

CITY OF SOUTH JORDAN
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, FEBRUARY 07, 2023 at 6:30 PM



Notice is hereby given that the South Jordan City Council will hold a City Council Meeting at 6:30 p.m. on Tuesday, February 7, 2023, in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the Meeting. The Agenda may be amended and an Executive Session may be held at the end of the Meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, individuals may join via phone or video, using Zoom. Note, attendees joining virtually may comment during public comment, or a public hearing virtually. To comment during public comment, or public hearing virtually, the individual must have their video on and working during their comments. Attendees who wish to present photos or documents to the City Council must attend in person. Those who join via phone may listen, but not participate in public comment or public hearings.

In the event the Meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the Meeting and, if needed, end virtual access to the Meeting. Reasons for removing an individual or ending virtual access to the Meeting include but are not limited to the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and other any action deemed inappropriate.

Ability to participate virtually is dependent on an individual's internet connection. To ensure comments are received regardless of technical issues, please have them submitted in writing to the City Recorder, Anna Crookston, at acrookston@sjc.utah.gov by 3:00 p.m. on the day of the meeting. Instructions on how to join virtually are below.

Join South Jordan City Council Meeting Virtually:

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://ut-southjordan.civicplus.com/241/City-Council>.

Regular Meeting Agenda: 6:30 p.m.

A. Welcome, Roll Call, and Introduction: By Mayor, Dawn R. Ramsey

B. Invocation: By Council Member, Tamara Zander

C. Pledge of Allegiance: By Director of Recreation, Janell Payne

D. Minute Approval:

[D.1.](#) January 17, 2023 City Council Study Meeting

[D.2.](#) January 17, 2023 City Council Meeting

[D.3.](#) January 31, 2023 City Council Budget Meeting

E. Mayor and Council Reports: 6:35 p.m.

F. Public Comment: 6:50 p.m.

This is the time and place for any person who wishes to comment on items not scheduled on the agenda for public hearing. Any person or group wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the City Council at this point by stepping to the microphone, or if joining electronically, by raising their hand and giving his or her name for the record. Note, if joining electronically, photos or documents will not be accepted through Zoom and you must attend City Council Meeting in-person. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Chair. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council Meeting. Time taken on non-agenda items, interrupts the process of the noticed agenda. In rare cases where it is determined appropriate to address items raised from public comments, these items will be noted and may be brought back at the conclusion of the printed agenda.

G. Action Item: 7:00 p.m.

[G.1.](#) Resolution R2023-09, Authorizing the Mayor to enter into an Interlocal Cooperation Agreement with Salt Lake County for 2022-2028 UPDES Media Campaign Cost Sharing. *(By Director of Public Works, Jason Rasmussen)*

H. Public Hearing Items: 7:15 p.m.

[H.1.](#) Resolution R2023-08, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan from Economic Infill Opportunity (EIO) to Stable Neighborhood (SN) on the property located at 10827 S. 1055 W.; Devon Hatch (Applicant). RCV *(By Director of Planning, Steven Schaefermeyer)*

[H.2.](#) Zoning Ordinance 2023-02-Z, Rezoning property located at 10828 S. 1055 W. from the A-1, A-5, and P-o Zones to the R-1.8 Zone. RCV *(By Director of Planning, Steven Schaefermeyer)*

[H.3.](#) Ordinance 2023-02, Adopting an amended and updated Impact Fee for Water and Transportation within the “Last Hold Out” properties; establishing certain policies related to Impact Fees for Water and Transportation Facilities; establishing Service Area; and/or other related matters. RCV *(By Director of Strategy & Budget, Don Tingey and LYRB Vice President/COO, Fred Philpot)*

[H.4.](#) Ordinance 2023-03, Adopting an amended and updated Impact Fee for Water and Transportation within the “Lark Meadows” properties; establishing certain policies related to Impact Fees for Water and Transportation Facilities; establishing Service Area; and/or other related matters. RCV *(By Director of Strategy & Budget, Don Tingey and LYRB Vice President/COO, Fred Philpot)*

I. Staff Reports and Calendaring Items: 8:15 p.m.

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted February 3, 2023.

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC STUDY MEETING

January 17, 2023

Present: Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Patrick Harris, Council Member Don Shelton, Council Member Brad Marlor, Council Member Jason McGuire, Deputy City Manager Dustin Lewis, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Director of Commerce Brian Preece, Director of Public Works Jason Rasmussen, Director of Administrative Services Melinda Seager, City Attorney Ryan Loose, City Recorder Anna Crookston, IT Director Jon Day, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, IS Systems Administrator Ken Roberts, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Battalion Chief Michael Richards, Police Chief Jeff Carr, Communications Manager Rachael Van Cleave, Associate Director of Parks Colby Hill, Director of Recreation Janell Payne, Meeting Transcriptionist Diana Baun, Strategy & Budget Analyst Abigail Patonai

Absent:

Others: Sam Bishop, Mark Morris, Bryan Flamm, bfarnsworth

4:41 PM
STUDY MEETING

A. Welcome, Roll Call, and Introduction: *By Mayor Dawn R. Ramsey*

Mayor Dawn Ramsey welcomed everyone present and introduced the electronic meeting.

B. Invocation: *By Director of City Commerce Brian Preece*

Director Preece offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey discussed Local Officials Day tomorrow at the Capitol for the Youth Council and City Council.

D. Discussion/Review of Regular Council Meeting

Presentations:

- Proclamation Herriman High Cross Country Team
- Herriman High School Chinese New Year Celebration
- UTA Microtransit on demand service

Action Item:

Resolution R2023-02, Adopting Comprehensive Emergency Management Plan (CEMP)

Public Hearing Items:

- Resolution R2023-03, Moderate Income Housing Plan Amendment
- Resolution R2023-04, Mid-Year Amended Budget

Rise Development Land Use Items:

- Presentation on Resolution R2023-06, Resolution R2023-07, and Zoning Ordinance 2023-01-Z
- Resolution R2023-07 Public Hearing
- Zoning Ordinance 2023-01-Z Public Hearing
- Resolution R2023-06, Development Agreement
- Resolution R2023-07, Amending the Future Land Use Plan Map
- Zoning Ordinance 2023-01-Z, Rezoning property located at 10657 South 1055 West

CFO Sunil Naidu noted he received the questions on the amended budget from Council Member Shelton and they will be addressed during the regular council meeting.

Council Member Zander asked if there will be a presentation for the public during the council meeting regarding the traffic study related to the Rise Development.

Director Klavano said the presentation at the last meeting was the only presentation planned. The information on the traffic study is also in tonight's packet for the public to see.

Council Member Zander would like to see at least part of that study shared during the council meeting with the public in attendance, so they can get the information as well.

Director Schaefermeyer discussed with the council when they would like that information shared and that will be done during the regular meeting.

Mayor Ramsey noted that there was a video posted by the city about an hour ago regarding the announcement of the Bees' Stadium moving to South Jordan.

Council Member Harris said he has heard some comments, he thinks many people like the idea of the ballpark but there have been a lot of questions about the streets and how much the state will be involved in it.

Mayor Ramsey said she wants everyone to know that traffic was very seriously discussed leading up to the ballpark announcement, and that is something everyone is mindful of.

The council and staff discussed the incident with the snow plow driver who recognized there was a child in a snow cave where he was headed to plow, and that he was able to get the child out of the snow cave before anyone was hurt. That driver also took a picture of the cave to share with city staff and leadership to help with training in the future.

E. Discussion Item:

E.1. Discussion of Streetscape Master Plan *(By Associate Director of Parks, Colby Hill & VODA Landscape & Planning, Mark Morris).*

Associate Director of Parks Colby Hill gave a brief introduction and explained a little bit about the Streetscape Plan. He also noted that this plan today only applies to park strips and other areas that the city owns and maintains, it does not apply to anything residential.

Mark Morris introduced himself and began reviewing his prepared presentation (Attachment A).

Council Member Zander said that she and her husband used to own a landscaping business, but she has never seen any watering system like this and she loves it. She asked if any other cities have adopted a system like this.

Mr. Morris gave some examples of other places, including Research Park with the University of Utah.

Associate Director Hill added that the city already has this system in some of the newer parks, and it's in our Engineering Standards and Specifications for any new builds.

Council Member Shelton asked if this watering system for the trees has any impact on keeping the roots from damaging the adjacent sidewalks.

Mr. Morris responded no, that usually has more to do with the type of tree in the park strip. He continued reviewing his prepared presentation (Attachment A).

Mayor Ramsey asked if this plan goes further west than 4000 West, specifically whether it includes any portion of Daybreak as the map seems to stop around that area.

Mr. Morris said this is only a screen shot of the map, the full map is included in the plan and it does go further west than 4000 West. The plan itself goes to the city limit on the west side, but there isn't much maintained by the city out in that area.

Associate Director Hill said there are very few park strips or streetscapes the city maintains in Daybreak.

Mr. Morris continued reviewing his prepared presentation (Attachment A).

Council Member Zander asked about the city maintaining park strips in front of homes in the red areas on the map in Attachment A, and whether the homeowners' sprinklers are going to those areas.

Associate Director Hill said most of those cases are places where the city has purchased right of way and has agreed to maintain the area with the city's irrigation system.

Mr. Morris said that on the last map the red areas are where, per city code, it is implied that the property owner should be maintaining the park strip. Some of those areas the city may continue to maintain, this was just to help staff identify where the code indicates the property owner should be doing the maintenance and start that conversation.

Director Klavano said some of those areas were set up that way because the property owners didn't have irrigation systems, and city maintenance was the only way to maintain those park strips.

Mr. Morris said the intent of this project was to analyze and decide whether or not they should be approaching the property owners in those red areas to pass off maintenance to them.

Associate Director Hill said they don't anticipate going to the property owners and telling them they are now in charge of the park strip maintenance, this was done to allow staff to review everything as a part of the process and have a good understanding of what it all means.

Council Member Marlor wanted to make sure that this department is coordinating with Director Klavano's team, ensuring they don't complete a re-landscaping project and then have a road widened or have another project that requires them to undo all that work. He asked about possible changes on 10600 South and Redwood.

Director Klavano said they will be coordinating that as UDOT does have it in their plan at some point to widen Redwood to Bangerter.

Director of Public Works Jason Rasmussen noted that Deputy City Engineer Jeremy Nielson has been a part of the working group, and before any changes are made they will be working together on a schedule for future projects.

Council Member Marlor also brought up 2200 West where there are areas with nothing but rock and asked for more information on the plans for those spaces.

Director Rasmussen said they have bid jobs to remove that rock, add plants and irrigation, then replace that rock. However, in that process there were a lot of residents complaining that they shouldn't be planting new plants because of the drought. City Manager Whatcott directed them to put the irrigation pipes in but to change the contract and not plant the plants.

Associate Director Hill said their intent is to re-landscape those areas, but they did not plant some of the plants. They had already taken possession of the trees and those were moved to other locations throughout the city, knowing that at some future point they would put trees back in at those locations on the plans. They will still continue to move forward with 2200 West, but they don't know when that will happen.

Council Member Shelton noted that he actually only like's one out of 10 of these conversions. Even if the conversion is to just rocks, there are still weeds that break through and they won't be able to just use a lawn mower, someone will have to go along and pull those weeds out.

Mr. Morris said the hopes are for minimal weeds with plans for weed barrier and rock mulch.

Council Member Harris added that trimming the bushes is an enormous task even for homeowners, and they do look great when they are trimmed. From a maintenance perspective, what will the shrubbery look like.

Associate Director Hill said from his many years of experience, there is no such thing as a zero maintenance landscape. Currently, park strip maintenance is contracted out to a third party who does a great job, and he anticipates continuing with that, just with changes to the scope of work. They will still be required weekly, but they will pull weeds rather than mowing, and that will be accounted for in the agreement. Park strips are a harsh environment for any type of landscape, as they are generally next to a road that gets very hot with radiant heat and salt is not kind to any plants, along with watering being very difficult on a park strip. This design puts the water where it needs to be and introduces more salt tolerant plants. South Jordan is known for their park strips being an identifying feature, and they don't want to lose that.

Mr. Morris added that the plants that were pulled from all the plant lists were focused on ones that would require someone out there once a week to maintain, rather than requiring once a year maintenance.

Council Member Harris said that's the thing with bushes and shrubs, they only look good when they are well maintained, otherwise they start to look messy.

Council Member Zander noted that she has some of the plants from slide 14 on Attachment A in her yard, and the one that she has only requires her to trim it once every 3-5 years.

Mr. Morris said they tried to choose plants that would look great, regardless of how much time was being devoted to them.

Council Member Zander noted that these also grow at a very low rate because of the lack of water, and they don't require much attention.

Mr. Morris noted that with Xeriscape, the first two years are considered establishment years and require a significant amount of water to get things established. Once the plant has a larger root system, the water can be turned down significantly and still have the lush look they are after.

Mayor Ramsey likes this plan and agreed that they want to maintain the look and feel that people expect in the city.

Mr. Morris added that if you can tell its Xeriscape, it's usually not done right. A lot has to do with the density while planting and with the modular system discussed they are planting it densely enough that someone won't drive by and say it looks like the city is just putting in gravel.

Council Member Zander asked if there are any city ordinances that state the ground cover needs to be rock or bark.

Director Rasmussen said that what is being proposed here complies with the city code, which allows for either rock or bark.

Associate Director Hill said the process from here will include staff going back for a final draft based on tonight's discussion, and that will be taken to the planning commission. After that, they will come back during a regular council meeting for adoption. Once adopted they will start putting budget numbers together, and they already have some money in the water conservation funds to start doing things now.

Mayor Ramsey asked about a timeline.

Director Rasmussen said he thinks it will be about 5-7 years, but there are grants available that they will be going after to try and help accelerate that.

Mr. Morris added that many of the goals for this plan were pulled from the city's existing general plan, where there were some pretty specific things said about streetscape and how that lines up with the community's expectation. This will be a very visible project, so as the city continues to encourage people to use water more efficiently, this can be used to share what the city is using in the city maintained park strip and recommending those plants to residents and business owners.

Council Member Zander asked about updates on the Annual Report.

Communications Manager Rachael Van Cleave said final edits are going in, they will be sent over to a printer Friday. At that point it will be about a week or two before they hit homes and businesses. These have to be sent out based on zip codes, so if someone lives in another city but happens to be in the same zip code they will get a copy as well.

ADJOURNMENT

Council Member Shelton motioned to adjourn the January 17, 2023 City Council Study Meeting. Council Member Marlor seconded the motion; vote was unanimous in favor.

The January 17, 2023 City Council Study meeting adjourned at 5:43 p.m.

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC MEETING

January 17, 2023

Present: Mayor Dawn Ramsey, Council Member Tamara Zander, Council Member Patrick Harris, Council Member Don Shelton, Council Member Brad Marlor, Council Member Jason McGuire, Deputy City Manager Dustin Lewis, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Director of Commerce Brian Preece, Director of Public Works Jason Rasmussen, Director of Administrative Services Melinda Seager, City Attorney Ryan Loose, City Recorder Anna Crookston, IT Director Jon Day, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, IS Systems Administrator Ken Roberts, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Battalion Chief Michael Richards, Police Chief Jeff Carr, Communications Manager Rachael Van Cleave, Associate Director of Parks Colby Hill, Director of Recreation Janell Payne, Long Range Planning Analyst David Mann, Meeting Transcriptionist Diana Baun, Strategy & Budget Analyst Abigail Patonai

Absent:

Others: Owner, Bryan Farnsworth, bvaske, Kathy Burk, Amanda Covington, Katie Storrs, Jason England, Rachel, Robert Paxton, Carol Brown, Chase Andrizzi, Max Young, Betty Young, Carly Pace, Cecil Burk, Piper Wise, Scott Sainsbury, Janalyn Sainsbury, Tyler Robbins, Kalmar Robbins, Bryan Famm, Don Ramsey, Lucynthia Rockwood, Lawrence Horman, Casey Baucom, Zach Baucom,, Jason England

6:34 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - By Mayor Dawn Ramsey

Mayor Ramsey welcomed everyone and introduced the electronic meeting.

B. Invocation – By Council Member Brad Marlor

Council Member Marlor offered the invocation.

C. Pledge of Allegiance – By Police Chief Jeff Carr

Chief Carr led the audience in the Pledge of Allegiance.

Mayor Ramsey excused City Manager Gary Whatcott, who was unable to attend tonight's meeting. She noted that today is opening day of the Utah State Legislature and she passed along the Speaker of the House's gratitude for the great work and planning our city is doing, encouraging other cities to follow the responsible and well planned example of South Jordan City. She was invited to represent South Jordan on the floor of the house today and gave a speech to open the session. At our last public meeting, the city accepted the petition for annexation from Rio Tinto, and Mayor Ramsey read the following statement:

"On November 22, 2022, Rio Tinto Kennecott took the first step to request (petition) the annexation of approximately 2,200 acres of property south and west of the current City boundaries into the City of South Jordan. In the January 3, 2023 City Council meeting the City accepted the petition, which allows the City to begin the public process of annexation.

Rio Tinto Kennecott's request follows the City's annexation plan adopted in 2007 and a mutual 2004 commitment between the City and Rio Tinto Kennecott to work together on this future annexation. The City is committed to a high quality sustainable development of the Rio Tinto Property.

The annexation will take several months and will involve public input. Along with the annexation process, the property owner will request a zone to allow for development. The zoning process will also involve public input. These processes will ensure that the property is developed to South Jordan and Rio Tinto Kennecott's proven high standards.

This process is just beginning and there will be opportunities for community engagement. We encourage your participation in that process and look forward to what we can accomplish as a community given this new opportunity."

She continued by sharing that this morning, the Larry H. Miller Company announced they will be moving the Bees to South Jordan, starting in 2025, with a new stadium being built by the Larry H. Miller Company. The city looks forward to their continued partnership with them. As the owners of the Daybreak Community, the Larry H. Miller Company has been a great partner with the city so far and the city looks forward to working with them and all other stakeholders in the area to make sure that the infrastructure needs that go along with a project like this are in place. The master plan for Daybreak goes back to 2004, and all the entitlements of that master plan have been in place since that time, so this is in line with that master plan and comes with the development they have the rights to. The Larry H. Miller Company has actually significantly slowed development since purchasing Daybreak to do a more holistic evaluation of the land that is left, and what the possibilities are. They have been working closely with the city and listening to the city and residents in Daybreak, so the city is looking forward to working with them to ensure the best outcomes as the future of that land continues to develop.

D. Minute Approval

D.1. January 3, 2023 City Council Study Meeting Minutes

D.2. January 3, 2023 City Council Meeting Minutes

Council Member McGuire motioned to approve the January 3, 2023 City Council Study Session Meeting Minutes and the January 3, 2023 City Council Meeting Minutes as published. Council Member Zander seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Brad Marlor said January 5 he spoke with several students from Bingham High who wanted to learn more about a member of the city council and talk about what goes on in politics in the city, and in general. He attended a Compensation Committee Meeting, where they discussed how to retain city staff, and thinks they have some things in store to make sure that happens. There were no Architectural Review Committee meetings in the past few weeks, so nothing to report from there.

Council Member Jason McGuire participated in Archery Night at Mulligan's with his family and asked staff how often that takes place.

Director of Recreation Janell Payne shared that there are different recreation family nights scheduled throughout the season, they are available on the registration website.

Council Member McGuire met with Representative Teuscher to talk about a possible future gravel pit in Parley's canyon, and the impact possible on local zoning while sharing some insight. He attended an Arts Council Meeting where they had a great discussion of events being budgeted for in the 2023 cycle. Next month the Arts Council will be presenting to the city council with those ideas. Saturday he attended a Town Hall held by Representative Teuscher, Representative Pulsipher, Representative Cobbs, and Senator Fillmore as part of kicking off the legislative session. He noted that Senator Fillmore's subdivision bill could possibly have an impact on the city, and shared that the bill is intended to help streamline how development processes work throughout the state. As the purpose of the bill was explained, Council Member McGuire felt it could be a great benefit.

Council Member Patrick Harris quickly discussed all the things coming up in the city that were discussed by the mayor earlier in the meeting. He has spent a lot of time reaching out to various people and explaining all these things that are going on. With the annexation there are lots of questions with people trying to understand the "why," and he has enjoyed that opportunity for those interactions. None of the boards or committees he sits on had any meetings since the last council meeting.

Council Member Tamara Zander said January 10 she attended a South Jordan Business Committee Meeting, where select South Valley Chamber members meet once a month to

discuss how South Jordan businesses can advocate for and promote other businesses in the city, along with enhancing the environment of businesses located in the city. That committee has decided to put together an event honoring the veterans in South Jordan City in March. They will have an entertainer and dinner for any veterans in the city, and probably surrounding cities as well. She will share more details with the council as that event gets closer. Additionally, she was invited to attend the South Valley Chamber of Commerce Business Accelerator Course, along with 10-12 other business owners, and it was a great opportunity. On January 11, she attended a few events, including one where she represented the mayor at the Utah Association of Realtors. It was a policy summit gearing up for the legislative session with many elected officials from all along the Wasatch Front coming to speak about policies and other things coming up in the session. One of the speakers who was representing a builder stood up and said that if anyone in the room has concerns about zoning in our state, which everyone should be watching and concerned with, they should talk to their city council members. In that room of a few hundred people she realized she was probably the only city council member in the room, so she raised her hand and agreed saying that he was absolutely right, people should be talking to and engaging with their council members. She found that encouraging that they are promoting that at the state level. On Wednesday, the South Valley Chamber of Commerce had their State of the Chamber, and they talked about all the different things they are doing to help our city grow in the region. After a long discussion with her family, and a lot of thought, she has decided to run for re-election this year. She would like to publicly announce tonight that she is running for re-election, and she is excited for that opportunity to continue serving the city.

