptual plan for developing the required future parks to maintain its current LOS.

The Wride Memorial Park Master Plan that includes a 60 acre plot of land that has been set aside for the development of a regional park. The maps for the Wride Memorial park phases can be found in Appendix B, Figure B.3. The recreational trails are conceptual and no land has been set aside at this time for their planning or construction.

Table 4-1: Conceptual Parks and Recreation Capital Facilities Plan

Project	Construction Year	Estimated Cost (2019)
Smith Ranch Regional Park Phase 1	202	\$ 3,000,000
Silverlake Community Park	2020	\$ 500,000
Recreational Trail	2021	\$ 1,340,807
Wride Memorial Park Phase 2	2023	\$ 4,376,345
Pony Express Regional Park	2025	\$ 2,400,000
Wride Memorial Park Phase 3	2026	\$ 3,055,672
Recreational Trail	2026	\$ 1,340,807
Smith Ranch Regional Park Phase 2	2027	\$ 2,500,000
Pony Express Regional Park Phase 2	2028	\$ 2,400,000
Silverlake Community Park Phase 2	2029	\$ 500,000
Recreational Trail	2029	\$ 1,340,807
Wride Memorial Park Phase 4	2030	\$ 2,189,420
Wride Memorial Park Phase 5	2031	\$ 3,304,296
Recreational Trail	2031	\$ 1,340,807
Wride Memorial Park Phase 6	2032	\$ 3,040,838
Smith Ranch Regional Park Phase 3	2033	\$ 2,500,000
Wride Memorial Park Phase 7	2034	\$ 2,827,987
Various Future Facilities	2035+	\$ 50,495,720
Total		\$ 88,453,506

Impact fees provide communities with a legal means to obtain funds from new developments to finance the construction of infrastructure improvements that are needed to serve new growth. State law requires that impact fees be used only for projects made necessary by new growth and not for existing deficiencies. Throughout this study, existing conditions have been analyzed as well as future needs due to development and growth. This section defines the financial impact that new development will have on Eagle Mountain City in the next six years and recommends impact fees for park and recreation element analyzed in this study. These fees will be needed to maintain the existing level of service throughout the City. It does not include existing deficiencies.

5.1 Parks and Recreation IFFP

The Parks and Recreation Capital Facilities Plan illustrates proposed improvements that future development will require. Table 4-1 outlines the proposed projects and their costs in 2019 dollars. Projects that are projected to be constructed within the next six years and are eligible to be funded by impact fees total \$8,867,152 are detailed below and summarized in Table 5-1. These projects and costs were taken from the Eagle Mountain City Wride Memorial Park Master Plan prepared by MGB+A from May 2015 and the Eagle Mountain City master plan 2009

Eligible Projects

Smith Ranch Regional Park Phase 1 – This is the second phase of Smith Ranch Regional park. It will include new sports fields, asphalt trails, rain gardens as well as parking elements. This park would also include another large amenity in regards to play equipment. This would also include an area secured along the tickville wash as a trail network. The need of this park is driven by the development of housing around the Wren's Roost area.

Silverlake Community Park Phase 1 – The first phase of the Silverlake Community park will include Amenity area including play area, pavilion, parking, field space and other aesthetics.

Recreational Trail – The new recreational trail will include buying and devolping new property. It will include benches and a paved path along with landscaping. Since this trail is conceptual it will be development driven and could be placed anywhere in the city as needed. The trail is needed to help Eagle Mountain City maintain its current LOS

Wride Memorial Park Phase 2 – This is the second phase of the master plan for Wride Memorial Park. It provides pedestrian amenities, parking elements, as well as revitalization of the existing fields. This will be a development driven park. Since it is a regional park it can service any new development in Eagle Mountain.

Pony Express Regional Park – This is the first phase for Pony Express Regional Park. It provides pedestrian amenities, parking elements, as well as revitalization of the existing

CHAPTER 5 – IMPACT FEE FACILITIES PLAN

fields and additional recreational field space. This will be a development driven park. Since it is a regional park it can service any new development in Eagle Mountain.

Table 5-1: Parks and Recreation Impact Fee Facilities Estimates

Future Facility	2019 Estimate (Millions)	Construction Year	Funding Source
Smith Ranch Regional Park Phase 1	\$ 3,00,000	2020	Impact Fees
Silverlake Community Park Phase 1	\$ 500,000	2020	Impact Fees
Recreational Trail	\$1,340,807	2021	Impact Fees
Wride Memorial Park Phase 2	\$ 4,376,345	2023	Impact Fees
Pony Express Regional Park	\$ 2,400,000	2025	Impact Fees
Property Acquisition	\$3,000,000	2025	Impact Fees
Total	\$ 14,617,152		

Appendix “A”

Demographics

Municipal Population Projections 2010-2060

2012 Baseline Projections-Utah Governors Office of Management and Budget

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
State of Utah	2,774,283	3,309,234	3,914,984	4,570,433	5,257,239	5,965,658
Beaver County	6,629	7,766	9,225	10,522	11,837	13,502
Beaver city	3,112	3,646	4,331	4,940	5,557	6,339
Milford city	1,409	1,651	1,961	2,236	2,516	2,870
Minersville town	907	1,063	1,262	1,440	1,620	1,847
Balance of Beaver County	1,201	1,407	1,671	1,906	2,145	2,446
Box Elder County	49,975	54,571	59,437	64,704	70,501	77,030
Bear River City city	853	871	951	971	1,058	1,155
Brigham City city	17,899	19,100	21,397	22,970	25,028	27,346
Corinne city	685	764	892	1,035	1,058	1,232
Deweyville town	332	355	398	434	494	578
Elwood town	1,034	1,252	1,486	1,682	1,974	2,157
Fielding town	455	491	505	582	635	770
Garland city	2,400	2,783	3,066	3,452	3,525	3,852
Honeyville city	1,441	1,419	1,647	1,754	2,039	2,278
Howell town	245	273	297	324	353	385
Mantua town	687	709	773	841	987	1,001
Perry city	4,512	5,566	6,538	7,764	8,531	10,168
Plymouth town	414	478	553	635	561	557
Portage town	245	218	238	259	282	308
Snowville town	167	164	178	162	141	154
Tremont city	7,647	8,731	9,510	10,353	11,985	13,480
Willard city	1,772	1,945	2,036	2,182	2,545	2,773
Balance of Box Elder County	9,187	9,452	8,971	9,305	9,308	8,835
Cache County	112,656	139,228	168,136	196,559	232,468	273,817
Amalga town	488	540	587	603	930	1,095
Clarkston town	666	696	841	983	1,162	1,369
Cornish town	288	332	362	384	465	548
Hyde Park city	3,833	4,930	6,214	7,552	7,673	8,454
Hyrum city	7,609	9,328	11,079	12,794	15,851	19,012
Lewiston city	1,766	1,777	2,186	2,555	3,487	3,833
Logan city	48,174	57,057	63,943	76,658	92,987	111,717
Mendon city	1,282	1,689	2,239	2,555	2,790	3,286
Millville city	1,829	2,196	2,593	2,951	3,834	4,673
Newton town	789	835	841	983	1,162	1,369
Nibley city	5,438	8,796	14,136	15,725	18,597	21,905
North Logan city	8,269	11,641	14,964	16,708	18,597	21,905
Paradise town	904	1,123	1,334	1,552	1,879	2,236
Providence city	7,075	9,050	11,770	13,759	16,273	19,167
Richmond city	2,470	2,785	3,026	3,342	4,184	5,203
River Heights city	1,734	2,088	2,152	2,258	2,557	3,012
Smithfield city	9,495	12,051	15,171	18,307	19,069	21,245
Trenton town	464	557	673	786	930	1,095
Wellsville city	3,432	4,160	5,036	5,831	7,098	8,444
Balance of Cache County	6,651	7,597	8,991	10,274	12,941	14,247
Carbon County	21,403	21,602	22,092	22,860	23,582	24,384
East Carbon city	1,301	1,313	1,343	1,390	1,433	1,482
Helper city	2,201	2,221	2,272	2,351	2,425	2,508
Price city	8,715	8,796	8,996	9,308	9,602	9,929
Scofield town	24	24	25	26	26	27
Sunnyside city	377	381	389	403	415	430
Wellington city	1,676	1,692	1,730	1,790	1,847	1,909
Balance of Carbon County	7,109	7,175	7,338	7,593	7,833	8,099

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
Daggett County	1,059	1,444	1,377	1,407	1,519	1,678
Manila town	310	423	403	412	445	491
Balance of Daggett County	749	1,021	974	995	1,074	1,187
Davis County	306,479	356,968	391,933	426,392	465,664	503,985
Bountiful city	42,552	45,993	47,737	48,323	48,993	49,808
Centerville city	15,335	18,484	21,000	25,323	26,496	27,395
Clearfield city	30,112	31,684	32,502	33,056	33,995	34,866
Clinton city	20,426	24,205	26,008	27,126	29,100	30,871
Farmington city	18,275	22,292	26,277	31,893	37,052	42,417
Fruit Heights city	4,987	5,816	5,907	6,663	6,750	6,725
Kaysville city	27,300	32,500	35,465	37,261	40,623	43,809
Layton city	67,311	79,594	84,894	84,953	90,327	94,942
North Salt Lake city	16,322	19,313	20,646	21,373	22,799	24,047
South Weber city	6,051	7,656	10,001	14,578	17,819	21,292
Sunset city	5,122	5,417	5,485	5,509	5,599	5,678
Syracuse city	24,331	29,678	34,975	39,855	46,479	53,389
West Bountiful city	5,265	6,395	7,443	9,200	10,573	11,987
West Point city	9,511	12,162	16,326	24,541	30,326	36,554
Woods Cross city	9,761	11,689	13,003	12,331	13,734	15,125
Balance of Davis County	3,818	4,088	4,266	4,407	4,999	5,080
Duchesne County	18,607	22,797	24,836	25,721	27,123	29,275
Altamont town	225	276	300	311	328	354
Duchesne city	1,690	2,071	2,256	2,336	2,463	2,659
Myton city	569	697	759	787	829	895
Roosevelt city	6,046	7,407	8,070	8,358	8,813	9,512
Tabiona town	171	210	228	236	249	269
Balance of Duchesne County	9,906	12,137	13,222	13,693	14,440	15,585
Emery County	10,976	11,230	11,930	12,207	12,016	12,141
Castle Dale city	1,630	1,668	1,772	1,813	1,784	1,803
Clawson town	163	167	177	181	178	180
Cleveland town	464	475	504	516	508	513
Elmo town	418	428	454	465	458	462
Emery town	288	295	313	320	315	319
Ferron city	1,626	1,664	1,767	1,808	1,780	1,799
Green River city	952	974	1,035	1,059	1,042	1,053
Huntington city	2,129	2,178	2,314	2,368	2,331	2,355
Orangeville city	1,470	1,504	1,598	1,635	1,609	1,626
Balance of Emery County	1,836	1,878	1,996	2,042	2,010	2,031
Garfield County	5,172	6,063	6,821	7,357	7,902	8,963
Antimony town	122	143	161	174	186	211
Boulder town	226	265	298	321	345	392
Bryce Canyon City	198	232	261	282	303	343
Cannonville town	167	196	220	238	255	289
Escalante city	797	934	1,051	1,134	1,218	1,381
Hatch town	133	156	175	189	203	230
Henrieville town	230	270	303	327	351	399
Panguitch city	1,520	1,782	2,005	2,162	2,322	2,634
Tropic town	530	621	699	754	810	918
Balance of Garfield County	1,249	1,464	1,647	1,777	1,908	2,164
Grand County	9,225	10,300	11,300	12,147	13,098	14,301
Castle Valley town	319	356	391	420	453	495
Moab city	5,046	5,634	6,181	6,644	7,164	7,823
Balance of Grand County	3,860	4,310	4,728	5,083	5,481	5,984