Council Member Don Shelton had no city meetings in the last two weeks. After studying the city council packet today he thought it would be appropriate to recognize the Martin Luther King Holiday that was observed yesterday by sharing some quotes he found online from Martin Luther King:

“At the heart of all that civilization has meant and developed is community. The mutually cooperative and voluntary venture of man to assume a semblance of responsibility for his brother.”

“Love is creative and redemptive. Love builds up and unites. Hate tears down and destroys. The aftermath of the fight with fire method is bitterness and chaos. The aftermath of the love method is reconciliation and creation of the beloved community. Yes love, which means understanding creative redemptive goodwill, even for one’s enemies, is the solution.”

Mayor Ramsey had the opportunity as mayor and with her role on the Jordan Education Foundation to present a check for almost \$19,000 to Bingham High School for classroom grants. The Economic Development Corporation of Utah had an all-day strategy meeting, and she appreciated Director Preece being there to discuss the future of the organization

and the economic development vision for the State of Utah going forward. A few days later they had a special meeting to announce the new CEO. She had the privilege of going to Daybreak Elementary for their spelling bee, and she enjoyed it very much. She went to South Jordan Elementary and Ms. Roper's class to be a part of their We the People Competition. She appreciates the invitation to be a part of the event every year with their 5th grade. She had six hours of meetings with Jordan Valley Water, and also a retirement event for the General Manager whose last day was Friday. They also welcomed in the new General Manager and things are moving along smoothly at Jordan Valley Water. She had a breakfast meeting representing the city and local government with Arthur Brooks. He is a Harvard Professor who will now be a fellow at the University of Utah for the next couple of years and has written a lot of great books. They had the last Unified Economic Opportunity Commission before the session, and it is a privilege to represent all the municipalities in the State of Utah on that commission with some policy recommendations to go before the legislature. She conducted and spoke at the Donor Appreciation Lunch for the Jordan Education Foundation, and she appreciates all those in our community who are part of that philanthropy that blesses our schools. She had a board meeting for The Point, things are moving quickly with demolition underway and development will be starting. She also noted that it's not too late to share your opinion on what's going on at The Point, and encouraged anyone with comments to go to The Point's website where there are still lots of opportunities for engagement and input, which is welcomed.

Council Member McGuire motioned to amend agenda to move Item G.1. and G.2. next, before public comment. Council Member Zander seconded the motion; vote was unanimous in favor.

F. Public Comment

Mayor Ramsey opened the public comment portion of the meeting.

Lawrence Horman (Homeless Advocate) – As is typical, when I come to a city meeting at any city, I announce my address as being where I am standing. I do so for the specific reason that I am homeless and here to advocate on behalf of the homeless. Before I go much further I would like to hand out some items (Attachment F). First, I would like to say thank you for allowing me to speak. Second, why do truck drivers always know what the best movies are...because they see all the trailers. As I said, I am here to advocate on behalf of the homeless. I am in a unique position where I have a minimal as it is income that allows me not to struggle as much as some other people who are homeless, and I have a safe place to shelter my head at night consistently; so, I don't have the same exact struggles as other people who are considered homeless. That having been said, I think there is a couple points I'd like to get across before I forget them. Homelessness is not a problem that affects just one type of people, one city, one state, one community; it is not an exclusively national problem or local problem. I have, however, in my work advocating for the homeless discovered that the funding, while it comes from the federal and state levels, is not where the work is done for the homeless to help make things

better. While the county wields some influence and some funding as well, and does some of the work, the greatest portion of the on the ground work is done at the city levels, and it is something that needs to be done desperately sooner rather than later. It is something that is a growing problem in this valley, and in this state, but not near as bad as in some others and I personally believe that we in this state and this county, and the cities of this valley can be an example to others elsewhere as to how to do it right, do it well. But, the things that you have to keep in mind when helping the homeless is that the first thing that they have to have is a place to live, a place to be, where they can feel safe at night, where they can clean themselves, their clothes and get decent food and they don't have to be worried about being rousted every couple of hours because they are in some place where they have nowhere else to go anyway. The other thing that must occur with that is continuing supportive services in regards to, if it's necessary, drug rehab programs, mental health counseling, job search assistance, transportation and other such things along with some form of income until such time as they are able to support themselves. I am not suggesting that the income come from a city level, I know cities do not have that, but some of the other services can be provided. The package you have in front of you (Attachment F) I call the Deseret Defiant Initiative packet, you'll note that I'm not reading from it because it would take far too long and I would request that you each look it over. You are welcome to contact me; I have left my contact information with the City Recorder. Telephone calls are always best. It outlines a couple of ideas, and the biggest point of it besides outlining an idea for an authorized campground where the issue can be dealt with most effectively instead of having the problems we have now with people searching for places and camping in places where they cannot, and understandably should not be camping. An authorized campground where necessary services are provided until such time as they can get on their own. This is an easy solution, it is more cost effective, it saves the cities money, and the counties and the federal government money. I am not saying that the resource centers and shelters that exist now are not useful, they absolutely are, but there are other things that can be done and this does not have a single cookie cutter, one size fits all solution; there is no such thing. Each individual got there on their own, through their own difficulties and problems, and the people that are most often considered to be homeless because of mental health or drug problems is not actually the most common reason for being homeless, that is just the most visible reason. You will find, if you get to know those around you who are homeless, that most of them know what they need and they need far less than most people think. They can work to help provide their own solutions if you help them and just cooperate with their needs, but they cannot do it alone. They didn't get their on their own, and they will not get out of it alone for the most part.

Mayor Ramsey responded that our city is working very closely with the state and with the other cities in Salt Lake County on a policy to provide additional assistance, the appropriate variety of assistance for those experiencing homelessness here in the State of Utah, and specifically on the Wasatch Front. They are working very closely and very hard, and our city is very much engaged in those discussions, have been all year, and look for additional resources and better policy to be more helpful coming out of this legislative session. It is a process that she wishes could go faster, but she assures everyone that there

is some really good work being done right now to try to answer some of what Mr. Horman brought up.

Mr. Horman – I have been in contact with Wayne Niederhauser, they are working on an authorized campground. I am on the Salt Lake Valley Council to End Homelessness, giving what they call “client perspective” or “lived experience.” I have gotten to look at the state plan that they are just now submitting to the legislature, and like you said it’s not fast enough but it’s something, and they’re working. I hope to cure the bad case of hobophobia that seems to be around in this country lately.

Max Young (Resident) - I have been out here 61 years, South Jordan wasn’t even a city, there was nothing out here. I want to try and get something done by you people, the police officers. I was sitting there at 900 West and I nearly see wrecks every day, sometimes they are going 60 or 70 mph on that road. You guys drive on it, I’m sure you do, and you see some of it. Not only that, but I live right where that circle is and there is a little cement wall there. I would like to see a noise wall put up there at least to 1000 West past the mortuary because they’ve said they are trying to put on a ceremony and people are outside talking and inside and that, and cars are just screaming with no muffler and they go down there and it sounds like a war going on, guns going off.

Robert Paxton (Resident) - the one thing that concerns me the most within the State of Utah, within the City of South Jordan is water. We are having a great water year this year, but we can’t kick the can down the road any longer and I think that with every development including commercial and especially high density, we need to be considering the water and work with the state and county on trying to obtain new sources of water. If we go through the mathematics, there is not enough savings in culinary water or even irrigation water combined to satisfy the real needs that we have. Lincoln Fillmore spoke last Saturday and he gave a few plans of what the state is doing, but we need to work with other states, we need to work with the city and other cities to try to watch the amount of water we use or we will end up not having cities; we don’t have anything commercial or a great place to live.

G. Presentation Items

G.1. Proclamation in recognition of the 2022 Herriman High School Cross Country Team (*By Mayor Dawn Ramsey*).

Mayor Ramsey read the above proclamation recognizing the 2022 Herriman High School Cross Country Team.

G.2. Herriman High School Chinese New Year Celebration.

Chinese New Year Celebration presentation by Herriman High School (Attachments A and B).

G.3. UTA Microtransit on demand service (*By UTA Board Chair Carlton Christensen & UTA Action Planning Director Jaron Robertson*).

Carlton Christensen reviewed prepared presentation (Attachment C).

Jaron Robertson continued reviewing prepared presentation (Attachment C).

Council Member Zander asked how residents pay for the service.

Mr. Christensen responded that the service is the standard \$2.50 fare. If you are in the pass program through an employer or one of the educational institutions, there is a way to enter your pass number in and its part of your standard fare.

Council Member Zander referenced the fact that they said 6% of the users find a ride unavailable, and asked how fast a user gets that response with whether a ride is available or not.

Mr. Christensen said his personal experience is that you know within a minute, and can always try again if there are no available options.

Mr. Robertson added that you cannot pre-book a ride in advance, and when you get multiple options as a response they will tell you how long you can plan to wait for the ride. Regarding response times, during peak times there may be a response indicating there are high volumes and you will have a longer wait.

Mayor Ramsey asked if you pay the \$2.50 fare and use an on demand car to get to the TRAX station or other transit station, does that mean you don't pay again to get on the next transit service.

Mr. Christensen said yes, it is a regular fare, same as if you were transitioning from a bus.

Council Member Shelton asked about the comment that it's not a door to door service, what if he wanted to go from his home to the grocery store or Costco; how close would he be picked up to his home and how close to Costco would he be dropped off.

Mr. Robertson said after entering your proposal for a ride, and the trip confirmed, the app would actually give you walking directions to meet the vehicle and then show where you would exit the vehicle for drop off. At high population locations the vehicle will probably get closer, you would probably see the Costco when you get dropped off. At home however, it would give you the walking directions down a few streets to meet them. That helps with the efficiency of the service because it doesn't require the vehicles to deviate further off route, especially if there are other passengers in the vehicle.

Council Member Shelton said initially he understood the northern boundary for their service area didn't include all of South Jordan, and asked if that has changed.

Mr. Christensen said it still doesn't include all of South Jordan, going to about 10400 South. There are ongoing discussions regarding that, and when looking at the 5 year plan they are looking at making some modifications.

Mr. Christensen and Mr. Robertson continued reviewing Attachment C.

Council Member McGuire asked if, looking at their long-term planning, it's realistic for South Jordan residents to be able to expect one day to take transit from here to downtown in under an hour; right now, the app shows that trip is taking one hour and fifteen minutes to an hour and a half.

Mr. Christensen said that depends on how you want to look at transit. If you are looking at it from a purely time elapsed standpoint, probably not. However, if you are looking at it from a quality of life standpoint and having someone else drive while you can do work or something else, along with avoiding wear and tear on an automobile or even looking at it from a congestion standpoint. Most of the corridors in the central part of the valley are already built out, and we take for granted short commutes. Over the next 10 years he thinks those commutes aren't probably going to get any shorter, yet most of the transit routes have a pretty predictable time.

Council Member Shelton asked for more details on the 5600 West route planned for 2027.

Mr. Christiansen said that is a requirement of the environmental approval for the Mountain View Corridor, so they are working closely with UDOT. It's not a simple route to staff because by design it has frequent service, and every 15 minutes is a new bus with a new driver.

Council Member Harris understands the staffing issues, and to be able to expand they need the drivers to drive. Beyond staffing, he asked if when they are looking at the phases and ability to expand into other areas, how much is driven by funding; is that the biggest issue stopping them from expanding to the bigger areas, or are there other obstacles.

Mr. Christiansen said funding is always a constraint, but the expansion of the service outlined in the five year plan has a latency that is more driven by staffing issues and vehicle availability. It takes them over a year to order a bus and get it on.

H. Action Item

H.1. Resolution R2023-02, Adopting the Comprehensive Emergency Medical Management Plan (CEMP) for the City of South Jordan (By Risk Emergency/Safety Manager Aaron Sainsbury).

Deputy City Manager Dustin Lewis reviewed information from the Council Report.

Council Member McGuire noted that the South Jordan Library was listed as a cooling/heating station, but the new Salt Lake County Library in Daybreak is not. He asked if there was a reason for that, or if that was something they could add so they had a plan in place for the west side of the city.

Manager Lewis said it's probably just new enough that it hasn't been worked out yet, but he would assume that the city's partnership with the county would make that facility available and they can get that updated. The resolution being adopted tonight allows the city manager to make small updates like that to the plan.

Council Member McGuire said the Salt Lake County Fairgrounds were also still listed, but with the transition to Utah State he asked if that will need to be updated as well.

Manager Lewis said as the transition happens, the city will develop that relationship and the parts of the facility available hopefully for use. Those areas that are not will be updated as they come on board. Utah State intends to keep many of those facilities, so hopefully they will still be able to partner with them.

Council Member Harris noted that with a larger earthquake in the future, many of the buildings listed will need to be inspected before they can be fully operational again. It's in everyone's interest to get the city's business up and running again, but he asked what inspection abilities we have within the city; who is on staff to go out and inspect some of these buildings so they are not having to get in the line with everyone else.

Manager Lewis said the city has a great team of people whose full-time job is that, and they would have to prioritize. Those people are qualified to go out and do those kinds of inspections. He asked Director Klavano how many building inspectors they have on staff, and he responded there are seven inspectors. He noted that they know they will be inundated with inspection requests in an emergency like that, so Manager Sainsbury has completed agreements with out of state providers to also send aid; that's part of why they have the network to work with county, state and federal agencies when needed. There will be thousands of buildings in the valley, and they will get on the ones that are most immediate like hospitals, schools, places needed as shelters, etc. Then, as things progress they will bring in outside people if needed.

Council Member Harris asked if those people would be dedicated to South Jordan City.

Manager Lewis said they will ask for those resources, but our inspectors would definitely be for our city, and if the city doesn't need them they would release them to work with neighboring jurisdictions; likewise, they would do the same for us.

Council Member Shelton expressed how impressed he was with this document. The plan seems to be operating the city, and he wants to think about the residents and how they can prepare for a disaster. He saw the Safe Neighborhoods Program and wondered if anyone could comment on that a little bit more.

Manager Sainsbury responded that SAFE is a really good program put in place, started in Salt Lake City about 4-5 years ago. In Salt Lake there is a lot of unreinforced masonry, and they know that when there is seismic activity along the Wasatch Front many of the houses that are unreinforced masonry are going to crumble. Due to this, they have pushed "grab your kit and walk to school." SAFE Neighborhoods stands for Schools Aid Families in Emergencies, on the premise of neighbors helping neighbors. They also realized that we have a small group of resources that can be pulled from in our city, and they know that in Salt Lake as well that they may have to go a week without professional first responders. SAFE Neighborhoods is there to complement anything else that has already been planned including individual home plans, neighborhood plans, etc. Follow those plans, but then on top of that is SAFE Neighborhoods; take the information you gather at your neighborhood level and take it to the closest public elementary school. This is because it's easier for personnel to communicate with 9 elementary schools than it

would be to communicate with 89,000 residents. If the information staff needs is at the elementary school, and there are HAM radio operators and other folks there to pass the information along, they can get a good assessment of what's going on in the field and a common operating picture to know where to send resources. It is there for reunification, transportation, communication, coordination, etc.

Council Member Shelton asked if there are places people can go to get information about how long they should plan to have water and food in a major event.

Manager Sainsbury said there used to be a lot of information on the city website, but Be Ready Utah has an outstanding website where you can find all the information wanted in terms of creating a family preparedness plan, putting together a 96 hour kit, water readiness, what to do for sanitation during an event, etc. Along with that, safeutah.org is the website for Safe Neighborhoods, where you can gather the information as part of that program and it's pushed through Salt Lake County.

Manager Lewis added that Manager Sainsbury is available to come out and speak to neighborhood groups or organizations, so residents and/or business owners can call him and he will come and speak to any group that desires it.

Council Member Shelton asked about a reverse 9-1-1 type system.

Manager Sainsbury said VECC is the Valley Emergency Communication Center, which dispatches police and fire on daily operations. Part of their system, which used to be called Reverse 9-1-1, is now called the ENS or Emergency Notification System and you can go directly on VECC's website to get that information and register your cell phone. At a federal and state level there is what's called the IPAWS, Integrated Public Alert and Warning System, which can choose the area to push out IPAWS alerts through phone, voice over communications, social media, TV and radio as well.

Council Member Brad Marlor said there was a woman from South Jordan in the past who came to an LDS group when he was an emergency preparedness specialist and the presentation was very informative, very helpful, and he thought it was a great way to become informed in a small group setting. He thinks Manager Sainsbury being available for that is a great service being provided for our residents.

Manager Sainsbury loves it when people reach out, and he loves being able to work with community groups.

Council Member Zander motioned to approve Resolution R2023-02, Adopting the Comprehensive Emergency Medical Management Plan for the City of South Jordan. Council Member Marlor seconded the motion; vote was unanimous in favor.

I. Public Hearing Items

I.1. Resolution R2023-03, Amending the South Jordan Moderate Income Housing Plan as part of the South Jordan General Plan. RCV (By Long Range Planning Analyst David Mann)

Planning Analyst David Mann reviewed background information from the Council Report.

Mayor Ramsey gave a brief history of the legislative changes requiring this amendment. She then opened the hearing for public comment. There were no comments and the hearing was closed.

Council Member McGuire motioned to approve Resolution R2023-03, Amending the South Jordan Moderate Income Housing Plan. Council Member Harris seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

I.2. Resolution R2023-04, Amending the Fiscal Year 2022-23 Budget for the City of South Jordan. The appropriation authority shall apply to the Fiscal year ending June 30, 2023. RCV (By CFO Sunil Naidu)

CFO Sunil Naidu reviewed background information from the Council Report and reviewed previously submitted questions by Council Member Shelton (Attachment D).

Mayor Ramsey opened the hearing for public comment. There were no comments and the hearing was closed.

Council Member Marlor motioned to approve Resolution R2023-04, Amending the Fiscal Year Budget for the City of South Jordan. Council Member Shelton seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

J. Rise Development Land Use Items

J.1. Presentation on Resolution R2023-06, Resolution R2023-07, and Zoning Ordinance 2023-01-Z, all related to Rise proposed development, application Bryan Flamm, DAI Inc./Riverpark Residential, LLC. (By Director of Planning Steven Schaefermeyer)

Director Schaefermeyer reviewed background information from the Council Report and shared his prepared presentation (Attachment E). He also noted that if the council chooses to approve this Resolution, he suggests including in the motion a requirement to swap out the current Exhibit F, consisting of one page, in the packet with the updated one, as it was not updated before this meeting.

Director Klavano briefly reviewed the WCG Engineering traffic study that was originally presented by Tim Taylor with WCG at the January 3, 2023 Study Session, a copy of that presentation has been attached to these minutes as Attachment G.

Chase Andrizzi (Applicant) – Reviewed his prepared presentation (Attachment H). They have met with the council a few times, their first meeting was with the council in a concept plan review back in August. They got a lot of feedback at that meeting and incorporated that into their plan. There was a public hearing with the planning commission, and they listened to the comments from that meeting. There was also a meeting scheduled in December, but after hearing the concerns with some of these issues, 1055 West in particular and the pickleball courts, they asked to have that item tabled so they could have some additional time to work through some of those issues with the

council and staff. He continued reviewing Attachment H, going over the project location. They are excited about the opportunity this brings to the River Park office and corporate area, they are partnered with them on this project. As they look at the growth, not only here but at The Point, there is going to be more and more competition for residential housing and office space that is conveniently located and close to one another. As they have worked with their partners on this, River Park views this as a plus and a win for them to be able to say they have good housing located very closely to their office and corporate center that they can promote and hopefully provide additional work housing for future residents. He reviewed more of the maps from Attachment H and addressed the impacts to 1055 West, noting that they are aware of those. The residents were very clear, and they listened to those concerns. From the meeting in August, they had originally proposed a crash gate on the exit to 1055 West. After discussion with staff, they were asked to remove that and they are here to say they are willing to consider it again; that is flexibility they are willing to provide and they will leave that up to the council to say how they would like to mitigate some of those impacts. They are not blind to the impacts their project will have on 1055 West, and referred to Director Klavano's comments that from a traffic engineering standpoint those roads will still maintain a level of service A, which you can't ask for better as a developer on impacts to adjacent roads. However, they also want to be sensitive to the concerns of those surrounding residents and do what they can to mitigate, to the extent they can, some of those impacts. He reviewed some of the amenities they are looking forward to, including a private dog park for residents. They had originally proposed two pickleball courts, including the construction of those on city property. At the August meeting they were asked to look at providing a few more, and they feel it's the right thing to do to provide all six. After they were made aware of some concerns with a private developer building on public property they pulled back and decided to donate what it would cost to build those courts to the city, now allowing the city to procure those bids and design those courts. Their costs are \$550,000 as engineered and they have decided to throw in an additional \$25,000 at the request of staff to get the appropriate design for those pickleball courts in the East River Park area. He reviewed more slides from Attachment H showing the proposed pickleball courts and playground. Regarding fencing, they have asked to deviate from the city's current standard, allowing them to install vinyl fencing. This is because, as they look at the future land use map, they expect these areas to develop out with residential units. While the uses are temporarily incompatible, they are just temporary. In those areas where animals are located, there are existing barbed wire fences that keep those animals in; a vinyl fence would not disrupt those existing barbed wire fences and those could stay in place until those properties are ready to develop. Additionally, looking at the concept plan, a lot of what they are building and designing to is in anticipation of future growth; with that, they would ask again to deviate from the fencing standard with the understanding that in the future those lots will be compatible residential units where a vinyl fence would be appropriate. He continued reviewing Attachment H, showing pedestrian paths and other locations of sidewalks. Part of the development agreement requires they have sidewalk on at least one side of every street, and you can see that in the plans. They have also included areas with double sidewalks to promote as much connectivity through the project as possible. Regarding parking, they did achieve a parking ratio of four parking stalls per unit, which includes a mixture of off street surface parking, driveway spaces for

120 of the units, and each unit having a two car garage to allow for parking two cars; that works out to a total of 624 spaces for the project.