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
Iron County	46,163	57,055	71,687	87,102	105,797	127,795
Brian Head town	83	103	129	157	190	230
Cedar City city	28,857	35,666	44,812	54,448	66,135	79,886
Enoch city	5,803	7,172	9,012	10,949	13,299	16,065
Kanarraville town	355	439	551	670	814	983
Paragonah town	488	603	758	921	1,118	1,351
Parowan city	2,790	3,448	4,333	5,264	6,394	7,724
Balance of Iron County	7,787	9,624	12,093	14,693	17,846	21,557
Juab County	10,246	13,750	17,203	20,049	23,382	27,502
Eureka city	669	898	1,123	1,309	1,527	1,796
Levan town	841	1,129	1,412	1,646	1,919	2,257
Mona city	1,547	2,076	2,597	3,027	3,530	4,152
Nephi city	5,389	7,232	9,048	10,545	12,298	14,465
Rocky Ridge town	733	984	1,231	1,434	1,673	1,967
Santaquin city (pt.)	0	0	0	0	0	0
Balance of Juab County	1,067	1,432	1,791	2,088	2,435	2,864
Kane County	7,125	8,357	10,259	12,601	15,314	18,583
Alton town	119	140	171	210	256	310
Big Water town	475	557	684	840	1,021	1,239
Glendale town	381	447	549	674	819	994
Kanab city	4,312	5,058	6,209	7,626	9,268	11,246
Orderville town	577	677	831	1,020	1,240	1,505
Balance of Kane County	1,261	1,479	1,816	2,230	2,710	3,289
Millard County	12,503	12,787	13,384	13,804	14,422	16,311
Delta city	3,436	3,514	3,678	3,794	3,963	4,482
Fillmore city	2,435	2,490	2,607	2,688	2,809	3,177
Hinckley town	696	712	745	768	803	908
Holden town	378	387	405	417	436	493
Kanosh town	474	485	507	523	547	618
Leamington town	226	231	242	250	261	295
Lynndyl town	106	108	113	117	122	138
Meadow town	310	317	332	342	358	404
Oak City town	578	591	619	638	667	754
Scipio town	327	334	350	361	377	427
Balance of Millard County	3,537	3,617	3,786	3,905	4,080	4,614
Morgan County	9,469	11,945	15,013	17,926	20,654	24,234
Morgan city	3,687	4,887	6,439	8,043	9,675	11,830
Balance of Morgan County	5,782	7,058	8,574	9,883	10,979	12,404
Piute County	1,556	1,635	1,902	2,091	2,207	2,436
Circleville town	547	575	669	735	776	856
Junction town	191	201	233	257	271	299
Kingston town	173	182	211	232	245	271
Marysvale town	408	429	499	548	579	639
Balance of Piute County	237	249	290	318	336	371
Rich County	2,264	2,532	2,843	3,153	3,495	3,908
Garden City town	562	630	796	883	979	1,094
Laketown town	248	266	313	347	419	508
Randolph city	464	519	512	568	629	703
Woodruff town	180	215	227	252	280	313
Balance of Rich County	810	901	995	1,104	1,188	1,290

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
Salt Lake County	1,029,655	1,180,859	1,340,665	1,507,997	1,659,566	1,812,891
Alta town	383	400	441	480	502	523
Bluffdale city	7,598	10,099	16,777	19,499	22,098	25,125
Cottonwood Heights city	33,433	37,336	38,738	39,321	38,726	37,144
Draper city (pt.)	40,532	46,420	52,680	56,742	62,421	67,893
Herriman city	21,785	27,003	38,458	50,114	64,896	81,310
Holladay city	26,472	29,641	31,062	31,998	33,147	34,170
Midvale city	27,964	33,010	41,207	50,464	60,206	70,635
Murray city	46,746	53,748	61,798	67,668	75,445	83,161
Riverton city	38,753	44,339	50,150	56,512	61,974	67,192
Salt Lake City city	186,440	210,592	227,824	229,985	233,031	234,704
Sandy city	87,461	97,826	102,107	104,993	106,471	105,929
South Jordan city	50,418	59,509	74,258	92,403	110,083	128,992
South Salt Lake city	23,617	26,845	29,693	31,287	33,454	35,327
Taylorsville city	58,652	65,637	66,282	66,546	66,795	66,330
West Jordan city	103,712	118,872	135,254	149,637	165,075	180,050
West Valley City city	129,480	145,400	150,641	150,990	152,675	153,765
Balance of Salt Lake County	146,209	174,183	223,295	309,359	372,568	440,640
San Juan County	14,746	15,644	15,486	15,191	15,640	17,100
Blanding city	3,375	3,581	3,544	3,477	3,580	3,914
Monticello city	1,972	2,092	2,071	2,032	2,092	2,287
Balance of San Juan County	9,399	9,971	9,871	9,683	9,969	10,899
Sanpete County	27,822	31,637	35,279	37,879	40,689	45,494
Centerfield town	1,367	1,554	1,733	1,861	1,999	2,235
Ephraim city	6,135	6,976	7,779	8,353	8,972	10,032
Fairview city	1,247	1,418	1,581	1,698	1,824	2,039
Fayette town	242	275	307	329	354	396
Fountain Green city	1,071	1,218	1,358	1,458	1,566	1,751
Gunnison city	3,285	3,735	4,165	4,472	4,804	5,372
Manti city	3,276	3,725	4,154	4,460	4,791	5,357
Mayfield town	496	564	629	675	725	811
Moroni city	1,423	1,618	1,804	1,937	2,081	2,327
Mount Pleasant city	3,260	3,707	4,134	4,438	4,768	5,331
Spring City city	988	1,123	1,253	1,345	1,445	1,616
Sterling town	262	298	332	357	383	428
Wales town	302	343	383	411	442	494
Balance of Sanpete County	4,468	5,081	5,666	6,083	6,534	7,306
Sevier County	20,802	22,380	24,329	26,142	28,241	31,349
Annabella town	795	855	930	999	1,079	1,198
Aurora city	1,016	1,093	1,188	1,277	1,379	1,531
Central Valley town	528	568	618	664	717	796
Elsinore town	847	911	991	1,064	1,150	1,276
Glenwood town	464	499	543	583	630	699
Joseph town	344	370	402	432	467	518
Koosharem town	327	352	382	411	444	493
Monroe city	2,256	2,427	2,639	2,835	3,063	3,400
Redmond town	730	785	854	917	991	1,100
Richfield city	7,551	8,124	8,831	9,489	10,251	11,379
Salina city	2,489	2,678	2,911	3,128	3,379	3,751
Sigurd town	429	462	502	539	582	647
Balance of Sevier County	3,026	3,256	3,539	3,803	4,108	4,560
Summit County	36,324	45,491	56,890	71,433	88,334	107,671
Coalville city	1,363	1,457	1,859	2,729	3,931	5,481
Francis town	1,077	1,624	2,415	3,546	5,925	8,260
Henefer town	766	950	1,212	1,779	2,972	4,144
Kamas city	1,811	2,246	2,864	4,205	6,058	8,447
Oakley city	1,470	2,217	3,297	4,840	8,087	11,276
Park City city (pt.)	7,547	9,358	11,444	13,744	15,521	17,722
Balance of Summit County	22,290	27,639	33,799	40,591	45,839	52,340

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
Tooele County	58,218	74,877	99,664	128,348	157,821	189,156
Grantsville city	8,893	11,789	15,940	20,806	25,910	31,421
Ophir town	38	41	45	51	56	61
Rush Valley town	447	458	480	506	517	559
Stockton town	616	768	978	1,201	1,407	1,606
Tooele city	31,605	39,833	51,246	63,683	75,545	87,316
Vernon town	243	255	254	322	389	458
Wendover city	1,400	774	978	1,238	1,497	1,763
Balance of Tooele County	14,976	20,959	29,742	40,541	52,500	65,971
Uintah County	32,588	38,982	41,099	42,690	46,291	50,174
Ballard town	801	958	1,010	1,049	1,138	1,233
Naples city	1,755	2,099	2,213	2,299	2,493	2,702
Vernal city	9,089	10,872	11,463	11,907	12,911	13,994
Balance of Uintah County	20,943	25,052	26,413	27,435	29,749	32,245
Utah County	516,564	668,564	833,101	1,019,828	1,216,695	1,398,074
Alpine city	9,555	10,670	11,667	12,851	13,400	13,700
American Fork city	26,263	32,566	39,635	47,678	54,000	58,900
Cedar Fort town	368	961	2,757	4,503	6,900	9,000
Cedar Hills city	9,796	10,733	10,884	11,689	11,800	11,900
Draper city (pt.)	1,742	2,520	3,303	3,977	5,100	6,200
Eagle Mountain city	21,415	34,152	54,095	76,469	114,400	152,500
Elk Ridge city	2,436	3,898	4,696	5,888	7,100	8,500
Fairfield town	119	599	955	2,148	3,900	5,300
Genola town	1,370	3,789	4,370	6,499	8,600	10,800
Goshen town	921	1,146	1,220	1,419	1,700	1,800
Highland city	15,523	17,792	20,712	24,073	27,100	29,500
Lehi city	47,407	62,154	82,589	103,610	120,000	133,800
Lindon city	10,070	11,753	12,459	13,721	14,600	15,900
Mapleton city	7,979	10,762	13,752	16,901	19,500	21,300
Orem city	88,328	99,227	103,321	112,288	118,900	123,600
Payson city	18,294	22,832	41,144	49,496	58,500	67,200
Pleasant Grove city	33,509	40,034	42,062	47,053	51,200	54,500
Provo city	112,488	126,377	131,068	151,877	170,600	189,400
Salem city	6,423	11,363	27,102	33,649	40,100	45,200
Santaquin city (pt.)	9,128	17,594	32,075	39,774	46,700	52,900
Saratoga Springs city	17,781	33,514	58,496	78,987	107,900	134,000
Spanish Fork city	34,691	44,623	54,143	64,607	72,300	78,300
Springville city	29,466	37,094	45,078	51,971	57,500	61,600
Vineyard town	139	2,065	8,415	15,938	20,000	20,900
Woodland Hills city	1,344	1,943	3,001	3,764	4,700	5,300
Balance of Utah County	10,009	28,404	24,101	38,998	60,195	86,074
Wasatch County	23,530	32,741	44,549	59,159	76,389	96,696
Charleston town	415	533	941	1,611	2,953	5,592
Daniel town	938	1,058	1,600	2,626	4,152	6,430
Heber city	11,362	15,387	19,243	22,683	23,747	25,675
Hideout town	656	1,253	1,818	2,983	4,474	6,083
Independence town	164	174	306	611	1,168	2,307
Midway city	3,845	6,039	8,759	11,759	14,571	18,481
Park City city (pt.)	11	15	18	20	20	20
Wallsburg town	250	321	315	517	775	992
Balance of Wasatch County	5,889	7,960	11,549	16,349	24,528	31,116

Geography	Census		Projections			
	2010	2020	2030	2040	2050	2060
Washington County	138,115	196,762	280,558	371,743	472,567	581,731
Apple Valley town	701	999	1,424	1,887	2,399	2,953
Enterprise city	1,711	2,438	3,476	4,605	5,854	7,207
Hildale city	2,726	3,884	5,537	7,337	9,327	11,482
Hurricane city	13,748	19,586	27,927	37,003	47,039	57,906
Ivins city	6,753	9,620	13,718	18,176	23,106	28,443
La Verkin city	4,060	5,784	8,247	10,928	13,891	17,100
Leeds town	820	1,168	1,666	2,207	2,806	3,454
New Harmony town	207	295	420	557	708	872
Rockville town	245	349	498	659	838	1,032
St. George city	72,897	103,851	148,078	196,206	249,421	307,037
Santa Clara city	6,003	8,552	12,194	16,157	20,540	25,284
Springdale town	529	754	1,075	1,424	1,810	2,228
Toquerville town	1,370	1,952	2,783	3,687	4,688	5,770
Virgin town	596	849	1,211	1,604	2,039	2,510
Washington city	18,761	26,727	38,110	50,496	64,192	79,020
Balance of Washington County	6,988	9,955	14,195	18,809	23,910	29,433
Wayne County	2,778	2,845	3,508	4,412	5,326	6,424
Bicknell town	327	335	413	519	627	756
Hanksville town	219	224	277	348	420	506
Loa town	572	586	722	908	1,097	1,323
Lyman town	258	264	326	410	495	597
Torrey town	182	186	230	289	349	421
Balance of Wayne County	1,220	1,249	1,541	1,938	2,339	2,821
Weber County	231,236	258,423	300,477	349,009	398,699	449,053
Farr West city	5,928	6,835	7,238	8,163	9,479	11,593
Harrisville city	5,567	6,314	7,741	7,146	8,428	9,782
Hooper city	7,218	8,967	13,989	21,640	28,691	36,586
Huntsville town	608	666	727	688	698	692
Marriott-Slaterville city	1,701	2,003	2,741	4,826	5,895	7,054
North Ogden city	17,357	19,927	25,351	36,923	43,802	51,103
Ogden city	82,825	90,971	100,123	102,059	105,457	106,934
Plain City city	5,476	6,431	8,727	10,694	13,492	16,572
Pleasant View city	7,979	9,204	11,876	15,626	18,860	22,337
Riverdale city	8,426	9,093	9,365	9,694	9,544	9,409
Roy city	36,884	39,979	41,890	43,876	44,739	44,618
South Ogden city	16,532	17,941	18,885	19,387	19,387	19,399
Uintah town	1,322	1,502	1,851	1,749	2,072	2,415
Washington Terrace city	9,067	9,857	10,446	13,456	13,567	13,358
West Haven city	10,272	13,121	21,731	32,674	44,760	58,405
Balance of Weber County	14,074	15,613	17,796	20,408	29,826	38,798

Notes:

1. All populations are date July 1, except for the April 1, 2010 figures produced by the U.S. Census Bureau.
2. Initial projections of subcounty populations maintained a constant share based on the distribution of the most recent Census Bureau estimates.
3. Projections are approved by the respective Associations of Government

EAGLE MOUNTAIN CITY PERMIT TOTALS

YEAR	RES/NEW	BSMT	OTHER	COMM	TOTAL	INSPEC
1998	309					
1999	311					
2000	618					
2001	430	1	4	5	440	
2002	419	37	22	4	482	
2003	388	31	36	1	456	
2004	432	33	25	6	496	
2005	659	46	22	4	731	
2006	904	103	43	5	1055	
2007	596	114	51	4	765	
2008	110	85	66	7	268	
2009	218	76	60	7	361	
2010	206	27	28	3	264	3050
2011	106	91	72	10	279	1659
2012	210	87	45	3	345	2345
2013	367	111	63	7	548	3680
2014	364	118	96	13	591	4262
2015	490	149	175	11	825	5533
2016	673	192	431	21	1317	7280
2017	920	220	386	10	1536	9294

Appendix “B”

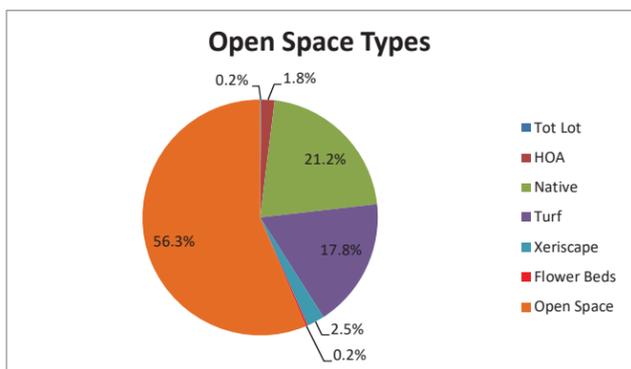
Parks and Recreation

Figure B.1

Area	Large Pavilion	Medium Pavilion	Small Pavilion	Restrooms (Perm.)	Restrooms (Temp.)	Skatepark	Splash Pad	Tot Lots/Playgrounds	Drinking Fountains	Bike Racks	Picnic Tables	Garbage Cans	Benches	1/2 Court Basketball	Full Court Basketball	Soccer Fields	Baseball Diamonds	Swimming Pool	Volleyball Pit	Teatherball	Bleachers	Swing Set	Parking Lot	Barbeque's	Horseshoe Pits	Tennis Court	Rodeo Grounds	Irrigated Open Space	Unimproved Open Space	2018 Value (Estimated by current CC)	Facility Value & Size																															
																															2015 Value	Improved		Total Acres																												
																																Acres	Acres																													
Autumn Ridge								1			2	2	2	1														104845	88285	\$	347,761.76	\$	315,150	2.03	7.23	9.26																										
Eagle Park Commons			1					1			1	1	1								1		1						68091	728090	\$	483,703.73	\$	438,344	16.71	10.06	26.78																									
Eagle Point Park A																													29036	878377	\$	403,326.67	\$	365,504	20.16	8.39	28.56																									
Eagle Point Park B								1				1	6																124374		\$	315,367.15	\$	285,793	0.00	6.56	6.56																									
Eagle Point Park C		1						1			4	2	8																72538		\$	241,337.92	\$	218,706	0.00	5.02	5.02																									
Meadow Ranch Autumn								1		1		1	1															26570	363800	\$	234,837.31	\$	212,815	8.35	4.89	13.24																										
Meadow Ranch Hidden	1									2	6	3																44242	387716	\$	325,890.60	\$	295,330	8.90	6.78	15.68																										
Overland Park			1					1			4	1	2															94742		\$	266,290.93	\$	241,319	0.00	5.54	5.54																										
Sage Valley Park			1					1			4	1					1											182927	65915	\$	516,660.01	\$	468,209	1.51	10.75	12.26																										
Westview Heights Park								1	2	10			5															48300	41923	\$	175,699.61	\$	159,223	0.96	3.66	4.62																										
White Hills Park			1					1					3									1						25019		\$	106,527.85	\$	96,538	0.00	2.22	2.22																										
Pioneer Addition 5 pocket park								1					2															15221		\$	68,903.56	\$	62,442	0.00	1.43	1.43																										
Pioneer Addition 6 pocket park								1				1	3															12137		\$	64,353.91	\$	58,319	0.00	1.34	1.34																										
Pioneer Addition 7 pocket park								1				1	3															10598		\$	60,957.39	\$	55,241	0.00	1.27	1.27																										
Lone Tree park								1	1	3	2	2											1	1				20418	45590	\$	110,555.00	\$	100,188	1.05	2.30	3.35																										
Ruby Valley park								1	1	2	1	2																29059		\$	103,653.28	\$	93,933	0.00	2.16	2.16																										
Liberty Farms park			1					1			5	3	6															36771		\$	145,496.18	\$	131,852	0.00	3.03	3.03																										
Saddle Back park								1			4	1	1															46857		\$	144,554.91	\$	130,999	0.00	3.01	3.01																										
Porters Crossing park			1					1	1	6	3	3			1													61563		\$	270,651.89	\$	245,271	0.00	5.63	5.63																										
Rush Valley park								1			1	2																37948		\$	120,214.32	\$	108,941	0.00	2.50	2.50																										
Kiowa (Ute Dr) park								1	1	2	1	4																21270		\$	88,670.22	\$	80,355	0.00	1.84	1.84																										
Silverlake PUE park			1					1			1	1																22377		\$	99,301.15	\$	89,989	0.00	2.07	2.07																										
Silverlake 8 park								1																							\$	33,104.43	\$	30,000	0.00	0.69	0.69																									
Southmoor park																												24546	45451	\$	71,726.10	\$	65,000	1.04	1.49	2.54																										
Northmoor park																												22648		\$	49,983.28	\$	45,296	0.00	1.04	1.04																										
Plum Creek park																															\$	-	\$	-	0.00	0.00	0.00																									
Highland @ the Ranches park																												13709		\$	30,255.24	\$	27,418	0.00	0.63	0.63																										
Highland on the Green park																												17596		\$	38,833.70	\$	35,192	0.00	0.81	0.81																										
Mt. Airey Village park								1																							\$	38,621.84	\$	35,000	0.00	0.80	0.80																									
Meadow Ranch 5 park								1					2										1	1							\$	41,380.54	\$	37,500	0.00	0.86	0.86																									
Cedar Pass park			1					1			3	2			1								1	2				81184	27826	\$	321,567.72	\$	291,412	0.64	6.69	7.33																										
Stonebridge park									1	2		9	2										1					30722		\$	164,103.07	\$	148,714	0.00	3.41	3.41																										
Chimney Rock park													1															6091		\$	14,546.09	\$	13,182	0.00	0.30	0.30																										
Kiowa Valley pond park								1	1	3	1	2											1	1				69401		\$	199,897.79	\$	181,152	0.00	4.16	4.16																										
Evans Ranch park			1										2																		\$	16,552.22	\$	15,000	0.00	0.34	0.34																									
Kennekuk park											3	1																			\$	5,241.53	\$	4,750	0.00	0.11	0.11																									
Eagles Gate entrance park			1					1	1	6	2	3																43567		\$	158,056.00	\$	143,234	0.00	3.29	3.29																										
Eagles Gate east park								1	1	2	1	2									1							48392		\$	162,872.69	\$	147,599	0.00	3.39	3.39																										
Heatherwood park										1	2	1																6948		\$	19,874.80	\$	18,011	0.00	0.41	0.41																										
Totals	1	1	11	0	0	0	0	27	0	14	75	32	80	3	2	1	0	0	2	1	0	4	6	14	1	1	0	1499707	2672973	\$	6,061,332.39	\$	5,492,920	61.36	126.10	187.46																										
REGIONAL AND COMMUNITY PARKS																																																								\$		\$				
Walden Park	1			2				1			5	3	4	1	1													162682	58737	\$	540,961.65	\$	490,232	1.35	11.25	12.60																										
Smith Ranch Regional Park								1				1	1															137424	527893	\$	548,601.71	\$	497,156	12.12	11.41	23.53																										
Bike park				1							1	2																2352240		\$	912,699.07	\$	827,109	54.00	18.99	72.99																										
Nolan Park			1				1	1	1		3	9	4			1	2					4						455956		\$	1,797,594.84	\$	1,629,022	0.00	37.40	37.40																										
Nolan Park Pavilion	1										1	18	3															182669		\$	492,817.93	\$	446,603	0.00	10.25	10.25																										
Pioneer Park			1		2			2	1	1	2	3	3		1	1							1					180625	363845	\$	720,573.92	\$	653,001	8.35	14.99	23.34																										
North Ranch			1					1		1	5	3	2															36543	82368	\$	194,791.76	\$	176,525	1.89	4.05	5.94																										
Midvalley Regional Baseball/Soccer													4				1	4										387000	382825	\$	1,700,650.44	\$	1,541,169	8.79	35.38	44.17																										
Midvalley Regional Soccer																												152458		\$	354,124.71	\$	320,916	0.00	7.37	7.37																										
Pony Express Regional Park			1		2	1				1	4	6																182137	96235	\$	1,637,307.87	\$	1,483,766	2.21	34.06	36.27																										
Silverlake Amphitheater			1	1				1	2		3	3																178666	104399	\$	658,349.62	\$	596,612	2.40	13.70	16.09																										
Totals	2	1	3	2	11	1	1	7	5	3	41	37	14	1	1	5	7	0	0	0	16	2	5	7	0	0	1	2056160	3968542	\$	9,558,473.53	\$	8,662,110	91.11	1																											