J.2. Resolution R2023-07 Public Hearing.

Mayor Ramsey opened the hearing for public comment.

Cecil Burk (Resident) – I live right across from the flagpole at the cemetery. There is a couple of issues that I have noticed were not addressed, or even mentioned tonight, in reference to the traffic that will be leaving this new development. That is that when the cemetery has a burial, there is more traffic there than I think the traffic engineers have thought of. There is a lot of people that come to be reverently attentive to the burial of their loved ones and a lot of traffic can be very distractive and could cause an additional pressure on the family and anyone in the neighborhood. The density that they propose in the development, to me is still offensive in that it is way beyond the norm of the area. If you look at the size of the lots and homes, the situation that's there, they're proposing a much higher density and I think that's a shame. In association with that, the more people, the more involvement, and there is a potential of other problems and I don't propose that I can answer all those questions or tell you what might happen. There is going to be a safety issue as far as children, whether it's from the development or from the existing homes in that area, and I think it should be considered that the higher number of people in any area, in any event, gives the potential of a non-safe situation. As far as the development, what wasn't discussed could happen on 1055 W was that there would be a residential home and a street exit; will there be a sidewalk required there. If so, will that sidewalk be required all the way down the street because the development was required to do so, and what kind of a sidewalk situation would that be; would there be a sidewalk on each side of the street required, would there be a park strip required which causes an additional land push one way or the other. In my thinking, to do a park strip is to waste the land.

Casey Baucom (Resident) – I have been to most of the meetings regarding this development. I have personally been deflated, feeling like your guys' mind was already made up before you heard from the public. I hope that you invited us here tonight because your mind isn't made up yet, and that you can genuinely hear our concerns and take those into consideration. I, like Cecil, was frustrated at the last meeting that the development was taken off the agenda spontaneously because that's what we were there to talk about. So, we were talking about the street designation which directly impacts the development. Why are we changing the street designation so that this development can happen. Like Cecil, I hope that you changed the street designation because you're planning to improve the entire street and not just the strip, or where that development is taking place. I also am concerned about the density issue. I actually appreciate the applicant's changing a little bit and resizing that single family lot in the front, but I think that we could compromise more and make the whole strip of that development bigger family lots, single family lots, and still have room for those multi-family homes; maybe not 140 of them and 8 units per acre. We are on a street that we have at least 1/3 acre per lot and as you saw, the traffic person's map showed development in area 3 on our street with at least an acre per lot; they are still developing and we are compromising. We are having economic growth but we are able to keep that larger lot size. My last point is

about looking ahead into the future of schooling in our area. My children who attend South Jordan Elementary, where the kids of this development will attend as well, is overflowing with children. Staffing is a problem, they are putting more portable classrooms out each year, and I am concerned about where those kids will go and how that is going to affect South Jordan Elementary and the surrounding school area.

Kalmar Robbins (Millcreek Resident) I have camped in South Jordan long enough that I should be considered a resident. I did have one clarification, if you could clarify whether this is really just for the zoning part, or is this for the development itself and the issues we are facing with the development. I am not sure I understood the direction on that.

Mayor Ramsey said this public hearing is on amending the future land use plan map of the general plan of the City of South Jordan, by adjusting the boundary between the mixed use and agricultural preservation zone on this property.

Mr. Robbins said he will save his comments for the site plan.

Attorney Loose said to be clear, there will be no hearing on the site plan tonight, that would be an administrative item. There is a land use amendment which changes our map, then the next public hearing will be to change from the current zone to the proposed zone; those are both legislative items. All administrative items of that nature are heard by the planning commission of the City of South Jordan.

Mr. Robbins – the one issue that I would like to bring up is in regards to the site plan. There is a little area down here that is squared off, or crosshatched off, that is not being developed as a roadway. If you look to the east, there is actually townhomes that will be developed there. To not complete that roadway to the property line seems to me not to be correct. My observation is the first thing you do in a subdivision is you put in the roadways and make sure they're in place, so that everything else is not being disturbed by it. To me, that is really misleading that they are saying the developers of the area to the south will have to develop that, and I am going back in and affecting something that's already built; that does not make any sense to me. Maybe I am misreading this, but I think it needs to be recognized that should be completed to the property line. That's my biggest point that I would like to make on that change that needs to be made. They have worked with us on the entrance that we have on the east end of our property, and utilities and all that are being connected to our property, but this one is a change I believe from what had been there, and I hope you would seriously say that you need to get that road completed as well.

Scott Sainsbury (Resident) – when I spoke last time, my house is immediately opposite of where the west exit will come out of this neighborhood, so all the headlights will shine directly in my front window. I would first like to say, on behalf of my neighbor Dean Rufner, whose house is immediately across the street from mine, he has a south facing house which the engineer was not aware of. His front doorstep is 13 feet from the proposed new road, and I believe the city ordinance is 25 feet; make a note of that. Even the developer has mentioned that he was not in favor of a west exit, and if we are going to develop that road coming through this neighborhood coming up to 10600 South, across

from Kneaders, I don't see the need of a west exit. The reason I don't see the need of it is we already have parking issues in the cemetery during funerals and especially during events like Memorial Day. If we had that additional traffic coming through there, that is going to pose even a greater issue. If you are going to force the developer to put sidewalks in there, it is going to eliminate 23 parking stalls, which is already not enough; where are you expecting all of those people who attend funerals to park. It is quite common to have two funerals going on at once, there has been times when I have been trapped in my garage because I couldn't get out with people parking down the hill from our street due to lack of parking. The other issue with traffic is that on the original survey that was done by the engineering company, they said there would be approximately 5% of the people coming from the river bottom employers up through this west exit. I have worked in the river bottom, and when 5 o'clock hits everybody is tired of sitting and waiting for 10 minutes to try and get out the other three exits. As soon as the word gets out that there is a fourth exit coming out of there, I am estimating it will be at least 10%-15% of those people coming up through there because of lack of patience; that is another issue we need to be concerned about and why I am not in favor of a west exit there. I think the crash gate is a great idea for emergency responders, and that was the original proposal by the developer which I think we need to give some more due diligence before we make that a through road. There is also the public safety issues. There is a tremendous amount of people from the area that bike on this road, take their kids on walks on this road that actually use the cemetery as a semi-park. There are a lot of safety issues because of people jogging, walking on that road and I think that sets the city up for greater problems if we have that a through road. I don't think there is anybody here tonight that has ever come to any of these meetings that is against development, it is inevitable that development is going to happen, but I think we should stick with the current lot sizes in South Jordan that are for a 1/3 acre. There is a reason that I didn't stay in LA or Phoenix, there is a reason I chose South Jordan, and there is a reason I chose this specific area to raise my children in South Jordan. I thought I lived in the best place in South Jordan, but as I look at all the development that is proposed, maybe I have chosen the worst place. I don't know, and that's in your hands, and that's on your conscience but I think it's ridiculous to move from agriculture area to high density housing. High density housing is not the answer. We have got millions of acres to the south, to the west, that can develop; we don't need to pile on top of each other like LA does. There is no reason that we should encourage 95% of the population in this state to live in 5% of the geography when we don't have to. There is plenty of area in this state to expand. Even the UDOT gentleman that was here talked about our roads already being over-congested, and we are seeing the growing phenomenon of people working from home which negates the fact that we need to go to high density; I don't think it's the right thing for any city because I have lived in cities that have gone high density and it doesn't improve the quality of life, it detracts from the quality of life.

Zach Baucom (Resident) – I wanted to reiterate and add to what has already been said. First off, regarding density, this is something that Commissioner Hollist brought up when she gave her no vote for the development as it was proposed. There is zero density gradient going into this. Your average or median is over an acre lot in that surrounding area, and down that street it's even bigger; you are increasing the density by 10 times.

Imagine 10 times more of you up there right now and it's not going to be very comfortable. This place is desirable because of where it is in South Jordan, and that it has that open area that we really, truly value. We moved here from Boston, I work remotely. I could have gone anywhere and I chose here, that's because of the area that it is. To jam 154 homes on 18 acres just doesn't feel right at all, compared to what's surrounding the area as well. I acknowledge the changes that were made because of our concerns, but I don't feel it really addresses exactly what we are trying to say here; I think the crash gate is a minimum thing that we can compromise on. We talk about compromise and hearing us, what the people who live here would ask for, and I think that's a bare minimum. There were a number of things the engineers looked at, and again I respect their job and what they have to do, but there were a lot of assumptions in there that I think we have to acknowledge are assumptions about what people are going to do with their properties. For example, regarding the fencing, I have a neighbor to the east of me and I know he is not looking to sell his land to be developed any time soon, and I know his family is not. So, to make those assumptions of "well we can just change things just so it can fit what is going to happen," those are assumptions, those aren't fact. Especially with the traffic being routed out that way, those are assumptions and not fact. As far as traffic is concerned, the only times I go right or to the east is to get on I-15 and to go to Costco, those are the only two reasons. Otherwise, all the shopping, restaurants that are cheaper and quicker are all to the west. Again, those are things I don't really feel were taken into account with all of that.

Jason England (Draper Resident) – I am here on behalf of the office park, I facilitate the leasing of the 1.7 million square feet of office and retail that take place there at River Park. I just wanted to say that we are in favor of the development with all of the growth in the office sector, development at The Point, and surrounding office competition we want to remain a viable office park and provide jobs to the area. It is a competitive advantage for us to have housing nearby that supports and provides what those office tenants need in terms of housing for employees and proximity to the office space that actually limits their driving on the roads. I know we are the largest land owner adjacent to this parcel, and I respect the housing concerns, but there is some benefit to the other adjacent landowners and we are one of them. We are in favor of what they are doing and appreciate the efforts they have put in to address the needs of all the surrounding areas, and look forward to seeing things take place.

Lucynthia Robbins Rockwood (Provo Resident) – I am one of the owners of the properties that is just south of this development. I just wanted to make you aware that we have cattle on our property. We know the developer has asked to be exempt from the masonry wall, and we understand that their proposal is to put up a vinyl fence next to our existing fence, and that is in hopes of keeping the cattle out. We just want to make you aware that our net fencing is not perfect, so if that net fencing were to deteriorate and the cows were to break through it, that vinyl fencing is not going to be sufficient to keep them out of the property next door. We just wanted to make you aware of the liability that is, both to the cattle as well as to the property, and to anyone that might be there. We are not opposed to this development at all, but we want to recognize that the masonry wall zoning is there for a reason, and we hope that you'll keep that taken into consideration.

Three residents submitted letters for the public record (Attachment I).

Mayor Ramsey closed the hearing for public comments.

J.3. Zoning Ordinance 2023-01-Z Public Hearing.

Mayor Ramsey opened the hearing for public comments. There were no comments and the hearing was closed.

J.4. Resolution R2023-06, Authorizing the City and Developer to enter into a Development Agreement pertaining to the development of the property located at 10657 South 1055 West. RCV

Council Member Shelton asked staff what will be required in terms of sidewalks on 1055 West, assuming this development is approved.

Director Klavano said the developer would be required to put curb & gutter, sidewalks and some asphalt in the areas they touch on 1055 West. However, the problem is doing that in the middle of nowhere and just floating isn't necessarily appropriate right now in terms of installation. Our code allows the city determine the cost to install all of that, then ask the developer to pay the city an in-lieu fee for installing at a later date. That will be worked out with the subdivision, but that's probably where they will end up.

Council Member Shelton asked if staff's expectation is that once this area is all developed out and this road is completed that there would be curb & gutter and park strips on both side of the road, all the way down.

Director Klavano responded the plan is to have curb, gutter and sidewalk, but is something that still needs to be worked out. His preference on this road would probably be not to do a park strip for a variety of reasons. One, to save a little bit on right of way since it will be tough to fit it in some places as it is. Also, if it's installed before more of the area is developed, then they have to decide who is going to maintain that park strip. The one negative of curb adjacent sidewalk is the lack of trees right next to the curb, and when the street is plowed the snow ends up on the sidewalk. That all hasn't been worked out, but in talking to the city manager that's what was discussed before.

Director Schaefermeyer added there is a section in the development agreement that talks specifically about the right of way improvements and acknowledges what Director Klavano is saying, that the city doesn't know yet what that will be and says that the city can collect a fee in lieu. Normally that happens at subdivision anyways, but it's included in the development agreement to make it clear that would be required.

Council Member Shelton asked about the crash gates. He has said he would never put a gate on a city road again, but he would like more details about that.

Director Klavano said in his experience, it has to be almost Armageddon for them to crash through the gate; therefore, that gate wouldn't lend itself to great emergency services.

Battalion Chief Michael Richards agreed with Director Klavano's comments. They are entrusted with public funds to purchase the vehicles they drive, and there would have to

be a pretty severe emergency for them to crash through a gate and potentially damage or ruin the vehicle that they have been entrusted with. The way they would have to look at that would be an alternate route, which could increase response time to emergencies.

Council Member Zander noted that those were two of her main questions, and then asked to clarify that they will have curb & gutter, but park strips haven't been confirmed.

Director Klavano said yes, the standard adopted when they dissolved the resolution on the historical road was to adopt the city residential street standard, which does have a park strip. There are provisions in the code for the city engineer to modify the standards as needed to make them work; it is not 100% confirmed whether they would or wouldn't do park strips. It was discussed with the council to not do it near the cemetery to ensure there is enough pavement and keep the angled parking, so there would not be a park strip in that section for sure. As they have been looking down to the south, trying to fit that in and keep the right of way taken as little as possible, he would think that would be a good thing to do as it saves 10 feet of right of way. There are also issues with who would maintain those park strips, what gets put into those park strips, etc. The decision would be made in conjunction with Public Works and the city manager's office.

Council Member Zander believes the thoughts shared by Director Klavano were good. She is huge fan of park strips, but it doesn't make a lot of sense on this road.

Director Klavano agreed and shared the reasoning behind no park strips along 10550 South, because the right of way taken was getting expensive and many of the property owners didn't have irrigation systems so the city would have had to maintain those park strips.

Council Member Zander noted some of the renderings show units with a one car garage, and she asked if there are in fact any units with only a one car garage.

Mr. Andrizzi said there are not, that was a mistake that was caught at the planning commission and was not corrected in the city packet; they will all be two car garages.

Council Member Zander discussed the parking, and asked to confirm that there are four parking spaces for each unit.

Mr. Andrizzi said that between garages, driveways and off street surface parking it works out to 4 parking stalls per unit.

Council Member Zander noted that when she and the developer talked outside of council meetings and she shared some of her concerns, one of those was Rise Development residents funneling out to 1055 West and the concern of the cemetery being a reverent, quiet and sacred place; the developer didn't disagree during those discussions. They also talked about crash gates and an idea that she had shared with the developers, that wasn't in the presentation tonight, was what they can do as developers to create habits of flow of traffic. Besides a crash gate, is there something else that can be done. She also suggested adding a sign at the top of 1055 West, and the developer acted like that was a great idea during their discussion. She suggested a sign that indicates you are approaching a cemetery, or that this is a historical site, something to tell those new residents to proceed with caution. She asked what they decided, or if they had any discussions about that.

Mr. Andrizzi said they included a provision in the development agreement where they obligated themselves to include signage at the exit of that road as it goes onto 1055 West. Since that is a public road, it would involve some discretion from the city in regards to what that sign looks like and how it reads, so that detail isn't included in the development agreement, but the obligation to provide signage on that exit was included after the discussion. They also added another provision that the city could take some funds from that donation for the pickleball courts and use some of that for signage in and around the cemetery for that purpose as well to address some of the parking issues.

Council Member Zander asked if the developer had thought of any other ways to slow traffic, possibly narrowing that road, without a crash gate stopping it. She is not in favor of a crash gate because they have all had to sit there and remove crash gates when they were problematic. Our fire and public safety opinion is very important, so she asked if there is anything else they can do as a developer to slow and discourage the flow of traffic going to 1055 West.

Mr. Andrizzi said a crash gate is the best option, but for the reasons identified by the city the developer also doesn't want that. He said that in another development, they put one in at the behest of the residents and then were asked to take it out shortly thereafter as it caused more problems than benefit. As they have looked at other ways of possibly mitigating some of that, the road cross section already meets the city's minimum standard he believes, so they are already at the minimum with regard to the right of way. They are however open to exploring ways of mitigating those impacts further.

Council Member Zander noted that in Daybreak they have pop outs with curbs, and other types of unique things to slow traffic. She asked staff if there is anything else they could do or require to install at the section where people are leaving Rise and coming onto 1055 West.

Director Klavano said one of the things they could look at with the developer is narrowing up the asphalt section and posting No Parking. To get good two way traffic you need 24 feet of asphalt, so they could instead go 28 feet and post it as No Parking, as that would make it feel a lot tighter. The way the roads don't go straight through and jog around, he doesn't really expect any cut through traffic. If the residents there want to go west, they very well might go that way, but they could narrow the road up a little bit if they post it as No Parking, but they have to make sure they have enough clearance for emergency services and good two way traffic.

Council Member Zander noted she is not suggesting narrowing 1055 West, she is suggesting it for the funnel out.

Director Klavano said he assumes the developer would be okay with it if the city didn't put as much asphalt down.

Mr. Andrizzi agreed and said they wouldn't protest.

Director Klavano said if they are going to allow parking in that section, they would need to go the full 28 feet of asphalt. As far as the bump outs go, he doesn't think that would be appropriate there as those are more for Daybreak and at intersections to slow traffic

and allow pedestrians to have less space to cross. They are also an issue for the snowplow drivers.

Director Schaefermeyer noted that on Page 5, section 513 of the development agreement it talks about the automobile traffic on 1055 West, and the signage to discourage people from exiting on there. It says the developer agrees to include signage at the exit of Road C, which is the one that would connect to 1055 West from the project. Also, regarding the garage issue, he saw on the one rendering that it does show a few one car garages but in the development agreement all the elevations are shown and they all show two car garages.

Council Member McGuire asked about signage down on River Stone Way, saying “local traffic only” for those on the way out to discourage the office workers from trying to cut up. He also asked if there were any traffic calming things that could be done to River Stone Way. The stub road was mentioned, and he asked the developer for the reasons behind that.

Mr. Andrizzi said when they initially site planned the area, the topography raises as it goes to the west. They had initially not even connected it to the property line, just propose dead ending it there and having that as the access for some of the townhomes. The city asked them to look at dedicating that area for future development, but the reason it hasn’t been connected through is because they don’t have an engineering site plan for the adjacent property.

Council Member McGuire noted that it was mentioned the exit proposed on to 1055 West would line up with a resident’s windows, and he asked if that road could be moved to help offset the light going into the home.

Mr. Andrizzi responded that was a concern that they tried to address at the planning commission, and they did shift the road a few feet to the south. That doesn’t mitigate the entire concern for the resident, but it does address the alignment of that road a little bit, and in so doing that also allowed them to save some of the existing trees on the north side of that road to help buffer against that existing residential home to the north.

Council Member Marlors noted his questions so far have been answered. However, he wanted to declare a relationship with one of the investors in the project who happens to be a brother-in-law; he has no financial interest and is not connected or in any way receiving any kind of remuneration for the project.

Council Member Harris asked staff about the impact to the cemetery parking.

Director Klavano said during certain events there may be some traffic congestion there. Regarding parking, their plan is to leave the current angled parking as it is there and not touch it. He doesn’t know if they are parking parallel on the east side during events, and if so they may have to post that as No Parking, but he doesn’t believe it is designated for parking right now.

Council Member Harris brought up the vinyl fencing versus a masonry wall. There is cattle on the adjacent property, and it’s his belief that if the family has cattle there, they need to make sure the fence is going to hold back the cattle. However, is there a duty on

the applicant to install a fence in case the neighbor's fence fails to hold back the cattle, or does the neighbor have their own duty to install a fence that can hold back their own cattle.

Director Schaefermeyer said the code doesn't actually say anything about the fence installed being "animal safe," but it does say a masonry wall. They sat down with the Robbins Family multiple times, and more recently they went over this requirement. One thing that staff sees a lot is that new residents complain about the cows and smell next to them. In his mind, the purpose of the masonry wall is more to cut down complaints and issues between neighbors who are now living next to cows, that is why they put the onus of the fence on the developer. Rhino Rock is a material that has been qualified as masonry, and cars go through Rhino Rock all the time. Regarding the legal issue of whose responsibility is it to keep the animals put, there are lot of cities that don't have these requirements, and it's a choice that South Jordan made and the process does allow for a modification. As mentioned earlier, part of staff support was based on conversations specifically with the Robbins Family, as the impression was given that they were going to develop soon. He takes their word for it that they are not going to develop soon, and maybe staff wouldn't have supported the modification hearing that, but he doesn't actually know. They also know that as these properties develop, it provides opportunities for stub roads to get a first project through the process and create connections, then they can connect to existing infrastructure. That's why they imagined the area would develop, but he doesn't know how quickly the area will develop; an argument could be made either way. The masonry requirement also adds to the cost of housing, which is always something cities get criticized for, the expense for the requirements. He tries to be mindful of what they require and when, in some cases it makes a lot of sense initially. Staff felt it was a reasonable compromise to allow them to put in a less expensive vinyl fence.