PARK_NAME	ADDRESS	OWNER	ACREAGE	FEATURES
Waldon Park	4337 N Frontier St	EAGLE MOUNTAIN CITY	5.95	1-TOT LOT 4BENCHES 3TRASH CANS 9-PICNIC TABLES 1-PAVILLION 1-BBALL COURT 1BBALL STANDARD 1-BIKE RACK
Pony Express	4447 North Major Street	EAGLE MOUNTAIN CITY	54.76	1-BASEBALL FIELD 2-BLEACHERS 2-DUGOUT BENCHES
Cory Wide Memorial Park	5806 North Pony Express Pkwy	EAGLE MOUNTAIN CITY	69.37	1-SPLASH PAD 1-TOT LOT 1-SWINGSET 1-ZIP LINE 1-LARGE PAVILION 1-SMALL PAVILION 33-PICNIC TABLES 4-BBQ 2-RESTROOMS 4-TENNIS COURTS 4-BASKETBALL COURTS 6-PICKLEBALL COURTS 25 BENCHES, BASEBALL COMPLEX, CONCESSION BUILDING, SHADE STRUCTURE
Eagle Park	1396 E Harrier St	EAGLE MOUNTAIN CITY	1.58	1-TOT LOT 1-BENCH 1-TRASH CAN 1-BBQ 1-PICNIC TABLE 1-PAVILION 1-SWING SET 1-TEATHERBALL 1-VOLLEYBALL
Sweetwater Park	1887 E Shadow Drive	EAGLE MOUNTAIN CITY	9.11	1-TOT LOT 4-BENCHES 1-SWING SET 1-PAVILION 2-GRILL 2-TRASH CANS 2-PICNIC TABLES
Eagle Point B	1938 E Sunrise Drive	EAGLE MOUNTAIN CITY	2.86	1-TOT LOT 6-BENCHES WOOD
Eagle Point C	3742 N Partridge Lane	EAGLE MOUNTAIN CITY	2.21	1-TOT LOT 7-BENCHES METAL 2-TRASH CANS 2-BBq 6-PICNIC TABLES 1-PAVILLION
Pioneer Add. (Open Space)	4558 Silver Spur	EAGLE MOUNTAIN CITY	2.63	NONE
Pioneer Park	4558 N Silver Spur Way	EAGLE MOUNTAIN CITY	7.44	1-TOT LOT 2-BENCHES 2-TRASH CANS 2-PICNIC TABLES 1-PAVILLION 1-BBALL CRT 1-VOLLEYBALL PIT 1-BIKE RACK
Eagle Point A (entrance)	2080 E Summer Way	EAGLE MOUNTAIN CITY	0.81	NONE
North Ranch	9242 N Canyon Wash Dr	EAGLE MOUNTAIN CITY	7.69	1-TOT LOT 2-BENCHES METAL 2-TRASH CANS 1-BBQ 3-PICNIC TABLES 1-DUMPSTER 1-FLAG POLE 1-DRINKING FOUNTAIN
Sage Valley	1448 E Smithfield Rd	EAGLE MOUNTAIN CITY	4.07	1-TOT LOT 1-TRASH CAN 1-BBQ 4-PICNIC TABLES 1-PAVILION 1-VOLLEYBALL PIT
Westview Heights	2412 E Prairie View Dr	EAGLE MOUNTAIN CITY	1.72	1-TOT LOT 5-BENCHES 9-PICNIC TABLES 2-BIKE RACKS, SWINGS
Meadow Rach (Open Space)	9387 N Sunset Dr.	EAGLE MOUNTAIN CITY	9.92	1-TOT LOT 1-TRASH CAN 2-PICNIC TABLES 1-PAVILION 2-BIKE RACK
Meadow Ranch	2863 E Autumn Lane	EAGLE MOUNTAIN CITY	15.38	1-TOT LOT 1-BENCH METAL 1-TRASH CAN 1-BIKE RACK
Nolen Park	7862 N Tinamous Rd	EAGLE MOUNTAIN CITY	11.18	1-TOT LOT 4-BENCHES 3-PICNIC TABLES 7-TRASH CANS 1-RESTROOM/DRINKING FOUNTAIN 4-BLEACHERS 4-DUGOUT BENCHES 2-BASEBALL DIAMONDS
SilverLake Amphitheater	7862 N SilverLake Parkway	EAGLE MOUNTAIN CITY	7.93	1-TOT LOT 3-BENCHES 3- PICNIC TABLES 1-TRASH CAN 1-PAVILION 1-SWING SET 1-RESTROOM/DRINKING FOUNTAIN 2-BBQ
Smith Ranch Community	3885 E. Smith Ranch Road	EAGLE MOUNTAIN CITY	20.95	1-TOT LOT 1-BENCH 1-TRASH CAN 3-SOCCER FIELDS 1-RESTROOM/DRINKING FOUNTAIN
Eagle Gate West	8398 N Scotsraig Dr	EAGLE MOUNTAIN CITY	0.93	1-TOT LOT 4-BENCHES 6-PICNIC TABLES 2-TRASH CANS 1-BBQ 1-BIKE RACK 1-BASKETBALL COURT
Eagles Gate East	8308 Prestwich Lane	EAGLE MOUNTAIN CITY	1.11	1-TOT LOT 2-BENCHES 2-PICNIC TABLES 1-BBQ 1-TRASH CAN 1-BIKE RACK 1-VOLLEYBALL PIT
Mountain Ranch Bike	3432 E Golden Eagle Rd	EAGLE MOUNTAIN CITY	38.51	2-PAVILION 3-KIOSKS
Kiowa Valley	4146 E Golden Eagle Rd	EAGLE MOUNTAIN CITY	1.59	1-TOT LOT 3-BENCHES 3-PICNIC TABLES 1-TRASH CAN 1-BIKE RACK 1-BBQ
Liberty Farms Park East	7682 N Rose St	EAGLE MOUNTAIN CITY	0.36	1-TOT LOT 3-BENCHES 3-PICNIC TABLES 2-TRASH CANS 1-BIKE RACK
Saddleback	3835 E Chilton Circle	EAGLE MOUNTAIN CITY	1.07	1-TOT LOT 1-BENCH 4-PICNIC TABLES 1-TRASH CAN 1-BBQ
Porters Crossing	4046 E Cattle Dr	EAGLE MOUNTAIN CITY	1.41	1-BASKETBALL COURT WITH 2 BASKETBALL STANDARDS 3-BENCHES 1-PAVILION 4-PICNICK TABLES 1-SWING SET 1-TRASH CAN 1-TOT LOT 1-BIKE RACK
Overland Trails	1016 E Waddell Rd.	EAGLE MOUNTAIN CITY	2.17	1-TOT LOT 2-BENCHES 4-PICNIC TABLES 1 GARBAGE CAN 1-SWINGSET 1-BIKE RACK 3-BBQ 1-TEATHERBALL 1-HORSE SHOE PIT
Nolen East		EAGLE MOUNTAIN CITY	4.19	1-BENCH 20-PICNIC TABLES 5-TRASH CANS 3- BBQ 1-PAVILION
Rush Valley (Open Space)	7764 N Ranches Parkway	EAGLE MOUNTAIN CITY	0.50	NONE
Rush Valley	7946 N Geronimo Dr.	EAGLE MOUNTAIN CITY	0.37	1-TOT LOT
Mt. Airey	4122 E Oakland Hills Dr.	EAGLE MOUNTAIN CITY	1.46	1-TOT LOT
SilverLake Village	4776 E Levi Lane	COMMON AREA	0.51	2-BENCHES 1-PAVILION 1-PICNIC TABLE 1-SWING SET 1-TRASH CAN 1-TOT LOT
Autumn Ridge	4492 N Hunter Lane	EAGLE MOUNTAIN CITY	1.15	1-TOT LOT 2-BENCHES 3-PICNIC TABLES 2-GARBAGE CANS 1-PAVILION 1-BASKETBALL COURT WITH 1 BASKETBALL STANDARD
Ash Point Park	7870 N Ash Point Dr	EAGLE MOUNTAIN CITY	0.67	1-TOT LOT 2-BENCHES 2-PICNIC TABLES 1-TRASH CAN 1-BIKE RACK
Fremont Springs	7348 N Ute Dr.	EAGLE MOUNTAIN CITY	0.49	1-TOT LOT 4-BENCHES 2-PICNIC TABLES 1-BIKE RACK 1-TRASH CAN
Stonebridge Park	8747 N Stonebridge Lane	EAGLE MOUNTAIN CITY	0.71	8-BENCHES 4-PICNIC TABLES 1-BIKE RACK 2-TRASH CANS 1-SPORT COURT W/ 2 BASKETBALL & TENNIS 1-SWING SET
Northmoor	9098 N Kilkenny Way	NORTHMOOR HOA	0.52	1-TOT LOT 6-PICNIC TABLES 1-TRASH CAN 2-BBQ 1-PAVILION, POOL
Skate	4447 N Major Street	EAGLE MOUNTAIN CITY	0.40	4-PICNIC TABLES 3-GARBAGE CANS 1-PAVILLION 2-BBQ
Pioneer 7	2329 E Ox Yoke Dr	EAGLE MOUNTAIN CITY	0.24	1-TOT LOT 2-BENCHES METAL
Lone Tree	2117 E Lone Tree Parkway	EAGLE MOUNTAIN CITY	1.52	1-TOT LOT 2-BENCHES 3-PICNIC TABLES 2-TRASH CANS 1-BBQ 1-BIKE RACK
Chimney Rock-Paul Evan**	7838 N Sparrow Hawk Way	EAGLE MOUNTAIN CITY	0.14	1-BENCH
Liberty Farms West	7625 N James St	EAGLE MOUNTAIN CITY	0.48	3-BENCHES 2-PICNIC TABLES 2-TRASH CANS 1-BBQ 1-PAVILION
Kennekuk	3449 E Kennekuk Circle	EAGLE MOUNTAIN CITY	0.10	3-PICNIC TABLES 1-TRASH CAN
Fridays Station	3391 East Appaloosa Way	EAGLE MOUNTAIN CITY	0.15	1-PICNIC TABLE 2-BENCHES
Willow Springs	3372 East Ridge Route Road	EAGLE MOUNTAIN CITY	0.68	1-TOT LOT 2-BENCHES 4-PICNIC TABLES 3-TRASH CANS 1-SWING SET
Pioneer Addition 6	2102 E West Jordan Way	EAGLE MOUNTAIN CITY	0.28	1-TOT LOT 3-BENCHES 1-TRASH CAN
Pioneer Addition 5	1894 E Church Way	EAGLE MOUNTAIN CITY	0.35	1-TOT LOT 3-BENCHES 1-TRASH CAN
Nolen West		EAGLE MOUNTAIN CITY	6.83	1-BENCH 1-TRASH CAN
White Hills	End of Wilson Avenue (No Address)	EAGLE MOUNTAIN CITY	0.51	2-BENCHES 1-PAVILION 1-TOT LOT 1-SWING SET
Sunset Ridge	7962 Secretariat Road	EAGLE MOUNTAIN CITY	1.05	1-TOT LOT 1-SWING SET 2-BASKETBALL COURTS 2-PAVILIONS, PARKING LOT
Spring Run	3434 E Spring Mountain Drive	EAGLE MOUNTAIN CITY	3.70	1-TOT LOT 1-SWING SET, RESTROOMS, PARKING LOT 1-PAVILION 8-PICNIC TABLES
Lake View Estates	2854 E Lakeside Drive	EAGLE MOUNTAIN CITY	1.65	1-TOT LOT 8-PICNIC TABLES 1-PAVILION 1-TRASH CAN
Eagle Park Entrance		EAGLE MOUNTAIN CITY	1.18	1-DRINKING FOUNTAIN, EXERCISE EQUIPMENT, PARKING LOT
TOTAL			312.56	