Attorney Loose said the city's duty is to follow the city code, but in regards to fencing the code also allows the ability to make modifications when appropriate. He feels the fencing modifications described above are appropriate, based on the information. Regarding the duty of controlling animals and things of that nature, each owner has their own responsibility with that and should work with their neighboring adjacent property owners to keep that situation where both are happy with each other. It is different when there are two empty fields versus when there is a field and a bunch of housing. Masonry walls do nothing for the smell, and that has been dealt with before; what the masonry walls do is keep the animals in. The reason for the modification is when it is foreseeable that a development is going to happen and that is expressed, and that modification is allowed to happen. He doesn't see any duty on the city, other than following the ordinance, which is being done, and each property owner has to keep their animals, cars, etc., on their property.

Council Member Harris asked if anyone could come back and say they told the city they had cattle, the code said that adjacent development should have required a masonry fence, and the cattle breeched their fence and the vinyl fence so the city is responsible since the code was not followed.

Attorney Loose said when the discretion to modify a rule in the code is used, the standard would be whether that exercise of discretion was reasonable under the circumstances. In addition, there was the back and forth discussion with the property owners as to how and when they are developing, and how that fits in with our standard way of dealing with this. This is not the first time we have had development next to animal rights, and at times they have been told the animal property is never developing, so the masonry wall goes in; other times they are told they will be developing soon and the wall doesn't go in. In the end, the city can choose to exercise that discretion and he feels that this is a reasonable exercise of discretion; he feels they could defend any future issues with animals breaching other property based on the city's standard practices on the language that gives the city the ability to modify code.

Mayor Ramsey said the city prides itself on not having onerous requirements, and they hear all the time that the city is really good to work with and they have good requirements. South Jordan is not perfect, but it does get pointed to a lot at the state level as a city that "gets it." She is not a fan of modifying this requirement, as this is the requirement that is always the standard. It is the standard that was given to Peterson Development, and developers as well as residents know the standard.

Council Member Marlor tried to think of when large animals were on a site and they allowed a vinyl fence, and asked if there was a precedence for this.

Attorney Loose said yes, but what makes it difficult is the idea of whether the animals will be there for a while or not.

Council Member Marlor said the resident expressed that they would not be selling for a while.

Attorney Loose said another person from the same property, if he understands correctly, was supportive of this because of future development possibilities on their property. That is what was weighed out for the staff recommendation, and he feels comfortable based on how things have been done in the past, that it is defensible. We can't forget that property owners and animal owners still have the responsibility in and of themselves to protect that.

Council Member Harris isn't as worried about the property damage, as that can be fixed. He is more worried about if a child gets hurt, as everyone will be paying in that situation. There is a known exposure here, and he agrees with the mayor in this situation.

Attorney Loose reminded the council that the city defines Rhino Rock as masonry, which offers more protection than a vinyl fence would, but it's certainly not something like a precast masonry wall.

Director Schaefermeyer said the planning commission recommendation seemed to be more of an aesthetic one, and they agreed this should stick with the current code. In the code there used to be an appeal to the city council to modify fencing, and that has been removed; this is now the process to modify it. Something like that has existed for a very long time. Also, the requirement is not that if you develop you have to put in that masonry wall, it is that if you develop next to animal rights and your development does

not have animal rights the wall has to be put in. In the case where someone is developing and the lots have animal rights, just because they are developing doesn't mean they would have to put in a masonry wall; whether they are choosing to have animals on their property or not. The impression is that this requirement is only to keep animals on an adjacent owner's property, but it's a little more complicated than that.

Council Member Zander asked about the property to the south, noting she drove out there before the meetings today. As you go further south, on the same side of the road as the Rise Development, she seemed to remember the land being partially scraped, and there were some machines out there on the land. She asked if that was the property being discussed as there was a for sale sign there that wasn't there a month or so ago.

Director Schaefermeyer said there is a large parcel between the Robbins's property and the Rise Development, it may have been that property. There are other owners in the area, and they have had issues on the Rise property with taking down trees and on the properties further south some scraping, so he's not sure if that's what's being referenced.

Council Member Harris noted that between Kneaders and the fire station, there was a road that needed to be connected in and there's a sort of lip on that road that was designed to prevent traffic from going down that road since those residents didn't want additional traffic, but the fire department needed another way out. He lives in that area, and that appears to work as cars do not use that road very often. He wonders if something similar to that, to prevent too many cars from accessing 1055 West, would be reasonable.

Director Klavano said they could certainly do that, it's basically a residential drive approach coming off South Jordan Parkway on to that road, creating that hump. He doesn't know how much that would discourage traffic or not. It may make it look less like a regular road, but the residents that live there are the ones that are going to use this access and they will figure that out. If they were concerned about a lot of cut through traffic then he might suggest looking at something like that, but with how the road jogs and curves he just doesn't see a lot of cut through traffic happening.

Council Member Harris asked if the city council has the ability to revisit this later on if traffic did become heavier than anticipated on that road.

Director Klavano said anything can be revisited, and if it really became a cut through problem they could look at different traffic calming measures. This is done quite often when people contact the city about traffic issues. The city will go out and study the area and if it looks borderline, the city will wait and re-study it a year later.

Mayor Ramsey asked if a metric for that would be exceeding the level of service A for the area.

Director Klavano said if the level of service goes down then yes, that would be an indicator. Most cities monitor levels of service at intersections, but we have developed a standard here for levels of service on residential streets as well. They don't like to see residential streets go below a level of service C, and they can monitor the street based on the level of service and see how it goes.

Council Member Harris noted that if he votes in favor of this, he is doing it because there was a traffic study done. However, if that study ended up being completely wrong and there ends up being a lot more traffic flowing through there, he would feel differently about allowing that much traffic to access the roads.

Council Member Shelton asked if they approve the development agreement, what the timing is for the contribution for the pickleball courts.

Director Schaefermeyer said that's on Page 4, Section 5.10.1, where it discusses Timing of Donation. It states "remit donation to city within 90 days of the effective date," which is once it's signed by the mayor.

Council Member Shelton noted that virtually all the residents who spoke said there was too much density, no comparable density in the area, and that we should maintain roughly the densities that are already there. As a council member, when he looks at a rezone application for a development, that is the first question on his mind; the surrounding densities and whether they are being comparable. Clearly in this case, they are not being comparable, but the way the traffic study was done and the development agreement reached, it looks like they are planning on eight units per acre all along that hillside, including into the old homes that they would expect some day to leave. He asked staff to speak to that and how that could make sense.

Director Schaefermeyer said when the small area plan for this area came about, it was still under the idea that 1055 West would not be touched, and that was looked at as a buffer. That is one reason why they have that one single family lot. Right now, the land use plan is to have single family lots along 1055 West, and certainly on the east side. There is a development coming soon to the council, that will be going to the planning commission possibly on January 24, planned for the east side. It has been emphasized that the west side is the R1.8 zoning to match the density of the area. On the east side, the idea is still to continue with single family along 1055 West. There could be more of a transition to higher densities as you go east. When the small area plan was done, the hope was that there would be more mixed uses throughout, but one of the challenges is that the land isn't being developed all at once. That makes it very hard, especially where this property is located in the middle of properties that don't have current plans to develop, to say that could be something else like office development. That small area plan was also done at a time, right around the pandemic, when office was all over the place in terms of demand. For many city planners, eight units per acre is not a lot of density. He knows that for South Jordan, eight units per acre is the upper limit, and closer to the freeway there are potentially higher densities, which is okay. He has not tried to push the city on density levels, but many planners would see that office park and the size of those buildings and bring some of the proposals that were brought to him originally, which were four and five story apartment buildings right next to it. They certainly could have looked at clustering more density by the canal and slowly transitioning up to 1055 West with lower density as you go, but that wasn't the proposal the developer brought to the city. It's a hard discussion because he has tried to take the recommendations from the council on density and apply it as much as possible to these projects. There could be more transitioning to single family, but the way to do that is to make it more dense on the east side because of the property prices and cost of development. It has been discussed in the past that it's the

developer's problem that they bought a property for the price they did, but the cost of development is high as well. He doesn't think the transitioning would be in line with the land use applied to the area, and he doesn't think that was what had been envisioned; however, they also didn't envision this whole area being residential.

Mayor Ramsey said this is not a decision the council will make easily and she noted that the residents indicated they wanted to make sure they were heard, that a decision hadn't been made before the council came in. She assured the residents that is the case that no decision had been made prior to coming in tonight.

Council Member Shelton asked to discuss any changes to the development agreement the council might want. He likes the idea of going to the 24 feet of asphalt instead of 28 feet and narrowing that road down.

Director Klavano noted it would make it harder for the garbage truck and plows to get through there. If they do however post it as No Parking, that should leave quite a bit of extra space for traffic.

Council Member Shelton thinks that would be a good traffic calming measure.

Council Member Marlors doesn't really like the road narrowing idea, as he always wants to keep traffic flowing as efficiently as possible.

Mayor Ramsey said her concern with that idea is she doesn't want to attempt to fix one challenge, and then create a host of others like making it hard for services to be provided, which could really be frustrating for everybody in the area.

Council Member Marlors doesn't understand why they are attempting to discourage people from using thoroughfares that were meant to be used.

Council Member Shelton said in his mind, this is not a thoroughfare, this is a neighborhood street that we don't want to be a thoroughfare.

Mayor Ramsey asked if it could be kept the standard width, but add the No Parking.

Director Klavano said if they went down to the 24 feet of asphalt, giving them 28 feet face to curb with no parking, that would actually give more space than having 28 feet of asphalt and allowing parking. When you allow parking on 28 feet of asphalt you take 16 feet away, so with no parking that creates more road space. He doesn't know if it deters much, but it does make it look smaller as referred to as road dieting, which can be done in multiple ways.

Council Member McGuire was indifferent to the idea of narrowing the road with no parking.

Council Member Zander likes the idea of narrowing the road, and thinks that making it no parking isn't going to matter either way since she doesn't believe that part of the development will have a lot of parking.

Council Member Marlors does not like the idea of narrowing the road.

Council Member Harris would rather give staff direction that states they are looking to reduce the amount of traffic going through there, and asking them what they can do to accomplish that; allowing staff to come up with some ideas versus giving specific directions from the council right now.

Mr. Andrizzi noted that these are the city's roads, and they as the developer are also providing an easement wherein they can install traffic signs and things of that nature. They aren't as concerned about what the city does from a narrowing perspective there because the city owns the road and has the easement to install whatever signs they desire. The solution may be to say that they don't need to include this level of detail in the agreement itself, it may be more direction to staff in the way of "adjustments made after the project is built out to account for those things."

Council Member Shelton noted the Robbins family obviously intends to develop at some point. They don't oppose the development, and they like the density as they want to do the same thing on their property. However, they want the developer to put in a masonry wall between now and whenever they develop. They are the only ones that talked about a masonry wall, no one else brought it up.

Mayor Ramsey sees it differently, as that is what the ordinance calls for, and that is what is required of everyone. She is not looking at this wondering if it will keep cows in, she is just looking at it from the view of the ordinance and what is required of everyone.

Council Member McGuire said he wants the masonry wall.

Council Member Zander doesn't have a strong opinion, and shared that she just got a text tonight from a resident saying "please put in a masonry wall."

Council Member Marlор couldn't come up with a time when they didn't require the masonry wall, as he thought because there are large animals on one side that is required. He doesn't want to add expense to the project, but he assumed with that being the ordinance, that's what they were going to do.

Council Member Harris thinks there is a need for it today, and he also doesn't want to set a new precedence.

Council Member Shelton is okay with requiring the masonry wall.

Council Member Marlор noted the developer indicated they were willing to put up signs and he asked if that was currently in the development agreement. If so, he would suggest leaving that up to staff's discretion as to how that happens and the verbiage on the signs.

Director Schaefermeyer said on Page 5 of the development agreement, in Section 5.13, it talks about the signage at the exit to 1055 West, but it also mentions that the city may use part of the donation for the pickleball courts to install signage in and around the city cemetery as additional traffic mitigation measures. He mentioned they could also look at putting a "Local Traffic Only" sign at River Stone Way as well.

Council Member Harris suggested changing that to "Residential Traffic Only," since local could mean the offices as well.

Director Klavano said as much as possible they will try to comply with the MUTCD on the signage. They have adopted that standard for signing and striping, and the state has adopted it, so getting too far away from it could cause some problems; they will take a look at it.

Council Member Zander said she brought the cemetery sign up with the developer when she met with them outside this meeting because if they can't do a gate, there has to be some things that can be done. She thought about it and figured that if she was a new resident in the Rise Development she would just probably drive right out of there and not even have a clue there is a cemetery. She isn't just talking about a small sign indicating "cemetery ahead." If there is extra money she wants to think outside the box and do something that will reflect well on the cemetery. She doesn't know what that looks like, but she knows the city has the ability to make all kinds of signs.

Director Schaefermeyer reminded everyone about the material board, and the minor changes that were made as the updated one didn't end up in the development agreement. Most of the materials are the same in terms of how they look and feel. This was from Exhibit F in the development agreement, the Materials Board.

Mr. Andrizzi said that change was made after submitting the packet, mostly due to supply chain issues. The type of material doesn't change, the manufacturer changes and the color hues are very similar but each manufacturer will have slight variations.

Council Member Shelton motioned to approve Resolution R2023-06, Authorizing the City and the Developer to enter into a Development Agreement, with the following modifications to the development agreement:

- **The city will require a masonry wall instead of a vinyl fence.**
- **The city will go with the updated materials board, instead of the one shown in the council packet.**
- **Direct staff to work on signage and other road dieting options in an attempt to minimize traffic flow from the office complex up through 1055 West.**

Council Member Zander seconded the motion.

Council Member Marlor doesn't see a reason to have the masonry fence on the canal.

Council Member Shelton amended his motion to say wherever a vinyl fence is indicated, that will be replaced with a masonry fence. Council Member Zander seconded the amended motion.

Council Member McGuire appreciates the discussion that has been had tonight and the changes that are going to be made. However, he will ultimately be a "no" vote on this, as he is too far different from the developer in what he believes the density should be for that area, as well as the "for lease" aspect as he wouldn't approve a 154 unit vertical building in that area to be leased out.

Council Member Harris is paying very close attention to traffic, and there are certain things that can be done now versus things that will have to be done in the future. He is opposed to the third option from the traffic study, but eventually traffic will be able to go

up north and tap into 10550 South, or up to South Jordan Parkway. Therefore, he is looking long-term because he doesn't want to funnel any more traffic than necessary. He thinks they are doing the best they can with the situation here.

Roll Call Vote was 4-1, Council Member McGuire voted no.

J.5. Resolution R2023-07, Amending the Future Land Use Plan Map of the General Plan of the City of South Jordan by adjusting the boundary between the Mixed Use (M-U) and Agricultural Preservation (AP) on property located at 10657 South 1055 West. RCV

Council Member Marlor motioned to approve Resolution R2023-07, Amending the Future Land Use Plan Map of the General Plan. Council Member Shelton seconded the motion. Roll Call Vote was 4-1, Council Member McGuire voted no.

J.6. Zoning Ordinance 2023-01-Z, Rezoning property located at 10657 South 1055 West from A-5 to the R-M-PD Zone. RCV

Council Member Zander motioned to approve Zoning Ordinance 2023-01-Z, Rezoning Property from the A-5 to the R-M-PD Zone. Council Member Marlor seconded the motion. Roll Call Vote was 4-1, Council Member McGuire voted no.

K. Staff Reports and Calendaring Items

Manager Lewis mentioned the SoJo Race Series ruck race this Saturday. It will be noticed as a potential quorum with three or more council members planning on attending.

Council Member Zander motioned to adjourn the City Council meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The January 17, 2023 City Council Meeting adjourned at 10:52 p.m.

**CITY OF SOUTH JORDAN
CITY COUNCIL BUDGET MEETING #1
WORK ROOM**

January 31, 2023

Present: Mayor Dawn Ramsey, Council Member Jason McGuire, Council Member Don Shelton, Council Member Brad Marlor, Council Member Patrick Harris, City Manager Gary Whatcott, Deputy City Manager Dustin Lewis, Strategic Services Director Don Tingey, Planning Director Steven Schaefermeyer, IT Director Jon Day, City Engineer Brad Klavano, Fire Chief Chris Dawson, CFO Sunil Naidu, Police Chief Jeff Carr, Assistant Controller Nick Greer, HR Director Teresa Cook, City Recorder Anna Crookston, Meeting Transcriptionist Diana Baun, Associate Director of Public Works Ray Garrison, Director of Recreation Janell Payne, Director of Government Affairs Melinda Seager,

Absent: Council Member Tamara Zander

4:54 P.M.

A. Welcome, Roll Call, and Introduction – By Mayor Dawn Ramsey

Mayor Ramsey welcomed everyone and excused Council Member Zander.

B. Invocation – By City Manager Gary Whatcott

C. Discussion Item

C.1. Fiscal Year 2023-24 Budget

Deputy City Manager Dustin Lewis gave a brief overview of the planning and work leading up to this meeting.

CFO Sunil Naidu reviewed his prepared budget presentation (Attachment A).

Mayor Ramsey thanked staff for their hard work on the Truth in Taxation education campaign, and noted that South Jordan City was the only city nominated for an award in relation to that campaign.

CFO Naidu asked the council for their thoughts on doing a Truth in Taxation yearly.

Council Member Patrick Harris said they should be discussing that every year when they discuss the budget. He asked if they would still hold a Truth in Taxation if they decided no additional taxes were needed.

CFO Naidu responded that if the budget is balanced and everything can be covered, no, they cannot hold a Truth in Taxation without a deficit. If they do decide to raise taxes, there is a process required that involves him notifying the county of the city's intent which then sets off a sequence of events to include the Tax Commission and ultimately ends in the city being assigned a date for the Truth in Taxation meeting. The council and CFO Naidu discussed the timing on that process, as well as options other cities might be using to allow them a yearly Truth in Taxation.

Council Member Marlor noted that we could justify raising taxes to cover and keep up with Police and Fire salaries and benefits, since that budget will continue to grow.

CFO Naidu said they tried that route a few years ago, but if they were to do that today, property taxes would only cover about 75% of the cost.

Council Member Harris thinks this will need to be evaluated each year, and if needed they should be willing to do that.

Council Member Marlor noted the Truth in Taxation hearing allows the council to report to the residents, as well as recover funds that are needed. He also noted that since the amount we are allowed to capture from property tax adjustments is usually between \$10,000-\$20,000, that is just a drop in the bucket compared to the rest of the budget.

Manager Lewis said the budget is currently balanced, however depending on what happens at the legislature they may end up short on funds and need to decide on projects to cut or hold a Truth in Taxation to cover the new requirements.

Council Member Shelton noted that if the city is only approving a small part of new employee requests that essentially means everyone is accepting that levels of service will possibly drop or that staff has become dramatically more efficient.

Manager Lewis said it is a combination of both those things, and it's putting an additional burden on the existing employees.

Mayor Ramsey referenced the water crisis in Jackson, Mississippi and said that because they didn't fund adequate infrastructure maintenance and personnel, they now have a crisis with over 10,000 businesses and over 50,000 residents leaving over the last 10 years. Making sure the city has adequate staff is extremely important to avoid those kinds of disasters in the future.

Council Member Shelton asked about the city's retention rate last year.

Manager Lewis said it was about 12%, and that included retirements.

HR Director Teresa Cook said it was only a slight increase over the past year, which was 11%.

Council Member Harris said this discussion sounds very similar to the ones he is hearing in other business organization meetings, so this isn't really something unique.

Council Member Marlor said when he came to the city in early 2000, the city was very far behind with water infrastructure because the previous councils were not willing to step up and get those things done. They ended up having to bond for around \$42 million for 20 years to get that caught up. He feels that they need to stay up to date and decide if they keep up with bonding since future residents will benefit, or are there issues that need to be addressed and paid for now like safety.

Mayor Ramsey said that it sounds like the council doesn't want to plan on a Truth in Taxation every year, but it will be reassessed each year as a possibility.

Manager Lewis suggested continuing the Truth in Taxation education this year, reviewing the budget and explaining why or why not we are doing a Truth in Taxation. It would also be a good way to explain to residents what projects will not be done or completed when taxes are not raised.

City Manager Gary Whatcott noted that with all the growth currently and upcoming, it will be years before our budget is able to catch up. Every city is fighting this same battle when budgeting, and the state doesn't get on city levels to understand what's happening. He discussed impact fee laws, state involvement and how we have no control over many of the state's decisions that affect city budgets.

Manager Lewis said in March staff will come back and discuss what bills passed at the legislature, and what that means for our budget and the possible adjustments.

CFO Naidu continued with his prepared budget presentation (Attachment A).

Manager Whatcott discussed the new generation of workers and how they no longer place a value on benefit packages and stability, as they are more focused on the amount of their paycheck and their wages. That is something the city is going to have to navigate over the next few years while they try and keep current employees.

CFO Naidu continued reviewing Attachment A.

Council Member McGuire noted that the city had agreed they wanted to be in the top 5% in terms of wages for public safety employees, and he asked where we are at with general employees.

Director Cook responded there was a benchmark survey done, and depending on the position it ranged from 5% - 12% below market. If a position is at 5% or more below the market, they usually try and do a reclassification, which was done after this last benchmark survey. There have been some real changes, particularly with Public Works and Maintenance, that they have really paid attention to this past year.

Manager Whatcott said a big issue has been special districts, as they have a completely different arrangement in terms of how they deal with their constituent base and raising taxes. The city has lost a significant amount of Public Works employees to special districts, but that has finally started to fill back in.

Council Member Marlor asked how many employees the city lost specifically to competition.

Director Cook said the total other employment was 26%, but she didn't have the exact number of how many of those were lost to competition.

Manager Lewis said it was probably around a dozen people lost to competition based on the numbers.

Manager Whatcott also noted that the city lost a number of CDL employees to other companies due to many of those companies offering premiums for CDL licensed drivers.

Director Cook said they lost 19 employees from Public Works during the last fiscal year.

CFO Naidu continued with his prepared budget presentation (Attachment A).

The council and staff discussed the proposed SRO and Public Safety Retirement Bills and what those would mean for the city.

CFO Naidu continued review of Attachment A.

Council Member Marlor noted that they had previously discussed revisiting impact fee calculations more frequently to capture those changes, and asked if that was still the plan.

Director of Strategy & Budget Don Tingey said the water fees were recently done, Parks is on schedule for this year, and Public Safety was completed not too long ago.

Council Member Marlor said with the high inflation this past year, those fees should probably be addressed quickly since our costs are much higher across the board.

CFO Naidu continued review of Attachment A

Manager Whatcott discussed the proposed EV charging tax, along with the proposed lower gas tax and higher vehicle and trailer registrations.

CFO Naidu continued reviewing Attachment A

Manager Lewis said the next discussion for the budget will be during the work session on March 21 as that will be after all the legislation is finalized. They will bring the budget back and discuss any changes that are needed.

Council Member Marlor asked for everyone's opinions again on the possibility of a yearly Truth in Taxation; Council Member McGuire was a no and asking to reevaluate every year, Council Member Shelton was the same, Council Member Harris was a no as well but thinks it will be inevitable.

Council Member Shelton asked about the Mulligans \$50,000 CIP, and what that is for.

Director of Recreation Janell Payne said that is for one project, but many of the issues they are facing and projects that need to be done are bigger ticket projects. Their thoughts were to scale back on some of the smaller projects to save for the larger ones.

Director Tingey said there is still work going into those larger projects and deciding how they will put those together.

Council Member McGuire asked to readdress the concept that if they aren't bringing on new employees, they will be cutting service. He asked where they are having to cut back.

Manager Lewis said some of the requests were for Public Works Maintenance Workers, which may mean the sidewalk team may not get trip hazards cut as quickly as before, potholes not filled as quickly, and roads not plowed all at once. Communications was looking for people, Fire was looking for people to do community education and outreach which means people won't be able to call up the fire department and schedule a first aid or CPR class on demand, they will have to choose from other available dates. The Recreation Team asked for positions to support activities in the community, which means possibly less activities or less events at some of the activities. Facilities needed more workers for maintenance to keep things maintained, which means they will have to continue to burden the current employees or use more outside contractors at higher prices.

Council Member McGuire has every confidence that the current employees will continue to do the best they can, but he is very concerned about not looking at filling some of those additional positions. With the

activities, the city has been building a lot of momentum with the race and ruck series, and he'd hate to see those types of events lose traction. Things like plows, sidewalks and potholes are all things he hears about from constituents that matter. He appreciates staff bringing a balanced budget, but he is concerned about not fulfilling some of the other positions.

All council members agreed that some exploration could definitely be done in regards to the positions needing to be filled.

Council Member McGuire said that once he talked with residents and explained that the city doesn't control the school district, they didn't have a problem with the city's tax increase.

Manager Lewis said the increase last year was just to get caught up after the commitment required for Police and Public Safety; the last increase before that was to build a fire station.

Council Member Marlor said 2007 was the last time taxes were raised for the general budget.

CFO Naidu said they can't collect a bunch of money to hire someone in the future, they have to be falling behind for that to happen.

Council Member Marlor thinks the money could be allocated in a way that makes sense, but in terms of justifying Truth in Taxation to cover the increases for Public Safety he thinks it would be easily justified. How many years in a row has staff asked for 25 plus additional employees with only a small group approved. This happens year after year, and he doesn't think it's fair to employees or residents with the levels of service.

Manager Lewis mentioned the calls they were getting last year about parks not being mowed enough, and sports being difficult to play with the longer grass.

Manager Whatcott said they redid all contracts with baseball, and they are now obligated to maintain their own ballfields since we just don't have enough staff.

Manager Lewis noted that city staff will have some oversight, but the third parties will be doing the maintenance instead of city staff.

CFO Naidu said in the past, Class C funds allowed for a certain portion to be used towards Streets employee salaries, and that's what they were using for a long time. Then the decision was made to move away from that because our infrastructure needed more maintenance. They are still transferring between \$500,000-600,000 from Class C funds to employee salaries.

Council Member Shelton asked for more information on what we are not funding in more detail.

Manager Whatcott noted that they have been replacing transite pipes for years, and they are nearing the end of that project. Once that project is done it will free up money for other projects.

Council Member Marlor asked about the bonded money from 2002, and what that will be released for.

CFO Naidu said that is in the water fund, and after the last water study they were made aware of a few more projects in that area.

Manager Whatcott discussed the creative ways Director Klavano has done those transite pipe replacements to save the city money, like doing overlays or reconstructing at the same time as the pipe

replacement. Due to that creative planning, they have been able to use the water fund to help on the street side by doing the projects together.

Council Member Marlbor asked for an email to show the monetary gap between the new positions that were created and the ones that were requested but not created.

The council agreed that an email would be sufficient, rather than a meeting, and staff agreed to work on that.

Manager Lewis said he will plan on making the study session on March 21 mainly focused on the budget to hopefully avoid another separate meeting.

Council Member Harris motioned to adjourn the City Council Budget Meeting. Council Member McGuire seconded the motion; vote was unanimous in favor. Council Member Zander was absent from the vote.

ADJOURNMENT

The Budget Meeting ended at 6:30 P.M.

SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: February 7, 2023

Issue: Salt Lake County Stormwater Coalition Media Interlocal Agreement

Submitted By: Jason Rasmussen

Department: Public Works

First Reading Report Date: N/A

Staff Recommendation (Motion Ready): Approve R2023-09

BACKGROUND: South Jordan City (the City) is a co-permittee with Salt Lake County's MS4 permit. The MS4 permit allow the City to discharge storm waters of the State (i.e. the Jordan River, drainage creeks, canals, ground infiltration, etc.) The permit requires public education efforts to be carried out on storm water quality and how individual actions can affect this. The Salt Lake County Stormwater Coalition, comprised of Salt Lake County and all municipalities within Salt Lake County, work together to meet the public education requirements of the MS4 permit. This work includes the "We all live downstream" messaging seen on TV, radio and printed materials. The Coalition members contribute annual amount to fund this public messaging.

TEAM FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

FINDINGS: The proposed interlocal agreement will satisfy the City's permit requirements for public education messaging.

CONCLUSIONS: It is advantageous for the City to participate in the Storm Water Coalition, including entering into the interlocal agreement with Salt Lake County for storm water quality public messaging.

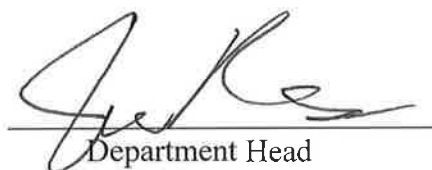
RECOMMENDATIONS: Approve R2023-09

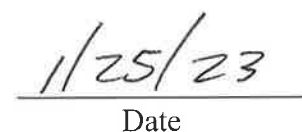
FISCAL IMPACT: \$11,784.23 annually through 2028, for a total fiscal impact of \$82,489.61

ALTERNATIVES: Not approve R2023-09. Perform public messaging permit requirements for storm water quality without coalition.

SUPPORT MATERIALS: Letter from Salt Lake County regarding interlocal agreement.

City Council Action Requested:


Department Head


Date

RESOLUTION R2023 - 09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR 2022-2028 UPDES MEDIA CAMPAIGN COST SHARING.

WHEREAS, the City of South Jordan (the “City”) and Salt Lake County (the “County”) are public agencies and authorized by the Utah Interlocal Cooperation Act, Utah Code Ann. Section 11-13-101, *et seq.*, to enter into agreements with each other that will enable them to make the most efficient use of their resources and powers; and

WHEREAS, in connection with the Utah Pollutant Discharge Elimination System (the “UPDES”) permit requirements, the City and County desire to cooperate with each other in funding a 2022 through 2028 multimedia public information and education campaign for the purpose of increasing public awareness about storm water pollution and educating the public about the prevention of storm water pollution; and

WHEREAS, the City and County now desire to enter into the Interlocal Cooperation Agreement whereby their respective responsibilities concerning the campaign are specifically set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authority to Execute. The Mayor of the City of South Jordan is authorized to execute the Interlocal Cooperation Agreement between the City of South Jordan and Salt Lake County for the 2022-2028 UPDES Media Campaign Cost Sharing in substantially the form attached hereto as Exhibit “A”.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURES ON FOLLOWING PAGE]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M Simonsen

Gregory M Simonsen (Jan 25, 2023 13:32 MST)

Office of the City Attorney



Jenny Wilson
Mayor

Catherine Kanter
Deputy Mayor of Regional
Operations

Scott R. Baird, P.E.
Director, Public Works
and Municipal Services

Kade D. Moncur, P.E., CFM
Director, Public Works
Engineering Division

**PUBLIC WORKS
ENGINEERING DIVISION**

Government Center
2001 South State Street
Suite N3-120
Salt Lake City, Utah 84190

T 385-468-6600
F 385-468-6603

September 13, 2022

Carl Schweizer
South Jordan City
1600 W Towne Center Drive
South Jordan, UT 84095

RE: Salt Lake County Stormwater Coalition Media Agreement

Dear Carl,

Since 1994, the Salt Lake County Stormwater Coalition has worked together to successfully implement a public education and outreach program for increasing the public's awareness and knowledge of the importance of keeping stormwater clean before entering our creeks and lakes.

South Jordan City has been a long-standing member of the Salt Lake County Stormwater Coalition. Your previous contract to participate in the Coalition and its media campaign expired June 30, 2022. Attached you will find a new contract for participation in the Coalition from 2022 through 2028.

The cost of participation in the Coalition will be \$0.15 per resident per year. This includes contracting a Public Relations (PR) Consultant (a total cost of \$55,000 per year) to assist with dissemination of the "We All Live Downstream" message. The County will continue to administer this contract and program on behalf of the Coalition.

Based on the latest 2020 Census population and housing unit estimates by the United States Census Bureau, South Jordan City has a population of 77,487. The Coalition has a 2022 proposed budget of just over \$193,000. Your city's contribution of **\$11,784.23** (minimum contribution is set at \$5,000 for Cities with smaller populations) will assist with the expenses of the PR consultant, mainstream media advertising and development of educational materials as required by the UPDES permit.

The funds provided by the partnering cities in the coalition will allow the Coalition to continue to operate at the same level in compliance with its UPDES Stormwater Permit. We look forward to continuing this program by working together and combining resources to successfully implement the program.

Moving forward, it is in the best interest of the Coalition to continue to market the "We All Live Downstream" slogan and Droplet branding to increase the public's knowledge of stormwater pollution and to change behaviors toward activities that keep stormwater clean. In addition, having a unified message and working together is significantly less expensive than each City having their own

public outreach program specifically as it relates to reaching a wider and more diverse audience.

The County looks forward to coordinating and supporting the public outreach and education efforts in the Coalition. Please sign and return the attached agreement to my attention and contact me at 385-468-6642 with any questions.

Respectfully,



Robert B. Thompson P.G.
Watershed Section Manager

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 02/07/2023

Issue: D & D RESIDENTIAL/HATCH SUBDIVISION
Land Use Amendment from Economic Infill Opportunity (EIO) to Stable
Neighborhood (SN)
Rezone from Agricultural (A-1) / (A-5), & Professional Office (P-O) to
Residential (R-1.8)

Address: 10828 S. 1055 W. & 10827 S. 1055 W.
File No: PLZBA202200217
Applicant: Devan Hatch, D & D Residential Development, LLC

Submitted by: Andrew McDonald, Planner I
Jared Francis, Senior Engineer
Presented by: Steven Schaefermeyer, Planning Director

Staff Recommendation (Motion Ready):

1. Land Use Amendment—I move that the City Council **approve** Resolution R2023-08, approving the proposed land use amendment.
2. Zone Change—I move that the City Council **approve** Ordinance No. 2023-02-Z, approving the proposed zone change.

ACREAGE:	Approximately 3.31 (acres)
CURRENT ZONE:	A-1, A-5, & P-O
CURRENT LAND USE:	Single-Family residence & vacant unimproved pasture
FUTURE LAND USE PLAN:	Agricultural Preservation (AP) & EIO
NEIGHBORING ZONES/ LAND USES:	North – A-5 / Single-Family
	South – R-1.8 & R-2.5 / Single-Family & vacant unimproved pasture
	West – R-1.8 Single-Family
	East – P-O / Riverpark Corporate Center (office park)

STANDARD OF APPROVAL:

1. LAND USE AMENDMENT

The general plan may be amended by resolution of the City Council as follows:

- A. The process to amend the general plan and future land use map may be initiated by members of the City Council, by the City Manager or the Planning Director, or by the

owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the city may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties.

- B. The Planning Commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the city council.
- C. After receiving the recommendation of the planning commission, the City Council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

(City Code §17.12.030)

2. REZONE:

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code §17.22.020)

The Planning Commission shall receive public comment at the public hearing regarding the proposed rezoning and make a recommendation on the rezoning to the City Council (see City Code §17.22.040).

BACKGROUND:

Devon Hatch has submitted an application for a land use amendment and rezone. The purpose of the application is to make the subject properties consistent with other property owned by D&D Residential Development, LLC, by rezoning them to R-1.8. This application involves three parcels adjacent to 1055 West: 27-14-376-008, 27-14-377-001, & 27-14-377-002.

The largest parcel (27-14-376-008) involved is currently vacant, and is approximately two-acres. Currently it is zoned A-5 which requires lots be a minimum of five-acres. The future land use for this parcel is AP. The applicant is requesting the zoning designation be changed on this parcel to R-1.8. The applicant intends to build a six-lot subdivision on this parcel, and the three adjacent parcels currently zoned R-1.8. This zoning is consistent with the three other adjacent

parcels that are in the same vacant field. The included concept plan shows the intended subdivision for the vacant parcels in this field.

The other two parcels are east of 1055 West, and are respectfully (.87) acres and (.44) acres. These parcels are adjacent to each other and currently in three different zones: A-1, A-5, and P-O. The future land use for these parcels is EIO, which was an unintentional designation that is being corrected with this application to reflect the intent of the 2020 General Plan changes (i.e. only Roseman University's property east of the canal should have been designated as EIO). The applicant intends to sell these two parcels in a deal that is pending the outcome of this application. The existing buildings will be demolished and replaced by single-family housing. These properties must be rezoned for new construction to comply with City Code requirements.

PLANNING COMMISSION RECOMMEDATION:

On January 24, 2023, the Planning Commission voted unanimously to recommend approval of the proposed land use amendment and zoning change.

STAFF FINDINGS, CONCLUSION & RECOMMENDATION:

Findings:

- The application meets the rezone standards of approval, and will not impair the development potential of the neighboring properties.
- Amending the land use from EIO to SN is consistent with the original intent of the 2020 General Plan amendments in this area.
- Rezoning the property will allow the properties to be developed for single-family residential use in compliance with City Code requirements, and will be consistent with adjacent uses.
- The Concept Plan shows larger lots than the minimum requirement for the R-1.8 Zone. This is consistent with the AP land use.
- The AP designation is defined in the General Plan as follows: "Agricultural Preservation identifies areas with current and/or historic agricultural usage. Though these properties are a beloved asset to the community, future development is probable. Future development shall be primarily residential and serve to preserve the agricultural character in the forms and character of the development. Cluster style development will be encouraged to preserve the agricultural use/open space where possible. Small scale, neighborhood commercial uses could be strategically placed consistent with surrounding land uses and/or at the core of the neighborhood to provide a themed service base for neighborhood gathering."
- The SN designation is defined in the General Plan as follows: "Stable Neighborhood identifies residential areas throughout South Jordan that are mostly built out and not likely to change or redevelop into a different land use. This land use designation supports existing or planned residential with a variety of housing types, densities, and styles. Any new development, redevelopment, or rezoning within this designation shall be consistent with the surrounding land uses in order to maintain existing character and quality of life for adjacent property owners."

Conclusion:

The land use amendment and rezone are consistent with the General Plan, and City Code requirements for land use amendments and rezones.

Recommendation:

Based on the findings and conclusions listed in this report, Staff recommends that the City Council take comments at the public hearing and **approve** the application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

INFRASTRUCTURE ANALYSIS:

An infrastructure analysis report is included in the supporting materials.

FISCAL IMPACT ANALYSIS:

A fiscal impact analysis is included in the supporting materials.

ALTERNATIVES:

- Approve an amended application
- Deny the proposed application
- Schedule the application for a decision on some future date

SUPPORT MATERIALS:

- Current Zoning Map
- Current Future Land Use Map
- Concept Plan
- Infrastructure Analysis
- Fiscal Impact Analysis
- Resolution R2023-08
 - Exhibit 'A' – Future Land Use
- Ordinance 2023-02-Z
 - Exhibit 'A' – Zoning Map

Department Approval

Andrew McDonald

Andrew McDonald (Jan 31, 2023 17:11 MST)

Andrew McDonald
Planner I

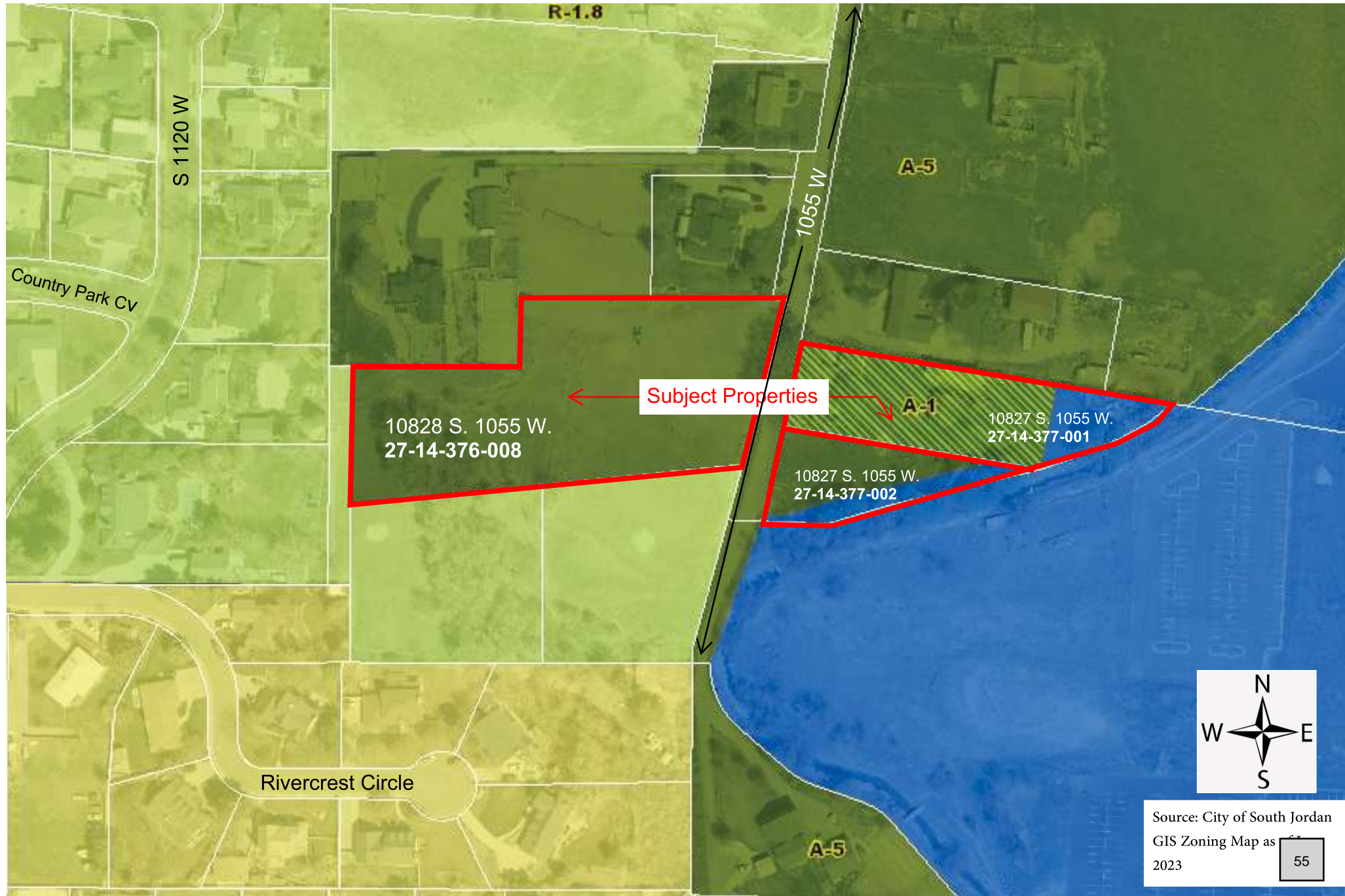
Steven Schaefermeyer

Steven Schaefermeyer (Jan 31, 2023 17:34 MST)