TYPE	AREA SQ FT	ACREAGE	AREA PERCENT
Tot Lot	64905.95313	1.49	0.2%
HOA	650512.4375	14.93	1.8%
Native	7836011	179.89	21.2%
Turf	6575225	150.95	17.8%
Xeriscape	904873.375	20.77	2.5%
Flower Beds	87083.89844	2.00	0.2%
Open Space	20802086	477.55	56.3%
TOTAL			847.59 100.0%



Appendix “C”

Applicable State Codes

Chapter 36a Impact Fees Act

Part 1 General Provisions

11-36a-101 Title.

This chapter is known as the "Impact Fees Act."

Enacted by Chapter 47, 2011 General Session

11-36a-102 Definitions.

As used in this chapter:

- (1)
 - (a) "Affected entity" means each county, municipality, local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Chapter 13, Interlocal Cooperation Act, and specified public utility:
 - (i) whose services or facilities are likely to require expansion or significant modification because of the facilities proposed in the proposed impact fee facilities plan; or
 - (ii) that has filed with the local political subdivision or private entity a copy of the general or long-range plan of the county, municipality, local district, special service district, school district, interlocal cooperation entity, or specified public utility.
 - (b) "Affected entity" does not include the local political subdivision or private entity that is required under Section 11-36a-501 to provide notice.
- (2) "Charter school" includes:
 - (a) an operating charter school;
 - (b) an applicant for a charter school whose application has been approved by a charter school authorizer as provided in Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act; and
 - (c) an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.
- (3) "Development activity" means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.
- (4) "Development approval" means:
 - (a) except as provided in Subsection (4)(b), any written authorization from a local political subdivision that authorizes the commencement of development activity;
 - (b) development activity, for a public entity that may develop without written authorization from a local political subdivision;
 - (c) a written authorization from a public water supplier, as defined in Section 73-1-4, or a private water company:
 - (i) to reserve or provide:
 - (A) a water right;
 - (B) a system capacity; or
 - (C) a distribution facility; or
 - (ii) to deliver for a development activity:
 - (A) culinary water; or

- (B) irrigation water; or
- (d) a written authorization from a sanitary sewer authority, as defined in Section 10-9a-103:
 - (i) to reserve or provide:
 - (A) sewer collection capacity; or
 - (B) treatment capacity; or
 - (ii) to provide sewer service for a development activity.
- (5) "Enactment" means:
 - (a) a municipal ordinance, for a municipality;
 - (b) a county ordinance, for a county; and
 - (c) a governing board resolution, for a local district, special service district, or private entity.
- (6) "Encumber" means:
 - (a) a pledge to retire a debt; or
 - (b) an allocation to a current purchase order or contract.
- (7) "Hookup fee" means a fee for the installation and inspection of any pipe, line, meter, or appurtenance to connect to a gas, water, sewer, storm water, power, or other utility system of a municipality, county, local district, special service district, or private entity.
- (8)
 - (a) "Impact fee" means a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure.
 - (b) "Impact fee" does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.
- (9) "Impact fee analysis" means the written analysis of each impact fee required by Section 11-36a-303.
- (10) "Impact fee facilities plan" means the plan required by Section 11-36a-301.
- (11) "Level of service" means the defined performance standard or unit of demand for each capital component of a public facility within a service area.
- (12)
 - (a) "Local political subdivision" means a county, a municipality, a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or a special service district under Title 17D, Chapter 1, Special Service District Act.
 - (b) "Local political subdivision" does not mean a school district, whose impact fee activity is governed by Section 53A-20-100.5.
- (13) "Private entity" means an entity in private ownership with at least 100 individual shareholders, customers, or connections, that is located in a first, second, third, or fourth class county and provides water to an applicant for development approval who is required to obtain water from the private entity either as a:
 - (a) specific condition of development approval by a local political subdivision acting pursuant to a prior agreement, whether written or unwritten, with the private entity; or
 - (b) functional condition of development approval because the private entity:
 - (i) has no reasonably equivalent competition in the immediate market; and
 - (ii) is the only realistic source of water for the applicant's development.
- (14)
 - (a) "Project improvements" means site improvements and facilities that are:
 - (i) planned and designed to provide service for development resulting from a development activity;
 - (ii) necessary for the use and convenience of the occupants or users of development resulting from a development activity; and

- (iii) not identified or reimbursed as a system improvement.
- (b) "Project improvements" does not mean system improvements.
- (15) "Proportionate share" means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.
- (16) "Public facilities" means only the following impact fee facilities that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity:
 - (a) water rights and water supply, treatment, storage, and distribution facilities;
 - (b) wastewater collection and treatment facilities;
 - (c) storm water, drainage, and flood control facilities;
 - (d) municipal power facilities;
 - (e) roadway facilities;
 - (f) parks, recreation facilities, open space, and trails;
 - (g) public safety facilities; or
 - (h) environmental mitigation as provided in Section 11-36a-205.
- (17)
 - (a) "Public safety facility" means:
 - (i) a building constructed or leased to house police, fire, or other public safety entities; or
 - (ii) a fire suppression vehicle costing in excess of \$500,000.
 - (b) "Public safety facility" does not mean a jail, prison, or other place of involuntary incarceration.
- (18)
 - (a) "Roadway facilities" means a street or road that has been designated on an officially adopted subdivision plat, roadway plan, or general plan of a political subdivision, together with all necessary appurtenances.
 - (b) "Roadway facilities" includes associated improvements to a federal or state roadway only when the associated improvements:
 - (i) are necessitated by the new development; and
 - (ii) are not funded by the state or federal government.
 - (c) "Roadway facilities" does not mean federal or state roadways.
- (19)
 - (a) "Service area" means a geographic area designated by an entity that imposes an impact fee on the basis of sound planning or engineering principles in which a public facility, or a defined set of public facilities, provides service within the area.
 - (b) "Service area" may include the entire local political subdivision or an entire area served by a private entity.
- (20) "Specified public agency" means:
 - (a) the state;
 - (b) a school district; or
 - (c) a charter school.
- (21)
 - (a) "System improvements" means:
 - (i) existing public facilities that are:
 - (A) identified in the impact fee analysis under Section 11-36a-304; and
 - (B) designed to provide services to service areas within the community at large; and
 - (ii) future public facilities identified in the impact fee analysis under Section 11-36a-304 that are intended to provide services to service areas within the community at large.
 - (b) "System improvements" does not mean project improvements.

Amended by Chapter 363, 2014 General Session

Part 2 Impact Fees

11-36a-201 Impact fees.

- (1) A local political subdivision or private entity shall ensure that any imposed impact fees comply with the requirements of this chapter.
- (2) A local political subdivision and private entity may establish impact fees only for those public facilities defined in Section 11-36a-102.
- (3) Nothing in this chapter may be construed to repeal or otherwise eliminate an impact fee in effect on the effective date of this chapter that is pledged as a source of revenues to pay bonded indebtedness that was incurred before the effective date of this chapter.

Enacted by Chapter 47, 2011 General Session

11-36a-202 Prohibitions on impact fees.