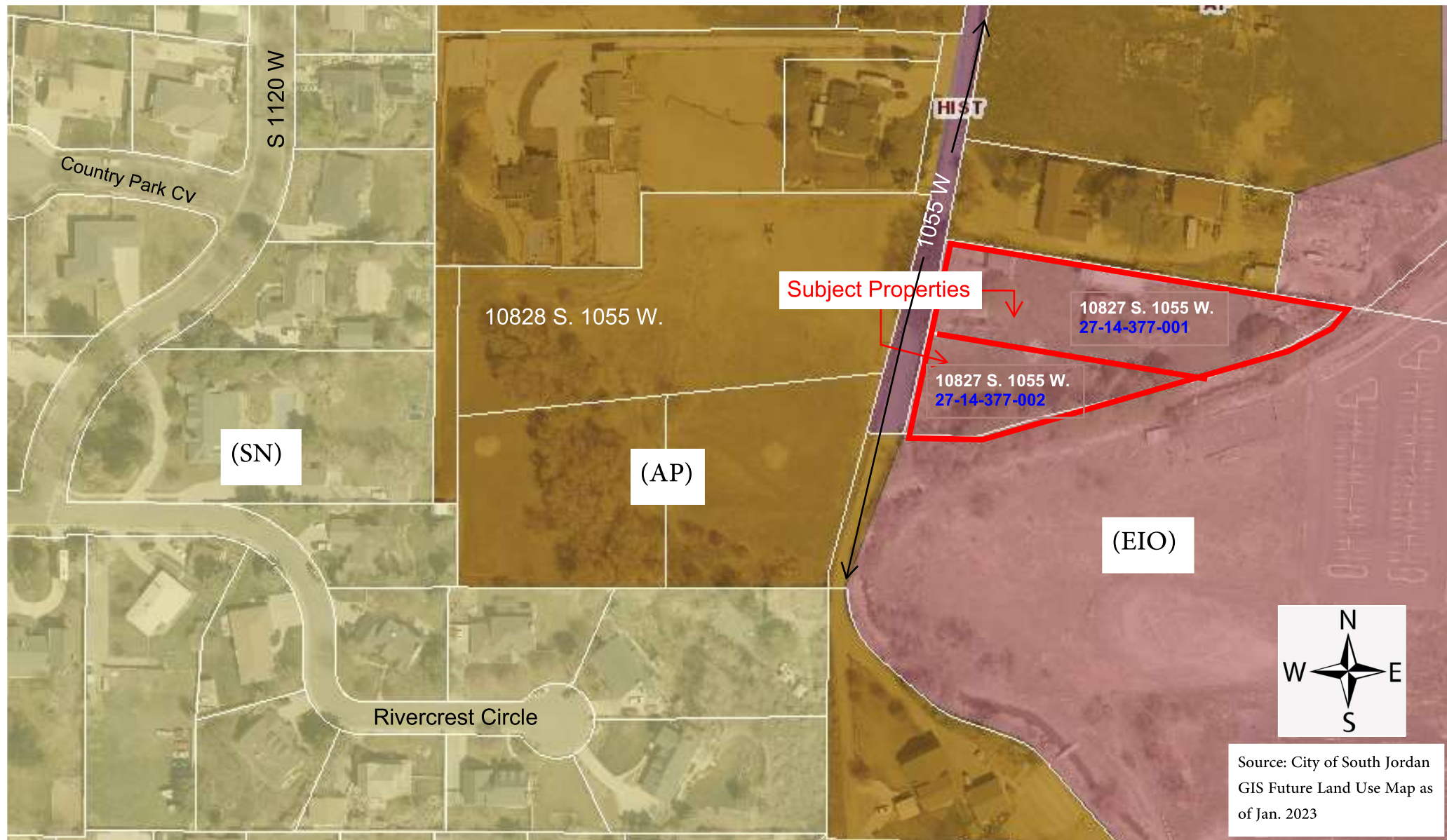
Steven Schaefermeyer
Director of Planning

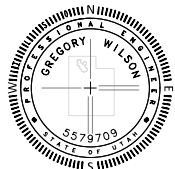
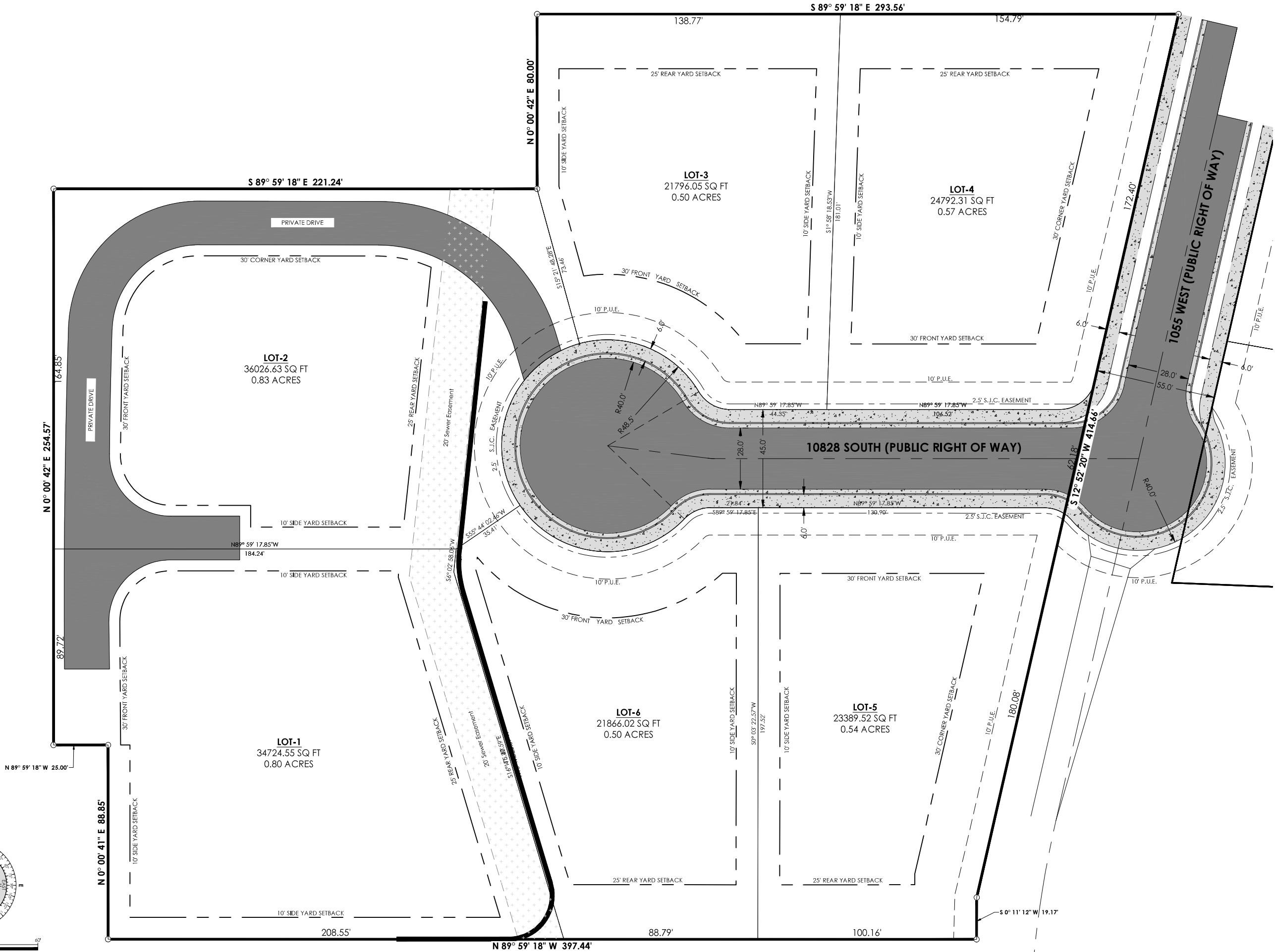
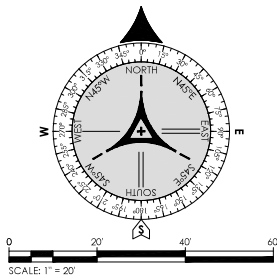
Current Zoning of Subject Properties

Item H.1.



Current Future Land Use Map





REV	DATE	COMMENT
A	OCT 13, 2022	1st Submittal

SCALE CONSULTANTS, P.C.
RIVERVIEW, UTAH 84096
(801) 664-6624

Item H.1.

LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	Hatch Subdivision	10828 S 1055 W
----------------------------	-------------------	----------------

Planner Assigned	Andrew McDonald
Engineer Assigned	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

Transportation: *(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)*

The subject property will be accessed from 1055 West. The development will be required to install public right of way improvements along the portion of 1055 West that borders the project, and dedicate the necessary right of way. The project is proposed to have a public street and cul-de-sac, providing frontage for 4 of the proposed lots. The remaining two lots will be accessed from a private drive extending off the end of the cul-de-sac.

Culinary Water: *(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)*

There is an existing City owned 6" water main in 1055 West. Fire hydrants will be required on site as per City standards. A water model will be required as part of the preliminary subdivision submittals.

Secondary Water: *(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)*

There does not appear to be a City owned secondary water system adjacent to the project. An engineer's cost estimate will be required during the preliminary subdivision review to determine if it's feasible per City code for the new development to provide a functioning secondary water system.

Sanitary Sewer: *(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be serviced by the District)*

There is a sewer main line running north and south on the west side of the subdivision that may be able to service the upper two, west most lots. A new sewer main may be required in 1055 West and within the project to provide service to the rest of the lots. Sewer main design and connection requirements will be determined by the South Valley Sewer District.


Storm Drainage: *(How will this area be serviced for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)*


In order to comply with State and City guidelines, the proposed development must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80th percentile rainfall event. For storm events greater than the 80th percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There is not an existing public storm drain system in 1055 West.


Other Items: *(Any other items that might be of concern)*

Report Approved:


Development Engineer


Date


Brad Klavano, PE, PLS
Director of Engineering Services/City Engineer


Date

Project Analysis

Project: Hatch Subdivision

December 7, 2022

Scenario Descriptions

Scenario 1: No Change - R-1.8

No Change - Residential R-1.8 (2.15 acres), Agriculture A-1 (0.8 acres), Agriculture A-5 (2.47 acres)

Financial Summary by Scenario

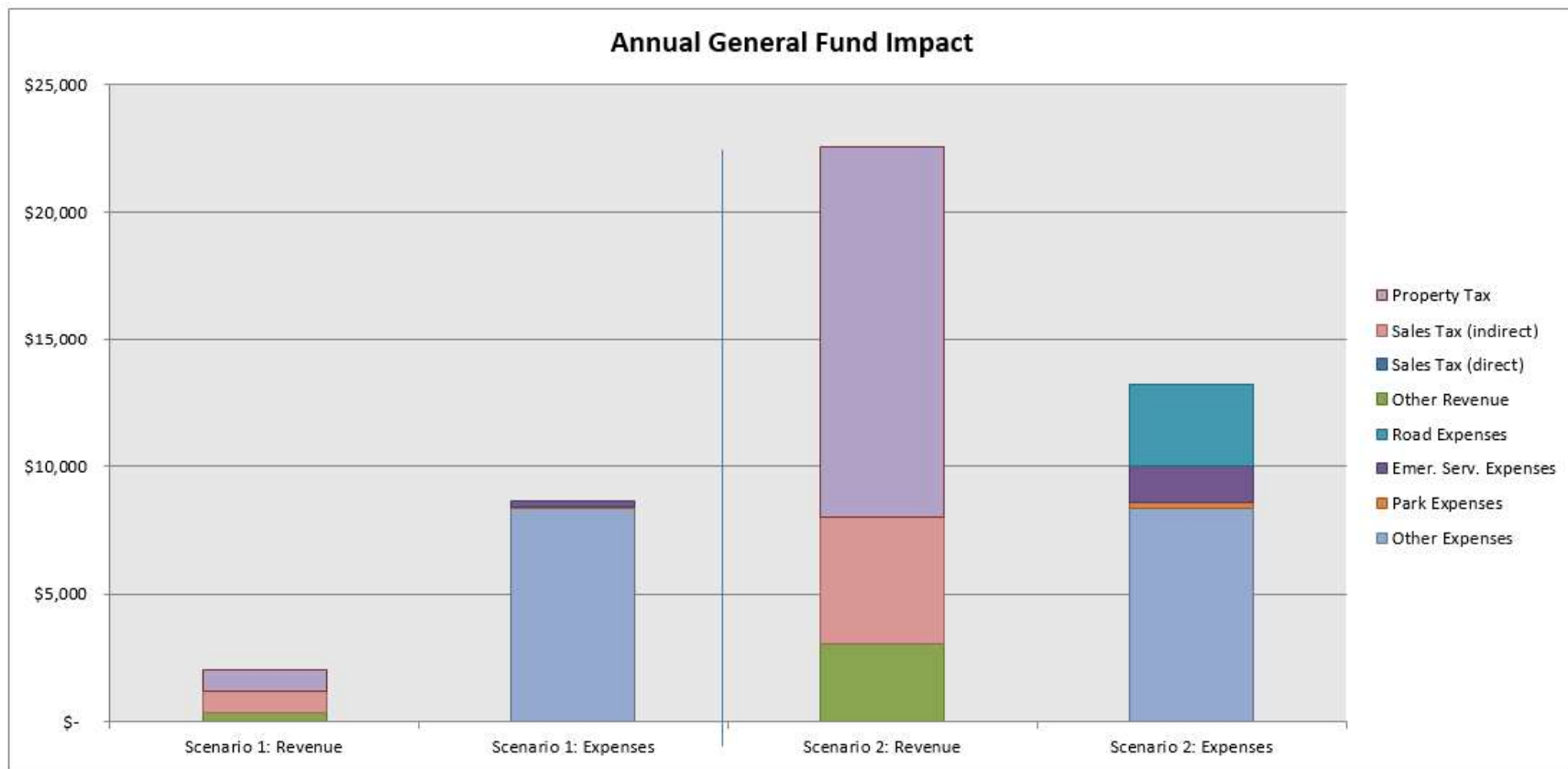
Scenario 1: No Change - R-1.8	Direct Impact (General Fund)	No Change - R-	
		1.8	R-1.8
	Revenue	\$ 1,257	\$ 17,601
	Property Tax	\$ 900	\$ 14,505
	Sales Tax (direct)	\$ -	\$ -
	Other	\$ 357	\$ 3,096
Scenario 2: R-1.8	Expenses	\$ 8,653	\$ 13,241
	Roads	\$ -	\$ 3,232
	Emergency Serv.	\$ 230	\$ 1,382
	Parks	\$ 41	\$ 247
	Other	\$ -	\$ -
	Total	\$ (7,396)	\$ 4,360
	Per Acre	\$ (1,782.24)	\$ 1,050.76
	Per Unit	\$ (7,396.28)	\$ 726.69
	Per Person	\$ (2,096.03)	\$ 205.94

Indirect Impact

Potential Retail Sales	\$ 81,383	\$ 488,296
Sales Tax (indirect)	\$ 827	\$ 4,960

*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

** Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.



RESOLUTION R2023-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM ECONOMIC INFILL OPPORTUNITY (EIO) TO STABLE NEIGHBORHOOD (SN) ON PROPERTY LOCATED AT 10827 S. 1055 W.; DEVON HATCH (APPLICANT).

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Future Land Use Plan Map of the General Plan of the City of South Jordan (“Land Use Map”); and

WHEREAS, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on property located at 10827 S. 1055 W. from Economic Infill Opportunity to Stable Neighborhood ; and

WHEREAS, the South Jordan Planning Commission reviewed Applicant’s proposed amendment and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed amendment; and

WHEREAS, the City Council finds that amending the Land Use Map as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. The land use designation of the Land Use Map of a portion of property described in Application PLZBA202200217, filed by Devan Hatch, which is located at 10827 S. 1055 W. in the City of South Jordan, Utah, is hereby changed from Economic Infill Opportunity to Stable Neighborhood as shown in **Exhibit A**.

SECTION 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,
ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason T. McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen

Gregory M. Simonsen (Jan 25, 2023 13:28 MST)

Office of the City Attorney

EXHIBIT A

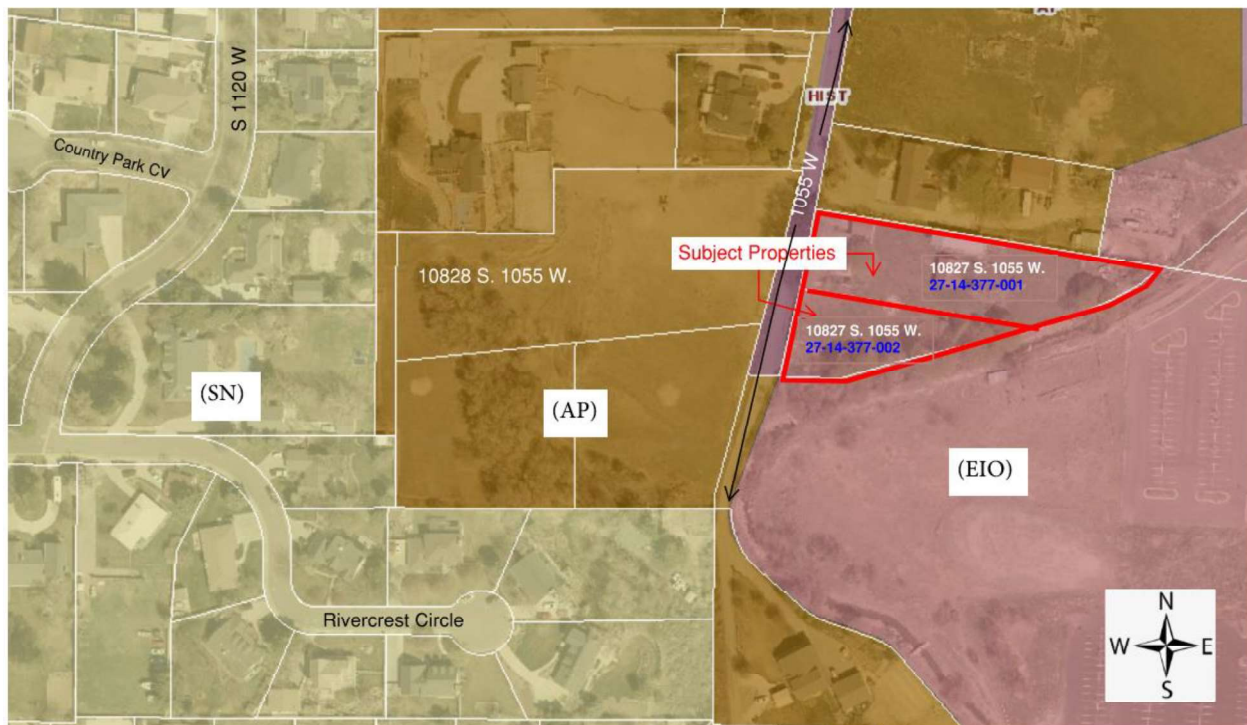
(Property Description)

PARCEL NUMBER: 27-14-377-001

BEG S 12 CHS & E 74 CHS & W 37.5 CHS & N 39;30' W 2.3 CHS & N 75; W 1.5 CHS & N 43; W 2.55 CHS & N 11;30' E 6 CHS FR NW COR OF S 1/2 OF SW 1/4, SEC 14, T3S, R1W, SLM; S 11;30' W 100 FT; S 80;40' E 350 FT; N 71;10'42" E 37.34 FT; N 67;45'39" E 60.96 FT; N 61;21'55" E 37.29 FT; N 51;33'35" E 37.85 FT; NW'LY TO BEG. 0.80 AC. 2199-144 8794-2809

PARCEL NUMBER: 27-14-377-002

COM 2216.77 FT E & 1570.83 FT S FR W 1/4 COR SEC 14 T 3S R 1W SL MER S 12^30' W 114.25 FT S 87^45'25" E 70.75 FT TO W FENCE LINE OF BECKSTEAD DITCH N 73^20'10" E 72.7 FT N 76^30'E 180.48 FT N 80^00' W 295.6 FT TO BEG 0.47 AC. 2760-0070 4463-0543

Location Map of Subject Property

ORDINANCE NO. 2023-02-Z**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10828 S. 1055 W. AND 10827 S. 1055 W. FROM THE A-1, A-5, AND P-O ZONES TO THE R-1.8 ZONE.**

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Zoning Ordinance of the City of South Jordan (Title 17 of the City Code) with the accompanying Zoning Map; and

WHEREAS, the Applicant, Devan Hatch, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached Exhibit A; and

WHEREAS, the South Jordan Planning Commission reviewed the proposed rezoning and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed rezoning; and

WHEREAS, the City Council finds that the rezoning will enhance the public health, safety and welfare and promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Rezone. The property described in Application PLZBA202200217 located in the City of South Jordan, Utah is hereby reclassified from the A-1, A-5, and P-O Zones to R-1.8 on property described in the attached **Exhibit A**.