- (1) A local political subdivision or private entity may not:
 - (a) impose an impact fee to:
 - (i) cure deficiencies in a public facility serving existing development;
 - (ii) raise the established level of service of a public facility serving existing development;
 - (iii) recoup more than the local political subdivision's or private entity's costs actually incurred for excess capacity in an existing system improvement; or
 - (iv) include an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with:
 - (A) generally accepted cost accounting practices; and
 - (B) the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
 - (b) delay the construction of a school or charter school because of a dispute with the school or charter school over impact fees; or
 - (c) impose or charge any other fees as a condition of development approval unless those fees are a reasonable charge for the service provided.
- (2)
 - (a) Notwithstanding any other provision of this chapter, a political subdivision or private entity may not impose an impact fee:
 - (i) on residential components of development to pay for a public safety facility that is a fire suppression vehicle;
 - (ii) on a school district or charter school for a park, recreation facility, open space, or trail;
 - (iii) on a school district or charter school unless:
 - (A) the development resulting from the school district's or charter school's development activity directly results in a need for additional system improvements for which the impact fee is imposed; and
 - (B) the impact fee is calculated to cover only the school district's or charter school's proportionate share of the cost of those additional system improvements;

- (iv) to the extent that the impact fee includes a component for a law enforcement facility, on development activity for:
 - (A) the Utah National Guard;
 - (B) the Utah Highway Patrol; or
 - (C) a state institution of higher education that has its own police force; or
 - (v) on development activity on the state fair park, as defined in Section 63H-6-102.
- (b)
- (i) Notwithstanding any other provision of this chapter, a political subdivision or private entity may not impose an impact fee on development activity that consists of the construction of a school, whether by a school district or a charter school, if:
 - (A) the school is intended to replace another school, whether on the same or a different parcel;
 - (B) the new school creates no greater demand or need for public facilities than the school or school facilities, including any portable or modular classrooms that are on the site of the replaced school at the time that the new school is proposed; and
 - (C) the new school and the school being replaced are both within the boundary of the local political subdivision or the jurisdiction of the private entity.
 - (ii) If the imposition of an impact fee on a new school is not prohibited under Subsection (2)(b)
 - (i) because the new school creates a greater demand or need for public facilities than the school being replaced, the impact fee shall be based only on the demand or need that the new school creates for public facilities that exceeds the demand or need that the school being replaced creates for those public facilities.
- (c) Notwithstanding any other provision of this chapter, a political subdivision or private entity may impose an impact fee for a road facility on the state only if and to the extent that:
- (i) the state's development causes an impact on the road facility; and
 - (ii) the portion of the road facility related to an impact fee is not funded by the state or by the federal government.
- (3) Notwithstanding any other provision of this chapter, a local political subdivision may impose and collect impact fees on behalf of a school district if authorized by Section 53A-20-100.5.

Amended by Chapter 2, 2016 Special Session 3

11-36a-203 Private entity assessment of impact fees -- Charges for water rights, physical infrastructure -- Notice -- Audit.

- (1) A private entity:
 - (a) shall comply with the requirements of this chapter before imposing an impact fee; and
 - (b) except as otherwise specified in this chapter, is subject to the same requirements of this chapter as a local political subdivision.
- (2) A private entity may only impose a charge for water rights or physical infrastructure necessary to provide water or sewer facilities by imposing an impact fee.
- (3) Where notice and hearing requirements are specified, a private entity shall comply with the notice and hearing requirements for local districts.
- (4) A private entity that assesses an impact fee under this chapter is subject to the audit requirements of Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act.

Enacted by Chapter 47, 2011 General Session

11-36a-204 Other names for impact fees.

- (1) A fee that meets the definition of impact fee under Section 11-36a-102 is an impact fee subject to this chapter, regardless of what term the local political subdivision or private entity uses to refer to the fee.
- (2) A local political subdivision or private entity may not avoid application of this chapter to a fee that meets the definition of an impact fee under Section 11-36a-102 by referring to the fee by another name.

Enacted by Chapter 47, 2011 General Session

11-36a-205 Environmental mitigation impact fees.

Notwithstanding the requirements and prohibitions of this chapter, a local political subdivision may impose and assess an impact fee for environmental mitigation when:

- (1) the local political subdivision has formally agreed to fund a Habitat Conservation Plan to resolve conflicts with the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et seq. or other state or federal environmental law or regulation;
- (2) the impact fee bears a reasonable relationship to the environmental mitigation required by the Habitat Conservation Plan; and
- (3) the legislative body of the local political subdivision adopts an ordinance or resolution:
 - (a) declaring that an impact fee is required to finance the Habitat Conservation Plan;
 - (b) establishing periodic sunset dates for the impact fee; and
 - (c) requiring the legislative body to:
 - (i) review the impact fee on those sunset dates;
 - (ii) determine whether or not the impact fee is still required to finance the Habitat Conservation Plan; and
 - (iii) affirmatively reauthorize the impact fee if the legislative body finds that the impact fee must remain in effect.

Enacted by Chapter 47, 2011 General Session

11-36a-206 Prohibition of school impact fees.

- (1) As used in this section, "school impact fee" means a charge on new development in order to generate revenue for funding or recouping the costs of capital improvements for schools or school facility expansions necessitated by and attributable to the new development.
- (2) Beginning March 21, 1995, there is a moratorium prohibiting a county, city, town, local school board, or any other political subdivision from imposing or collecting a school impact fee unless hereafter authorized by the Legislature by statute.
- (3) Collection of any fees authorized before March 21, 1995, by any ordinance, resolution or rule of any county, city, town, local school board, or other political subdivision shall terminate on May 1, 1996, unless hereafter authorized by the Legislature by statute.

Part 3
Establishing an Impact Fee

11-36a-301 Impact fee facilities plan.

- (1) Before imposing an impact fee, each local political subdivision or private entity shall, except as provided in Subsection (3), prepare an impact fee facilities plan to determine the public facilities required to serve development resulting from new development activity.
- (2) A municipality or county need not prepare a separate impact fee facilities plan if the general plan required by Section 10-9a-401 or 17-27a-401, respectively, contains the elements required by Section 11-36a-302.
- (3) A local political subdivision or a private entity with a population, or serving a population, of less than 5,000 as of the last federal census that charges impact fees of less than \$250,000 annually need not comply with the impact fee facilities plan requirements of this part, but shall ensure that:
 - (a) the impact fees that the local political subdivision or private entity imposes are based upon a reasonable plan that otherwise complies with the common law and this chapter; and
 - (b) each applicable notice required by this chapter is given.

Amended by Chapter 200, 2013 General Session

11-36a-302 Impact fee facilities plan requirements -- Limitations -- School district or charter school.

- (1)
 - (a) An impact fee facilities plan shall:
 - (i) identify the existing level of service;
 - (ii) subject to Subsection (1)(c), establish a proposed level of service;
 - (iii) identify any excess capacity to accommodate future growth at the proposed level of service;
 - (iv) identify demands placed upon existing public facilities by new development activity at the proposed level of service; and
 - (v) identify the means by which the political subdivision or private entity will meet those growth demands.
 - (b) A proposed level of service may diminish or equal the existing level of service.
 - (c) A proposed level of service may:
 - (i) exceed the existing level of service if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service; or
 - (ii) establish a new public facility if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.
- (2) In preparing an impact fee facilities plan, each local political subdivision shall generally consider all revenue sources to finance the impacts on system improvements, including:
 - (a) grants;
 - (b) bonds;
 - (c) interfund loans;
 - (d) impact fees; and
 - (e) anticipated or accepted dedications of system improvements.
- (3) A local political subdivision or private entity may only impose impact fees on development activities when the local political subdivision's or private entity's plan for financing system improvements establishes that impact fees are necessary to maintain a proposed level of service that complies with Subsection (1)(b) or (c).

- (4)
- (a) Subject to Subsection (4)(c), the impact fee facilities plan shall include a public facility for which an impact fee may be charged or required for a school district or charter school if the local political subdivision is aware of the planned location of the school district facility or charter school:
 - (i) through the planning process; or
 - (ii) after receiving a written request from a school district or charter school that the public facility be included in the impact fee facilities plan.
 - (b) If necessary, a local political subdivision or private entity shall amend the impact fee facilities plan to reflect a public facility described in Subsection (4)(a).
 - (c)
 - (i) In accordance with Subsections 10-9a-305(3) and 17-27a-305(3), a local political subdivision may not require a school district or charter school to participate in the cost of any roadway or sidewalk.
 - (ii) Notwithstanding Subsection (4)(c)(i), if a school district or charter school agrees to build a roadway or sidewalk, the roadway or sidewalk shall be included in the impact fee facilities plan if the local jurisdiction has an impact fee facilities plan for roads and sidewalks.

Amended by Chapter 200, 2013 General Session

11-36a-303 Impact fee analysis.

- (1) Subject to the notice requirements of Section 11-36a-504, each local political subdivision or private entity intending to impose an impact fee shall prepare a written analysis of each impact fee.
- (2) Each local political subdivision or private entity that prepares an impact fee analysis under Subsection (1) shall also prepare a summary of the impact fee analysis designed to be understood by a lay person.

Enacted by Chapter 47, 2011 General Session

11-36a-304 Impact fee analysis requirements.

- (1) An impact fee analysis shall:
 - (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;
 - (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
 - (c) subject to Subsection (2), demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;
 - (d) estimate the proportionate share of:
 - (i) the costs for existing capacity that will be recouped; and
 - (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and
 - (e) based on the requirements of this chapter, identify how the impact fee was calculated.
- (2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:
 - (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;

- (b) the cost of system improvements for each public facility;
- (c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;
- (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;
- (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
- (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
- (g) extraordinary costs, if any, in servicing the newly developed properties; and
- (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Enacted by Chapter 47, 2011 General Session

11-36a-305 Calculating impact fees.

- (1) In calculating an impact fee, a local political subdivision or private entity may include:
 - (a) the construction contract price;
 - (b) the cost of acquiring land, improvements, materials, and fixtures;
 - (c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and
 - (d) for a political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements.
- (2) In calculating an impact fee, each local political subdivision or private entity shall base amounts calculated under Subsection (1) on realistic estimates, and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Enacted by Chapter 47, 2011 General Session

11-36a-306 Certification of impact fee analysis.

- (1) An impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan that states the following: "I certify that the attached impact fee facilities plan:
 - 1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
 - 2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and

3. complies in each and every relevant respect with the Impact Fees Act."
- (2) An impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis which states as follows:"I certify that the attached impact fee analysis:
 1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
 2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
 3. offsets costs with grants or other alternate sources of payment; and
 4. complies in each and every relevant respect with the Impact Fees Act."

Amended by Chapter 278, 2013 General Session

Part 4 Enactment of Impact Fees

11-36a-401 Impact fee enactment.

- (1)
 - (a) A local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402.
 - (b) An impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysis.
- (2) An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Enacted by Chapter 47, 2011 General Session

11-36a-402 Required provisions of impact fee enactment.