SECTION 2. Filing of Zoning Map. The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

SECTION 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M. Simonsen

Gregory M. Simonsen (Jan 25, 2023 13:28 MST)

Office of the City Attorney

EXHIBIT A

(Property Description)

A-5 Zone to R-1.8 Zone**PARCEL NUMBER: 27-14-376-008**

BEG S 1501.88 FT & E 1786 FT FR W 1/4 COR SEC 14, T 3S, R 1WS L M; E 195.5 FT; N 80 FT; E 309.5 FT; S 14°59'22" W 198.05 FT; S 83°52'33" W 456.38 FT; N 160 FT TO BEG. 2.0 AC M OR L.5316-0001

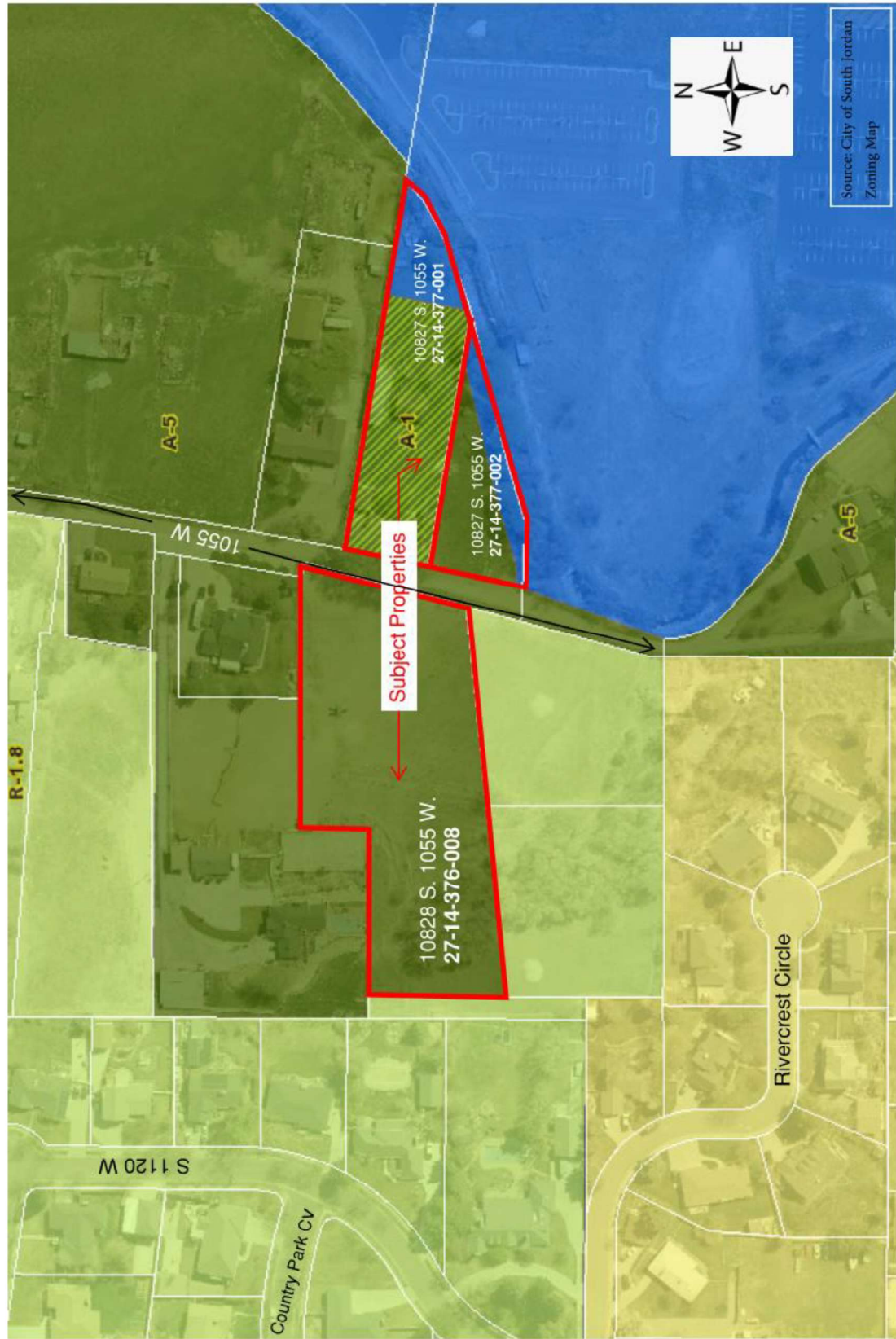
A-1, A-5, P-O to R-1.8 Zone**PARCEL NUMBER: 27-14-377-001**

BEG S 12 CHS & E 74 CHS & W 37.5 CHS & N 39°30' W 2.3 CHS & N 75° W 1.5 CHS & N 43° W 2.55 CHS & N 11°30' E 6 CHS FR NW COR OF S 1/2 OF SW 1/4, SEC 14, T3S, R1W, SLM;
S 11°30' W 100 FT; S 80°40' E 350 FT; N 71°10'42" E 37.34 FT; N 67°45'39" E 60.96 FT; N 61°21'55" E 37.29 FT; N 51°33'35" E 37.85 FT; NW'LY TO BEG. 0.80 AC. 2199-144 8794-2809

PARCEL NUMBER: 27-14-377-002

COM 2216.77 FT E & 1570.83 FT S FR W 1/4 COR SEC 14 T 3S R 1W SL MER S 12°30' W 114.25 FT S 87°45'25" E 70.75 FT TO W FENCE LINE OF BECKSTEAD DITCH N 73°20'10" E 72.7 FT N 76°30' E 180.48 FT N 80°00' W 295.6 FT TO BEG 0.47 AC. 2760-0070 4463-0543

Location Map of Subject Property

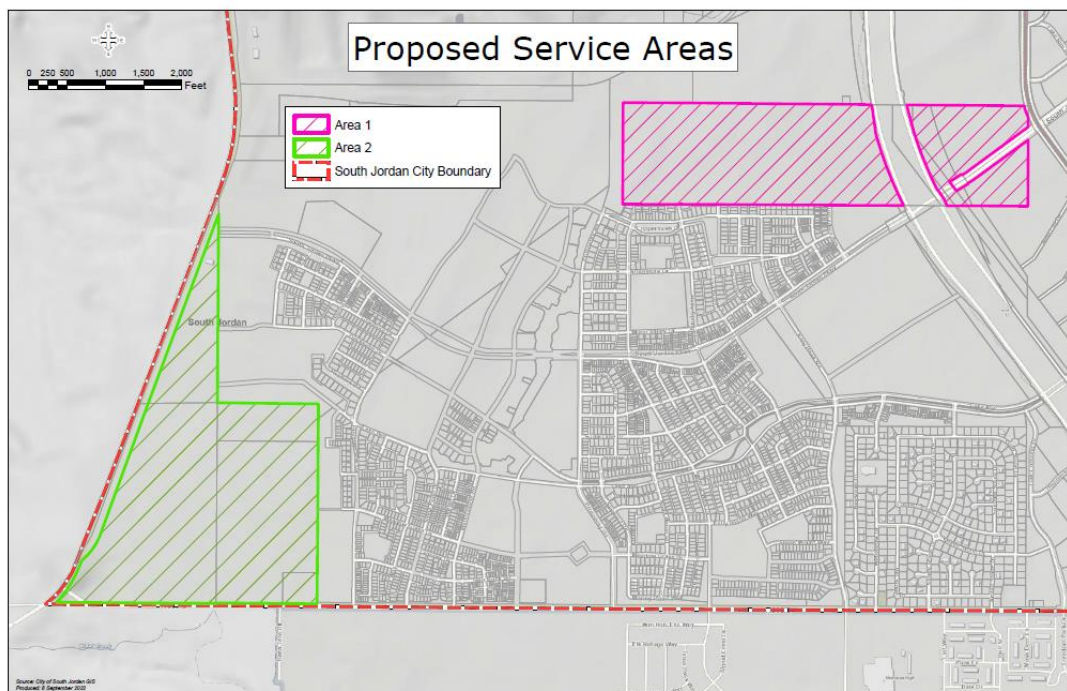


January 27, 2023

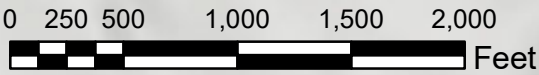
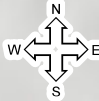
NOTICE OF INTENT TO ENACT OR MODIFY THE WATER & TRANSPORTATION IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA)

South Jordan City, located in Salt Lake County, Utah serving development within the City's current municipal boundaries, intends to enact or modify its Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) related to water and transportation services in two (2) specific areas: Area 1 - Last Hold Out (Ordinance 2023-02) and Area 2 - Lark Meadows (Ordinance 2023-03) see service areas map below.

Notice is hereby given of a Public Hearing at 6:30pm on Tuesday, February 7, 2023 at South Jordan City Council Chambers (1600 W Towne Center Dr. South Jordan, UT 84095). The City invites the public to attend the hearing and provide any comments related to the referenced documents. The draft documents are also available for review at both South Jordan libraries (South Jordan Library, 10673 S Redwood Rd and Daybreak Library, 11358 Grandville Ave) and on the City's website at <https://ut-southjordan.civicplus.com/500/Public-Notices>



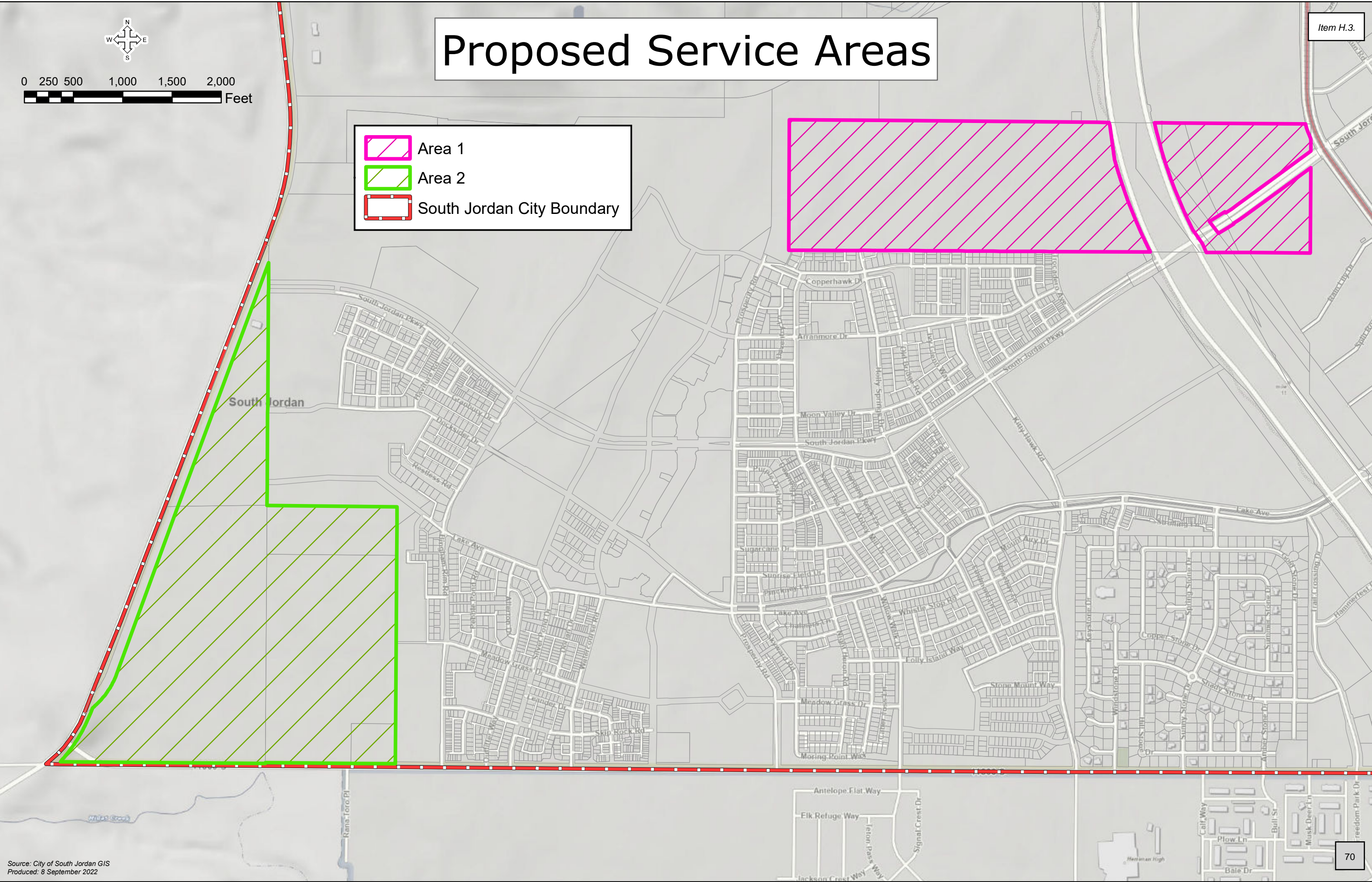
Proposed Service Areas



Area 1

Area 2

South Jordan City Boundary



ORDINANCE NO. 2023 - 02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING AN AMENDED AND UPDATED IMPACT FEE FOR WATER AND TRANSPORTATION WITHIN THE “LAST HOLD OUT” PROPERTIES; ESTABLISHING CERTAIN POLICIES RELATED TO IMPACT FEES FOR WATER AND TRANSPORTATION FACILITIES; ESTABLISHING SERVICE AREA; AND/OR OTHER RELATED MATTERS.

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

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

WHEREAS, the City has historically assessed Impact Fees as a condition precedent to development approval in order to assign capital infrastructure costs to development in an equitable and proportionate manner; and

WHEREAS, the City has traditionally provided a high level of service in its water and transportation infrastructure, which has been a factor in the City’s growth, and high property values due to the unique aesthetics which City residents enjoy; and

WHEREAS, the City has entered into a Master Development Agreement to develop the Daybreak subdivision.

WHEREAS, the developer has agreed to pay for and construct certain infrastructure, including water and transportation in lieu of collecting impact fees.

WHEREAS, the City desires to identify and assess the proportionate share of water and transportation infrastructure which has or will be constructed and dedicated to the City to service the area known as “Last Hold Out” property (see service area map – Area 1); and

WHEREAS, in the exercise of its legislative discretion the City Council desires to take a conservative approach in preparing the Impact Fee Facilities Plan (“IFFP”) and Impact Fee Analysis (“IFA”) and in the assessment of an impact fee which may be less than might otherwise be justified by the IFA and IFFP in order to promote economic development, expand the tax base, allow for more job creation, and respond to current economic realities; and

WHEREAS, the City properly noticed its intent to prepare the IFFP and IFA on September 9, 2022 and the City held the required hearing on February 7, 2023; and

WHEREAS, the City has completed a water and transportation IFFP and IFA which meets the requirements of State Law and City Ordinance; and

WHEREAS, the City Council has directed Lewis Young Robertson & Burningham, Inc. (“Consultants”) to prepare a Written Impact Fee Analysis including the Executive Summary of the Impact Fee Analysis consistent and in compliance with the Act specifically 11-36a-303; and

WHEREAS, the City and Consultants retained by the City have reviewed and evaluated the land within the City boundaries and have determined there shall be one service area; and

WHEREAS, the South Jordan City Council has reviewed the water and transportation IFFP and IFA, and find it in the best interest of the welfare of the residents of the City to adopt the water and transportation IFFP and IFA and enact a new water and transportation Impact Fee based on the IFFP and IFA.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Purpose.

This Impact Fee Ordinance establishes the City’s water and transportation Impact Fee policies and procedures and repeals certain provisions of prior ordinances related to water and transportation Impact Fees and conforms to the requirements of the Utah Impact Fees Act (§ 11-36a, the Act). This Ordinance repeals any prior ordinances related to water and transportation facilities within the Service Area, provides a schedule of Impact Fees for differing types of land-use development, and sets forth direction for challenging, modifying and appealing Impact Fees.

SECTION 2. Definitions.

Words and phrases that are defined in the Act shall have the same definition in this Impact Fee Ordinance. The following words and phrases shall have the following meanings:

1. “City” means a political subdivision of the State of Utah and is referred to herein as City of South Jordan.
2. “Development Activity” means any construction or expansion of building, structure or use, any change in use of building or structure, or any change in the use of land located within the Service Area that creates additional demand and need for water and transportation Facilities.
3. “Development Approval” means any written authorization from the City that authorizes the commencement of Development Activity and vests the property owner with the right to commence Development Activity, whether or not a specific building permit has been issued.

4. “Impact Fee” means a payment of money imposed upon Development Activity as a condition of development approval. “Impact Fee” includes development Impact Fees, but is not a tax, a special assessment, a hookup fee, a building permit fee, a fee for project improvements, or other reasonable permit or application fees.
5. “Impact Fee Analysis” or (“IFA”) means the written analysis required by Section 11-36a-201 of the Act and is included in this ordinance by this reference and attached in Exhibit A.
6. “Impact Fee Facilities Plan” or (“IFFP”) means the plan required by Section 11-36a-301 of the Act. In Section 11-36a-301 (3) (a) there is an exception for cities of 5,000 or less in population, based on the latest census. “The City of South caused to be prepared an Impact Fee Facilities Plan in accordance with the Impact Fees Act. The IFFP is to be adopted by passage of this Ordinance, and is included by this reference and attached hereto in Exhibit A.”
7. “Project Improvements” includes but is not limited to site improvements and facilities that are planned and designed to provide service for development resulting from a Development Activity and are necessary solely for the use and convenience of the occupants or users of said Development Activity. “Project Improvements” do not include “System Improvements” as defined below.
8. “Proportionate Share” of the cost of water and transportation Facility improvements means an amount that is roughly proportionate and reasonably related to the service demands and needs of a Development Activity.
9. “Public Safety Facilities” means a police facility, fire facility, and/or fire apparatus valued at five hundred thousand dollars (\$500,000) or greater.
10. “Service Area” refers to a geographic area designated by the City based on sound planning and engineering principles in which a defined set of the City’s water and transportation Facilities provides service. For purposes of this Ordinance, there will be one service area. A map of the Service Area is included in Exhibit A attached hereto.
11. “System Improvements” refer both to existing water and transportation Facilities designed to provide services within the Service Areas and to future water and transportation Facilities identified in the water and transportation IFFP adopted by the City that are intended to provide service to the Service Area. “System Improvements” do not include “Project Improvements” as defined above.

SECTION 3. Written Impact Fee Analysis.

1. Executive Summary. A summary of the findings of the written impact fee analysis that is designed to be understood by a lay person is included in the water and

transportation IFFP and IFA and demonstrates the need for Impact Fees to be assessed on Development Activity. The Executive Summary has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance.

2. Impact Fee Analysis. The City has commissioned the IFFP and IFA for the water and transportation Impact Fees which identifies the impacts upon water and transportation Facilities required by the Development Activity, demonstrates how those impact the City and the facilities required by Development Activity, demonstrates how those impacts on System Improvements are reasonably related to Development Activity, estimates the proportionate share of the costs of impacts on System Improvements that are reasonably related to the Development Activity and identifies how the Impact Fees are calculated. A copy of the water and transportation IFFP and IFA has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance.
3. Proportionate Share Analysis. In connection with the IFFP and IFA, the City has prepared a Proportionate Share analysis which analyzes whether or not the proportionate share of the costs of future water and transportation Facilities is reasonably related to new Development Activity. The Proportionate Share analysis identifies the costs of existing water and transportation Facilities, the manner of financing existing water and transportation Facilities, the relative extent to which new development will contribute to the cost of existing facilities and the extent to which new development is entitled to a credit for payment towards the costs of new facilities from general taxation or other means apart from user charges in other parts of the City. A copy of the Proportionate Share analysis is included in the written water and transportation Impact Fee Analysis and has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance (See Exhibit A attached).

SECTION 4. Impact Fee Calculations.

1. Ordinance Enacting Impact Fees. The City Council does, by this Ordinance, approve Impact Fees in accordance with the water and transportation IFFP and IFA.
 - a. Elements. In calculating the Impact Fee, the City has included the construction costs, land acquisition costs, costs of improvements, fees for planning, surveying, and engineering services provided for and directly related to the construction of System Improvements, and outstanding or future debt service charges if the City might use Impact Fees as a revenue stream to pay principal and interest on bonds or other obligations to finance the cost of System Improvements.
 - b. Notice and Hearing. In conjunction with the approval of this, the City held a public hearing on February 7, 2023, and made a copy of the Ordinance available to the public in the two (2) South Jordan City Libraries, at least

ten (10) days before the date of the hearing, all in conformity with the requirements of Utah Code Annotated 11-36a-502 (1). After the public hearing, the Council adopted this Impact Fee Ordinance as presented herein.

- c. Contents of the Ordinance. The Ordinance adopting or modifying an Impact Fee contains such detail and elements as deemed appropriate by the Council, including a designation of the Service Area within which the Impact Fees are to be calculated and imposed. The South Jordan Service Area is the only service area, with a map defining its boundaries included in the water and transportation IFFP and IFA. The Ordinance herein includes (i) a schedule of Impact Fees to be imposed for water and transportation and (ii) the formula to be used by the City in calculating the Impact Fee.
 - d. Adjustments. The standard Impact Fee may be adjusted at the time the fee is assessed:
 - i. in response to unusual circumstances in specific cases;
 - ii. in response to 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;
 - iii. to ensure that the impact fees are imposed fairly; or
 - iv. to a particular development should the developer supply sufficient studies and data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.
 - e. Previously Incurred Costs. To the extent that new growth and Development Activity will be served by previously constructed improvements, the City's Impact Fees may include water and transportation Facility costs and outstanding bond costs related to the water and transportation improvements previously incurred by the City. These costs may include all projects included in the Impact Fee Facilities Plan which are under construction or completed but have not been utilized to their capacity, as evidenced by outstanding debt obligations. Any future debt obligations determined to be necessitated by growth activity may also be included to offset the costs of future capital projects.
2. Developer Credits. Development Activity may be allowed a credit against Impact Fees for any dedication or improvement to land or new construction of System Improvements provided by the Development Activity provided that the Development Activity is (i) identified in the City's Impact Fee Facilities Plans and

(ii) required by the City as a condition of Development Approval. Otherwise, no credit may be given.