- (1) A local political subdivision or private entity shall ensure, in addition to the requirements described in Subsections (2) and (3), that an impact fee enactment contains:
 - (a) a provision establishing one or more service areas within which the local political subdivision or private entity calculates and imposes impact fees for various land use categories;
 - (b)
 - (i) a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement; or
 - (ii) the formula that the local political subdivision or private entity, as the case may be, will use to calculate each impact fee;

- (c) a provision authorizing the local political subdivision or private entity, as the case may be, to adjust the standard impact fee at the time the fee is charged to:
 - (i) respond to:
 - (A) unusual circumstances in specific cases; or
 - (B) a request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and
 - (ii) ensure that the impact fees are imposed fairly; and
 - (d) a provision governing calculation of the amount of the impact fee to be imposed on a particular development that permits adjustment of the amount of the impact fee based upon studies and data submitted by the developer.
- (2) A local political subdivision or private entity shall ensure that an impact fee enactment allows a developer, including a school district or a charter school, to receive a credit against or proportionate reimbursement of an impact fee if the developer:
- (a) dedicates land for a system improvement;
 - (b) builds and dedicates some or all of a system improvement; or
 - (c) dedicates a public facility that the local political subdivision or private entity and the developer agree will reduce the need for a system improvement.
- (3) A local political subdivision or private entity shall include a provision in an impact fee enactment that requires a credit against impact fees for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities:
- (a) are system improvements; or
 - (b)
 - (i) are dedicated to the public; and
 - (ii) offset the need for an identified system improvement.

Enacted by Chapter 47, 2011 General Session

11-36a-403 Other provisions of impact fee enactment.

- (1) A local political subdivision or private entity may include a provision in an impact fee enactment that:
- (a) provides an impact fee exemption for:
 - (i) development activity attributable to:
 - (A) low income housing;
 - (B) the state;
 - (C) subject to Subsection (2), a school district; or
 - (D) subject to Subsection (2), a charter school; or
 - (ii) other development activity with a broad public purpose; and
 - (b) except for an exemption under Subsection (1)(a)(i)(A), establishes one or more sources of funds other than impact fees to pay for that development activity.
- (2) An impact fee enactment that provides an impact fee exemption for development activity attributable to a school district or charter school shall allow either a school district or a charter school to qualify for the exemption on the same basis.
- (3) An impact fee enactment that repeals or suspends the collection of impact fees is exempt from the notice requirements of Section 11-36a-504.

Enacted by Chapter 47, 2011 General Session

Part 5 Notice

11-36a-501 Notice of intent to prepare an impact fee facilities plan.

- (1) Before preparing or amending an impact fee facilities plan, a local political subdivision or private entity shall provide written notice of its intent to prepare or amend an impact fee facilities plan.
- (2) A notice required under Subsection (1) shall:
 - (a) indicate that the local political subdivision or private entity intends to prepare or amend an impact fee facilities plan;
 - (b) describe or provide a map of the geographic area where the proposed impact fee facilities will be located; and
 - (c) subject to Subsection (3), be posted on the Utah Public Notice Website created under Section 63F-1-701.
- (3) For a private entity required to post notice on the Utah Public Notice Website under Subsection (2)(c):
 - (a) the private entity shall give notice to the general purpose local government in which the private entity's private business office is located; and
 - (b) the general purpose local government described in Subsection (3)(a) shall post the notice on the Utah Public Notice Website.

Enacted by Chapter 47, 2011 General Session

11-36a-502 Notice to adopt or amend an impact fee facilities plan.

- (1) If a local political subdivision chooses to prepare an independent impact fee facilities plan rather than include an impact fee facilities element in the general plan in accordance with Section 11-36a-301, the local political subdivision shall, before adopting or amending the impact fee facilities plan:
 - (a) give public notice, in accordance with Subsection (2), of the plan or amendment at least 10 days before the day on which the public hearing described in Subsection (1)(d) is scheduled;
 - (b) make a copy of the plan or amendment, together with a summary designed to be understood by a lay person, available to the public;
 - (c) place a copy of the plan or amendment and summary in each public library within the local political subdivision; and
 - (d) hold a public hearing to hear public comment on the plan or amendment.
- (2) With respect to the public notice required under Subsection (1)(a):
 - (a) each municipality shall comply with the notice and hearing requirements of, and, except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Sections 10-9a-205 and 10-9a-801 and Subsection 10-9a-502(2);
 - (b) each county shall comply with the notice and hearing requirements of, and, except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Sections 17-27a-205 and 17-27a-801 and Subsection 17-27a-502(2); and
 - (c) each local district, special service district, and private entity shall comply with the notice and hearing requirements of, and receive the protections of, Section 17B-1-111.
- (3) Nothing contained in this section or Section 11-36a-503 may be construed to require involvement by a planning commission in the impact fee facilities planning process.

Enacted by Chapter 47, 2011 General Session

11-36a-503 Notice of preparation of an impact fee analysis.

- (1) Before preparing or contracting to prepare an impact fee analysis, each local political subdivision or, subject to Subsection (2), private entity shall post a public notice on the Utah Public Notice Website created under Section 63F-1-701.
- (2) For a private entity required to post notice on the Utah Public Notice Website under Subsection (1):
 - (a) the private entity shall give notice to the general purpose local government in which the private entity's primary business is located; and
 - (b) the general purpose local government described in Subsection (2)(a) shall post the notice on the Utah Public Notice Website.

Enacted by Chapter 47, 2011 General Session

11-36a-504 Notice of intent to adopt impact fee enactment -- Hearing -- Protections.

- (1) Before adopting an impact fee enactment:
 - (a) a municipality legislative body shall:
 - (i) comply with the notice requirements of Section 10-9a-205 as if the impact fee enactment were a land use regulation;
 - (ii) hold a hearing in accordance with Section 10-9a-502 as if the impact fee enactment were a land use regulation; and
 - (iii) except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Section 10-9a-801 as if the impact fee were a land use regulation;
 - (b) a county legislative body shall:
 - (i) comply with the notice requirements of Section 17-27a-205 as if the impact fee enactment were a land use regulation;
 - (ii) hold a hearing in accordance with Section 17-27a-502 as if the impact fee enactment were a land use regulation; and
 - (iii) except as provided in Subsection 11-36a-701(3)(b)(ii), receive the protections of Section 17-27a-801 as if the impact fee were a land use regulation;
 - (c) a local district or special service district shall:
 - (i) comply with the notice and hearing requirements of Section 17B-1-111; and
 - (ii) receive the protections of Section 17B-1-111;
 - (d) a local political subdivision shall at least 10 days before the day on which a public hearing is scheduled in accordance with this section:
 - (i) make a copy of the impact fee enactment available to the public; and
 - (ii) post notice of the local political subdivision's intent to enact or modify the impact fee, specifying the type of impact fee being enacted or modified, on the Utah Public Notice Website created under Section 63F-1-701; and
 - (e) a local political subdivision shall submit a copy of the impact fee analysis and a copy of the summary of the impact fee analysis prepared in accordance with Section 11-36a-303 on its website or to each public library within the local political subdivision.
- (2) Subsection (1)(a) or (b) may not be construed to require involvement by a planning commission in the impact fee enactment process.

Amended by Chapter 84, 2017 General Session

Part 6 Impact Fee Proceeds

11-36a-601 Accounting of impact fees.

A local political subdivision that collects an impact fee shall:

- (1) establish a separate interest bearing ledger account for each type of public facility for which an impact fee is collected;
- (2) deposit a receipt for an impact fee in the appropriate ledger account established under Subsection (1);
- (3) retain the interest earned on each fund or ledger account in the fund or ledger account;
- (4) at the end of each fiscal year, prepare a report that:
 - (a) for each fund or ledger account, shows:
 - (i) the source and amount of all money collected, earned, and received by the fund or ledger account during the fiscal year; and
 - (ii) each expenditure from the fund or ledger account;
 - (b) accounts for all impact fee funds that the local political subdivision has on hand at the end of the fiscal year;
 - (c) identifies the impact fee funds described in Subsection (4)(b) by:
 - (i) the year in which the impact fee funds were received;
 - (ii) the project from which the impact fee funds were collected;
 - (iii) the project for which the impact fee funds are budgeted; and
 - (iv) the projected schedule for expenditure; and
 - (d) is:
 - (i) in a format developed by the state auditor;
 - (ii) certified by the local political subdivision's chief financial officer; and
 - (iii) transmitted to the state auditor within 180 days after the day on which the fiscal year ends.

Amended by Chapter 394, 2017 General Session

11-36a-602 Expenditure of impact fees.

- (1) A local political subdivision may expend impact fees only for a system improvement:
 - (a) identified in the impact fee facilities plan; and
 - (b) for the specific public facility type for which the fee was collected.
- (2)
 - (a) Except as provided in Subsection (2)(b), a local political subdivision shall expend or encumber an impact fee collected with respect to a lot:
 - (i) for a permissible use; and
 - (ii) within six years after the impact fee with respect to that lot is collected.
 - (b) A local political subdivision may hold the fees for longer than six years if it identifies, in writing:
 - (i) an extraordinary and compelling reason why the fees should be held longer than six years; and
 - (ii) an absolute date by which the fees will be expended.

Amended by Chapter 190, 2017 General Session

11-36a-603 Refunds.

- (1) A local political subdivision shall refund any impact fee paid by a developer, plus interest earned, when:
 - (a) the developer does not proceed with the development activity and has filed a written request for a refund;
 - (b) the fee has not been spent or encumbered; and
 - (c) no impact has resulted.
- (2)
 - (a) As used in this Subsection (2):
 - (i) "Affected lot" means the lot or parcel with respect to which a local political subdivision collected an impact fee that is subject to a refund under this Subsection (2).
 - (ii) "Claimant" means:
 - (A) the original owner; or
 - (B) another person who, under Subsection (2)(d), submits a timely notice of the person's valid legal claim to an impact fee refund.
 - (iii) "Original owner" means the record owner of an affected lot at the time the local political subdivision collected the impact fee.
 - (iv) "Unclaimed refund" means an impact fee that:
 - (A) is subject to refund under this Subsection (2); and
 - (B) the local political subdivision has not refunded after application of Subsections (2)(b) and (c).
 - (b) If an impact fee is not spent or encumbered within the time specified in Subsection 11-36a-602(2), the local political subdivision shall, subject to Subsection (2)(c):
 - (i) refund the impact fee to:
 - (A) the original owner, if the original owner is the sole claimant; or
 - (B) to the claimants, as the claimants agree, if there are multiple claimants; or
 - (ii) interplead the impact fee refund to a court of competent jurisdiction for a determination of the entitlement to the refund, if there are multiple claimants who fail to agree on how the refund should be paid to the claimants.
 - (c) If the original owner's last known address is no longer valid at the time a local political subdivision attempts under Subsection (2)(b) to refund an impact fee to the original owner, the local political subdivision shall:
 - (i) post a notice on the local political subdivision's website, stating the local political subdivision's intent to refund the impact fee and identifying the original owner;
 - (ii) maintain the notice on the website for a period of one year; and
 - (iii) disqualify the original owner as a claimant unless the original owner submits a written request for the refund within one year after the first posting of the notice under Subsection (2)(c)(i).
 - (d)
 - (i) In order to be considered as a claimant for an impact fee refund under this Subsection (2), a person, other than the original owner, shall submit a written notice of the person's valid legal claim to the impact fee refund.
 - (ii) A notice under Subsection (2)(d)(i) shall:
 - (A) explain the person's valid legal claim to the refund; and
 - (B) be submitted to the local political subdivision no later than 30 days after expiration of the time specified in Subsection 11-36a-602(2) for the impact fee that is the subject of the refund.
 - (e) A local political subdivision:
 - (i) may retain an unclaimed refund; and

- (ii) shall expend any unclaimed refund on capital facilities identified in the current capital facilities plan for the type of public facility for which the impact fee was collected.

Amended by Chapter 190, 2017 General Session

Part 7 Challenges

11-36a-701 Impact fee challenge.

- (1) A person or an entity residing in or owning property within a service area, or an organization, association, or a corporation representing the interests of persons or entities owning property within a service area, has standing to file a declaratory judgment action challenging the validity of an impact fee.
- (2)
 - (a) A person or an entity required to pay an impact fee who believes the impact fee does not meet the requirements of law may file a written request for information with the local political subdivision who established the impact fee.
 - (b) Within two weeks after the receipt of the request for information under Subsection (2)(a), the local political subdivision shall provide the person or entity with the impact fee analysis, the impact fee facilities plan, and any other relevant information relating to the impact fee.
- (3)
 - (a) Subject to the time limitations described in Section 11-36a-702 and procedures set forth in Section 11-36a-703, a person or an entity that has paid an impact fee that was imposed by a local political subdivision may challenge:
 - (i) if the impact fee enactment was adopted on or after July 1, 2000:
 - (A) subject to Subsection (3)(b)(i) and except as provided in Subsection (3)(b)(ii), whether the local political subdivision complied with the notice requirements of this chapter with respect to the imposition of the impact fee; and
 - (B) whether the local political subdivision complied with other procedural requirements of this chapter for imposing the impact fee; and
 - (ii) except as limited by Subsection (3)(c), the impact fee.
 - (b)
 - (i) The sole remedy for a challenge under Subsection (3)(a)(i)(A) is the equitable remedy of requiring the local political subdivision to correct the defective notice and repeat the process.
 - (ii) The protections given to a municipality under Section 10-9a-801 and to a county under Section 17-27a-801 do not apply in a challenge under Subsection (3)(a)(i)(A).
 - (c) The sole remedy for a challenge under Subsection (3)(a)(ii) is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated.
- (4)
 - (a) Subject to Subsection (4)(d), if an impact fee that is the subject of an advisory opinion under Section 13-43-205 is listed as a cause of action in litigation, and that cause of action is litigated on the same facts and circumstances and is resolved consistent with the advisory opinion:
 - (i) the substantially prevailing party on that cause of action:

- (A) may collect reasonable attorney fees and court costs pertaining to the development of that cause of action from the date of the delivery of the advisory opinion to the date of the court's resolution; and
- (B) shall be refunded an impact fee held to be in violation of this chapter, based on the difference between the impact fee paid and what the impact fee should have been if the government entity had correctly calculated the impact fee; and
- (ii) in accordance with Section 13-43-206, a government entity shall refund an impact fee held to be in violation of this chapter to the person who was in record title of the property on the day on which the impact fee for the property was paid if:
 - (A) the impact fee was paid on or after the day on which the advisory opinion on the impact fee was issued but before the day on which the final court ruling on the impact fee is issued; and
 - (B) the person described in Subsection (3)(a)(ii) requests the impact fee refund from the government entity within 30 days after the day on which the court issued the final ruling on the impact fee.
- (b) A government entity subject to Subsection (3)(a)(ii) shall refund the impact fee based on the difference between the impact fee paid and what the impact fee should have been if the government entity had correctly calculated the impact fee.
- (c) Subsection (4) may not be construed to create a new cause of action under land use law.
- (d) Subsection (3)(a) does not apply unless the resolution described in Subsection (3)(a) is final.

Enacted by Chapter 47, 2011 General Session

11-36a-702 Time limitations.

- (1) A person or an entity that initiates a challenge under Subsection 11-36a-701(3)(a) may not initiate that challenge unless it is initiated within:
 - (a) for a challenge under Subsection 11-36a-701(3)(a)(i)(A), 30 days after the day on which the person or entity pays the impact fee;
 - (b) for a challenge under Subsection 11-36a-701(3)(a)(i)(B), 180 days after the day on which the person or entity pays the impact fee; or
 - (c) for a challenge under Subsection 11-36a-701(3)(a)(ii), one year after the day on which the person or entity pays the impact fee.
- (2) The deadline to file an action in district court is tolled from the date that a challenge is filed using an administrative appeals procedure described in Section 11-36a-703 until 30 days after the day on which a final decision is rendered in the administrative appeals procedure.

Enacted by Chapter 47, 2011 General Session

11-36a-703 Procedures for challenging an impact fee.

- (1)
 - (a) A local political subdivision may establish, by ordinance or resolution, or a private entity may establish by prior written policy, an administrative appeals procedure to consider and decide a challenge to an impact fee.
 - (b) If the local political subdivision or private entity establishes an administrative appeals procedure, the local political subdivision shall ensure that the procedure includes a requirement that the local political subdivision make its decision no later than 30 days after the day on which the challenge to the impact fee is filed.
- (2) A challenge under Subsection 11-36a-701(3)(a) is initiated by filing:

- (a) if the local political subdivision or private entity has established an administrative appeals procedure under Subsection (1), the necessary document, under the administrative appeals procedure, for initiating the administrative appeal;
 - (b) a request for arbitration as provided in Section 11-36a-705; or
 - (c) an action in district court.
- (3) The sole remedy for a successful challenge under Subsection 11-36a-701(1), which determines that an impact fee process was invalid, or an impact fee is in excess of the fee allowed under this act, is a declaration that, until the local political subdivision or private entity enacts a new impact fee study, from the date of the decision forward, the entity may charge an impact fee only as the court has determined would have been appropriate if it had been properly enacted.
- (4) Subsections (2), (3), 11-36a-701(3), and 11-36a-702(1) may not be construed as requiring a person or an entity to exhaust administrative remedies with the local political subdivision before filing an action in district court under Subsections (2), (3), 11-36a-701(3), and 11-36a-702(1).
- (5) The judge may award reasonable attorney fees and costs to the prevailing party in an action brought under this section.
- (6) This chapter may not be construed as restricting or limiting any rights to challenge impact fees that were paid before the effective date of this chapter.

Amended by Chapter 200, 2013 General Session

11-36a-704 Mediation.

- (1) In addition to the methods of challenging an impact fee under Section 11-36a-701, a specified public agency may require a local political subdivision or private entity to participate in mediation of any applicable impact fee.
- (2) To require mediation, the specified public agency shall submit a written request for mediation to the local political subdivision or private entity.
- (3) The specified public agency may submit a request for mediation under this section at any time, but no later than 30 days after the day on which an impact fee is paid.
- (4) Upon the submission of a request for mediation under this section, the local political subdivision or private entity shall:
- (a) cooperate with the specified public agency to select a mediator; and
 - (b) participate in the mediation process.

Enacted by Chapter 47, 2011 General Session

11-36a-705 Arbitration.

- (1) A person or entity intending to challenge an impact fee under Section 11-36a-703 shall file a written request for arbitration with the local political subdivision within the time limitation described in Section 11-36a-702 for the applicable type of challenge.
- (2) If a person or an entity files a written request for arbitration under Subsection (1), an arbitrator or arbitration panel shall be selected as follows:
- (a) the local political subdivision and the person or entity filing the request may agree on a single arbitrator within 10 days after the day on which the request for arbitration is filed; or
 - (b) if a single arbitrator is not agreed to in accordance with Subsection (2)(a), an arbitration panel shall be created with the following members:
 - (i) each party shall select an arbitrator within 20 days after the date the request is filed; and
 - (ii) the arbitrators selected under Subsection (2)(b)(i) shall select a third arbitrator.

- (3) The arbitration panel shall hold a hearing on the challenge no later than 30 days after the day on which:
 - (a) the single arbitrator is agreed on under Subsection (2)(a); or
 - (b) the two arbitrators are selected under Subsection (2)(b)(i).
- (4) The arbitrator or arbitration panel shall issue a decision in writing no later than 10 days after the day on which the hearing described in Subsection (3) is completed.
- (5) Except as provided in this section, each arbitration shall be governed by Title 78B, Chapter 11, Utah Uniform Arbitration Act.
- (6) The parties may agree to:
 - (a) binding arbitration;
 - (b) formal, nonbinding arbitration; or
 - (c) informal, nonbinding arbitration.
- (7) If the parties agree in writing to binding arbitration:
 - (a) the arbitration shall be binding;
 - (b) the decision of the arbitration panel shall be final;
 - (c) neither party may appeal the decision of the arbitration panel; and
 - (d) notwithstanding Subsection (10), the person or entity challenging the impact fee may not also challenge the impact fee under Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
- (8)
 - (a) Except as provided in Subsection (8)(b), if the parties agree to formal, nonbinding arbitration, the arbitration shall be governed by the provisions of Title 63G, Chapter 4, Administrative Procedures Act.
 - (b) For purposes of applying Title 63G, Chapter 4, Administrative Procedures Act, to a formal, nonbinding arbitration under this section, notwithstanding Section 63G-4-502, "agency" means a local political subdivision.
- (9)
 - (a) An appeal from a decision in an informal, nonbinding arbitration may be filed with the district court in which the local political subdivision is located.
 - (b) An appeal under Subsection (9)(a) shall be filed within 30 days after the day on which the arbitration panel issues a decision under Subsection (4).
 - (c) The district court shall consider de novo each appeal filed under this Subsection (9).
 - (d) Notwithstanding Subsection (10), a person or entity that files an appeal under this Subsection (9) may not also challenge the impact fee under Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
- (10)
 - (a) Except as provided in Subsections (7)(d) and (9)(d), this section may not be construed to prohibit a person or entity from challenging an impact fee as provided in Subsection 11-36a-701(1) or Subsection 11-36a-703(2)(a) or (2)(c).
 - (b) The filing of a written request for arbitration within the required time in accordance with Subsection (1) tolls all time limitations under Section 11-36a-702 until the day on which the arbitration panel issues a decision.
- (11) The person or entity filing a request for arbitration and the local political subdivision shall equally share all costs of an arbitration proceeding under this section.

Enacted by Chapter 47, 2011 General Session