3. Impact Fees Accounting. The City will establish a separate interest-bearing ledger account for the Impact Fees collected pursuant to this Ordinance and will conform to the accounting requirements provided in the Impact Fees Act. All interest earned on the collection of water and transportation Impact Fees shall accrue to the benefit of the segregated account. Impact Fees collected prior to the effective date of this Ordinance need not meet the requirements of this section.
 - a. Reporting. At the end of each fiscal year, the City shall prepare a report pursuant to Utah Code Ann, 11-36a-601.
 - b. Impact Fee Expenditures. The City may expend Impact Fees pursuant to Utah Code Ann. § 11-36-602 the Impact Fees Policy only for System Improvements that are (i) water and transportation Facilities identified in the City's Impact Fee Facilities Plans and (ii) of the specific water and transportation Facility type for which the fee was collected. Impact Fees will be expended on a First-In First-Out ("FIFO") basis.
 - c. Time of Expenditure. Impact fees collected pursuant to the requirements of this Impact Fees Ordinance are to be expended, dedicated or encumbered for a permissible use within six years of the receipt of those funds by the City, unless the City meets other conditions outlined in the Act. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.
 - d. Refunds. The City shall refund any Impact Fees paid by a developer plus interest actually earned when (i) the developer does not proceed with the Development Activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund from the City may include any impact reasonably identified by the City, including, but not limited to, the City having sized facilities and/or paid for, installed and/or caused the installation of facilities based in whole or in part upon the developer's planned Development Activity even though that capacity may, at some future time, be utilized by another development.
4. Additional Fees and Costs. The Impact Fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City and other fees and costs that may not be included as itemized component parts of the Impact Fee Schedule. In charging any such fees as a condition of development approval, the City recognizes that the fees must be a reasonable charge for the service provided.

5. Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the Impact Fee shall be determined from the fee schedule in effect at the time of Development Approval and paid in accordance with the provisions of Section 6 below.
6. Imposition of Additional Fee or Refund After Development. Should any developer undertake Development Activities such that the ultimate density or other impact of the Development Activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or the Impact Fee is not initially charged against all units or the total density within the development, the City shall be entitled to recover the total Impact Fee pursuant the IFFP and IFA from the developer or other appropriate person covering the density for which an Impact Fee was not previously paid.

SECTION 5. Impact Fee Facilities Plan.

1. Impact Fee Facilities Plan. The City has developed a water and transportation IFFP for the City's water and transportation system. The water and transportation IFFP has been prepared based on reasonable growth assumptions for the Service Area, and analyzes the general demand characteristics of current and future users of the system. Furthermore, the IFFP identifies the impact on System Improvements created by Development Activity and estimates the Proportionate Share of the costs of impacts on System Improvements that are reasonably related to new Development Activity.

SECTION 6. Impact Fee Schedules and Formulas.

1. Fee Adoption. The City hereby adopts as the Impact Fee per unit for water and transportation as found in the South Jordan water and transportation IFFP & IFA and detailed below.

RECOMMENDED WATER AND TRANSPORTATION IMPACT FEE SCHEDULE (SEE IFFP & IFA)

- Transportation Impact Fee: (See Table 1.1 & 1.2)
 - Water Impact Fee: (See Table 1.3)
2. Maximum Supportable Impact Fees. The fee schedule included in the water and transportation IFFP and IFA indicates the maximum Impact Fees which the City may impose on development within the defined Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The City reserves the right under the Impact Fees Act (Utah Code § 11-36a-402(1)(c)) to assess an adjusted fee to respond to unusual circumstances to

ensure that fees are equitably assessed. The City may also decrease the Impact Fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36a-402(1)(d)).

SECTION 7. Fee Exceptions and Waivers.

1. Waiver for “Public Purpose”. The City Council may, on a project by project basis, authorize exceptions or waivers to the Impact Fees due from development for those projects the Council determines to be of such benefit to the community as a whole to justify the exception or adjustment. Such projects may include facilities being funded by tax-supported agencies, affordable housing projects, or facilities of a temporary nature. The City Council may elect to waive or adjust Impact Fees in consideration of economic benefits to be received from the Development Activity.
 - a. Procedures. Applications for exceptions are to be filed with the City at the time the developer first requests the extension of service to the respective development or property.

SECTION 8. Appeal Procedure.

1. Any person or entity that has paid an Impact Fee pursuant to this Ordinance may challenge the Impact Fee by filing:
 - a. An appeal to the City pursuant to South Jordan Municipal Code § 16.32.090. If no decision is issued pursuant to South Jordan Municipal Code §16.32.090 within 30 days of a timely filed appeal the appeal will be deemed denied.
 - b. A request for arbitration as provided in Utah Code Ann. § 11-36a-705 as amended; or
 - c. An action in district court.

SECTION 9. Severability. If any section, subsection, paragraph, clause or phrase of this Impact Fee Policy shall be declared invalid for any reason, such decision shall not affect the remaining portions of this Impact Fee Policy, which shall remain in full force and effect, and for this purpose, the provisions of this Impact Fee Ordinance are declared to be severable.

SECTION 10 Interpretation. This Impact Fee Ordinance has been divided into sections, subsections, paragraphs and clauses for convenience only and the interpretation of this Impact Fee Ordinance shall not be affected by such division or by any heading contained herein.

SECTION 11. Effective Date. This Impact Fee Ordinance shall become effective 90 days after the day which this Impact Fee Ordinance is passed and adopted by the South Jordan City Council. Except as otherwise specifically provided herein and according to law, this Impact Fee Ordinance shall not repeal, modify or affect any Impact Fee of the City in existence as of the effective date of this Ordinance, other than those expressly referenced in Section 1 above. All Impact Fees established, including amendments and modifications to previously existing Impact Fees, after the effective date of this Ordinance shall comply with the requirements of this Impact Fee Ordinance.

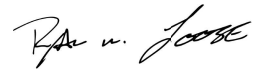
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney

Exhibit A

“Last Hold Out”

Impact Fee Facilities Plan & Impact Fee Analysis

IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA) PURSUANT TO 11-36A, UTAH CODE

SERVICE AREA 1 - LAST HOLDOUT PROPERTIES

JANUARY 2023

SOUTH JORDAN CITY, UTAH



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IMPACT FEE FACILITIES PLAN & ANALYSIS CERTIFICATION

IFFP CERTIFICATION

LYRB certifies that the attached impact fee facilities plan:

1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the 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.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

IFA CERTIFICATION

LYRB certifies that the attached impact fee analysis:

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

LYRB makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City Staff and elected officials.
2. If all or a portion of the IFFP or IFA are modified or amended, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.



DEFINITIONS

The following acronyms or abbreviations are used in this document:

AAGR:	Average Annual Growth Rate
AF:	Acre Foot
DU:	Dwelling Unit
ERC:	Equivalent Residential Connection
FAR:	Floor Area Ratio
GAL:	Gallons
GPM:	Gallons per Minute
GPD:	Gallons per Day
HAL:	Hansen Allen Luce
IFA:	Impact Fee Analysis
IFFP:	Impact Fee Facilities Plan
LOS:	Level of Service
LYRB:	Lewis Young Robertson and Burningham, Inc.
MG:	Million Gallons
SF:	Square Feet
WCG:	Wall Consulting Group

SECTION 1: EXECUTIVE SUMMARY

This analysis considers the impact fee calculations for Service Area 1 – Last Hold Out. This report is supported by two analyses completed by Hansen Allen Luce (“HAL”) and Wall Consulting Group (“WCG”) to ascertain the impacts of development on existing and proposed infrastructure. The analysis is included as:

- Appendix A: HAL Cost Apportionment Memo (Last Hold Out)
- Appendix B: WCG South Jordan Parkway Buy-In Fee Analysis Memo (Last Hold Out)

The information from these analyses is used to support the IFFP and IFA findings. The following summarizes the elements of this analysis.

- ☞ **Impact Fee Service Area:** This analysis considers the impact fee calculations for Service Area 1 – Last Hold Out.
- ☞ **Demand Analysis:** The demand units utilized in this analysis are trips and equivalent residential connections (“ERCs”) from the specific service areas.
- ☞ **Level of Service:** For this analysis a LOS D is the maximum acceptable delay/congestion for both roadways and intersections. The LOS for water is based on the various system requirements for source, storage, and transmission. **SECTION 3** of this report further explains the LOS.
- ☞ **Excess Capacity:** A buy-in component for transportation infrastructure is contemplated for Service Area 1.
- ☞ **Capital Facilities Analysis:** Service Area 1 includes future water infrastructure totaling \$6,199,919, of which \$934,036 as attributed to Service Area 1.
- ☞ **Funding of Future Facilities:** This analysis assumes future growth-related facilities will be funded on a pay-as-you-go basis, utilizing impact fee and utility fee revenues.

PROPOSED IMPACT FEE

The IFFP must meet the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and LOS. The table below illustrates the appropriate buy-in fee, the fee associated with projects occurring in the next ten years, and other costs related to the water impact fee. The proportionate share analysis determines the proportionate cost assignable to new development based on the proposed capital projects and the estimated ERC demand served by the proposed projects.

SERVICE AREA 1 – LAST HOLD OUT TRANSPORTATION IMPACT FEE

Service Area 1 includes a buy-in fee for transportation as shown below, based on a total cost per trip-end. In addition, the professional expense of \$14,972 related to completing the capital facility analysis and impact fee analysis is also included.

TABLE 1.1: ALLOCATED COST PER TRIP

	TOTAL QUALIFIED COST	% OF TOTAL QUALIFIED COST	COST TO SERVICE AREA	NEW TRIP ENDS	COST PER TRIP END	PROFESSIONAL EXPENSE	TOTAL
School District Property	\$35,659,271	5.93%	\$2,113,455	11,221	\$188.35	\$0.96	\$189.31
Bastian East Property	\$35,659,271	4.76%	\$1,699,056	4,395	\$386.55	\$0.96	\$387.51

The cost per trip is then applied to the trip statistics for each type of land use, as shown below in order to derive the impact fee for various types of land uses.

TABLE 1.2: RECOMMENDED IMPACT FEE BASED ON LAND-USE TYPE

LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	SCHOOL DISTRICT PROPERTY	BASTIAN PROPERTY
Single Family Residential	210	Unit	9.43	0%	0.5	4.72	\$892.61	\$1,827.13
Multi-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37	\$637.98	\$1,305.92
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27	\$429.74	\$879.66
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16	\$407.97	\$835.09
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62	\$306.69	\$627.77



LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	SCHOOL DISTRICT PROPERTY	BASTIAN PROPERTY
Assisted Living	254	Beds	2.6	0%	0.5	1.30	\$246.11	\$503.77
Hotel	310	Rooms	7.99	0%	0.5	4.00	\$756.30	\$1,548.12
Light Industrial	110	KSF	4.87	0%	0.5	2.44	\$460.98	\$943.60
Industrial Park	130	KSF	3.37	0%	0.5	1.69	\$318.99	\$652.96
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73	\$137.25	\$280.95
Elementary School	520	Students	2.27	0%	0.5	1.14	\$214.87	\$439.83
Middle/Jr. High School	522	Students	2.1	0%	0.5	1.05	\$198.78	\$406.89
High School	525	Students	1.94	0%	0.5	0.97	\$183.63	\$375.89
Daycare Center	565	KSF	47.62	0%	0.5	23.81	\$4,507.53	\$9,226.70
Nursing Home	620	KSF	6.75	0%	0.5	3.38	\$638.93	\$1,307.86
Clinic	630	KSF	37.6	0%	0.5	18.80	\$3,559.08	\$7,285.25
Church	560	KSF	7.6	0%	0.5	3.80	\$719.39	\$1,472.55
General Office	710	KSF	10.84	0%	0.5	5.42	\$1,026.07	\$2,100.32
Medical Dental Office	720	KSF	36	0%	0.5	18.00	\$3,407.63	\$6,975.24
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96	\$3,777.81	\$7,732.99
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99	\$565.27	\$1,157.08
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14	\$2,487.29	\$5,091.37
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99	\$2,837.62	\$5,808.46
New Car Sales	840	KSF	27.84	0%	0.5	13.92	\$2,635.23	\$5,394.19
Tire Store	848	KSF	27.69	25%	0.5	10.38	\$1,965.77	\$4,023.84
Supermarket	850	KSF	93.84	24%	0.5	35.66	\$6,750.73	\$13,818.42
Discount Club	857	KSF	42.46	34%	0.5	14.01	\$2,652.61	\$5,429.76
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91	\$1,687.65	\$3,454.53
Department Store	875	KSF	22.88	0%	0.5	11.44	\$2,165.74	\$4,433.15
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.4	49%	0.5	27.64	\$5,232.98	\$10,711.65
Drive In Bank	912	KSF	100.35	35%	0.5	32.61	\$6,174.19	\$12,638.27
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48	\$4,444.15	\$9,096.96
High Turnover/Sit Down Restaurant	932	KSF	107.2	43%	0.5	30.55	\$5,783.88	\$11,839.31
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18	\$19,912.46	\$40,759.83
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13	\$212.98	\$435.95
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55	\$16,575.02	\$33,928.26

Source: South Jordan Parkway Buy-In Fee Analysis, Table 4, LYRB

NON-STANDARD IMPACT FEES

The proposed Buy-In Fees are based on projected trip ends generated by potential land uses. If the City determines to assess a non-standard Buy-In Fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

School District Property: Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$189.31) = Impact Fee

Bastian Property: Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$387.51) = Impact Fee

WATER IMPACT FEE

Service Area 1 also includes a new facilities fee for water as shown below, based on a total cost per ERC. In addition, the professional expense of \$11,842 related to completing the capital facility analysis and impact fee analysis is also included. The result is a cost of \$931.90 per ERC.



TABLE 1.3: ALLOCATION OF COST PER ERC AND PROPOSED IMPACT FEE

	Total Cost	% Eligible Cost	Total Eligible Value	% to IFA Demand	Cost to IFA	ERCs Served	Cost Per ERC	% of Total
New Facilities	\$6,199,919	15%	\$934,036	100%	\$934,036	1,015	\$920.23	99%
Professional Expense	\$11,842	100%	\$11,842	100.00%	\$11,842	1,015	\$11.67	1%
Total	\$6,211,761		\$945,878		\$945,878		\$931.90	100%

NON-STANDARD IMPACT FEES

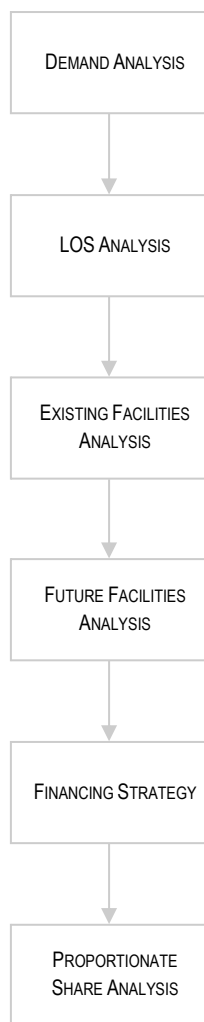
The proposed fee is based on projected costs and demand. If the City determines to assess a non-standard that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Estimate of ERCs x Cost Per ERC (\$931.90) = Impact Fee

SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFA¹. The sections of this report identify the demands placed upon the City's existing facilities by future development and evaluate how these demands will be met by the City, as well as the future improvements required to maintain the existing LOS. The purpose is to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. The following elements are important considerations when completing an IFA.

DEMAND ANALYSIS

The demand analysis serves as the foundation for this analysis. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact system facilities.

LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing LOS. Through the inventory of existing facilities, combined with population growth assumptions, this analysis identifies the LOS which is provided to a community's existing residents and ensures that future facilities maintain these standards.

EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the IFFP provides an inventory of the City's existing system improvements. The inventory does not include project improvements. The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development. Any excess capacity identified within existing facilities can be apportioned to future new development.

FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the LOS. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

FINANCING STRATEGY

This analysis must also include a consideration of all revenue sources, including impact fees, debt issuance, alternative funding sources, and the dedication (aka donations) of system improvements, which may be used to finance system improvements.² In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.³

PROPORTIONATE SHARE ANALYSIS

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future (UCA 11-36a-302).

¹ UC 11-36a-301,302,303,304

² UC 11-36a-302(2)

³ UC 11-36a-302(3)



SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities designed and intended to provide services to service areas within the community at large.⁴ Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.⁵ References to facilities, amenities, projects, etc. within this analysis are referring to System Improvements unless otherwise stated.

⁴ UC 11-36a-102(20)

⁵ UC 11-36a102(13)

SECTION 3: OVERVIEW OF SERVICE AREA, DEMAND, AND LOS

This report is supported by two analyses completed by HAL and WCG to ascertain the impacts of development on existing and proposed infrastructure. The analysis is included as:

- Appendix A: HAL Cost Apportionment Memo (Last Hold Out)
- Appendix B: WCG South Jordan Parkway Buy-In Fee Analysis Memo (Last Hold Out)

The information from these analyses is used to support the IFFP and IFA findings.

SERVICE AREA 1 - LAST HOLD OUT

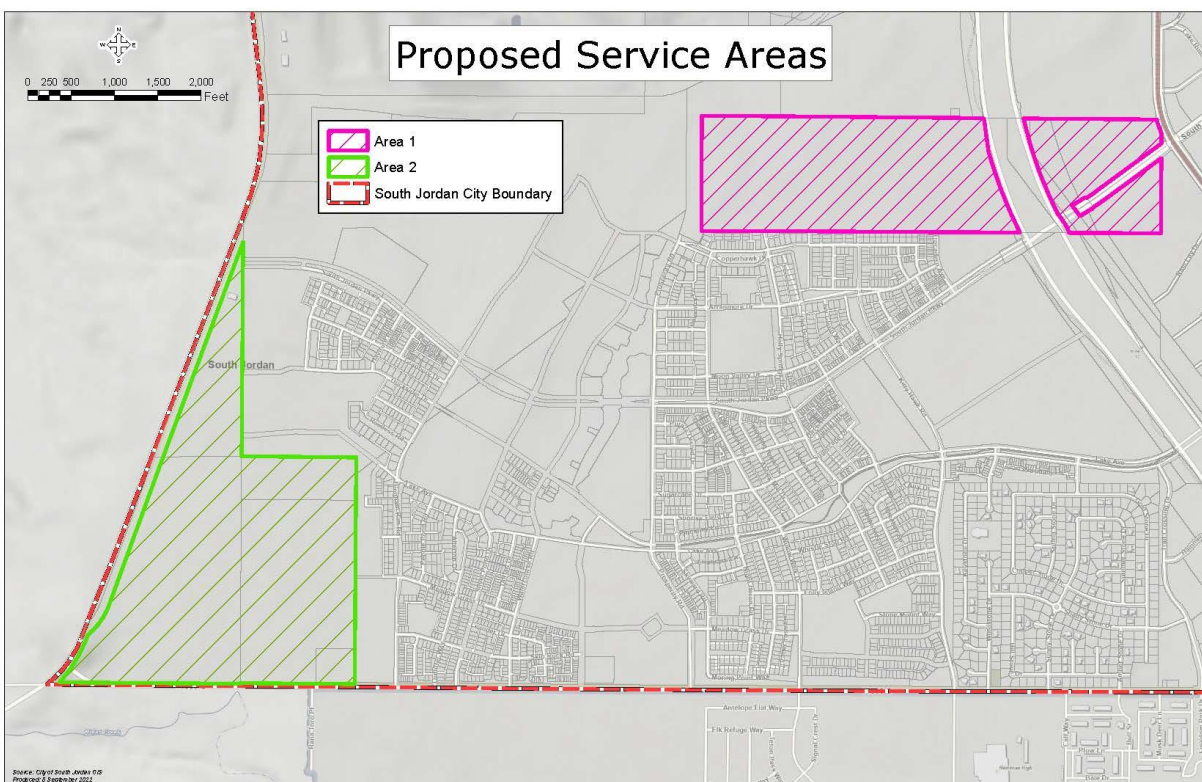
SERVICE AREA

The Last Hold Out area affect future development in the areas currently owned by the Jordan School District and The Last Holdout, LLC (generally referred to as the Bastian Property). The Bastian Property Area includes three general sub-areas, as follows:

- 60-acre school district high school site west of the Mountain View Corridor (MVC)
- 43-acre school district flex/mixed use site west of the MVC
- 27.4-acre mixed use Bastian Property East site east of the MVC

Figure 3.1 shows the Last Holdout/Bastian Property Service Area as Service Area 1. This updated analysis considered fees that will be used to reimburse Daybreak Communities for their past and future South Jordan Parkway construction costs.

FIGURE 3.1: SERVICE AREA 1 - LAST HOLD OUT SERVICE AREA (BASTIAN PROPERTY)



TRANSPORTATION DEMAND UNITS

The demand unit for Service Area 1 transportation buy-in calculation is “trip-ends”. Each land use category was evaluated based on the number of trips generated, based on the updated trip generation rates presented in the Institute of Traffic Engineers (“ITE”) Trip Generation Manual, 11th Edition. Appropriate adjustment factors were also applied to remove pass-by traffic. **Table 3.1** summarizes the Service Area 1 trips ends by land use type.

TABLE 3.1: SERVICE AREA 1 TRIP STATISTICS

LAND USE	UNIT	FAR	ACRES	DEVELOPABLE UNITS	DAILY TRIP RATE	ENTERING/ EXITING	PASS-BY ADJUST.	TRIP ENDS
School District Properties								
High School	Students		60.00	3,000	1.94	50%	0%	2,910
Single Family Residential	DU			100	9.43	50%	0%	472
Multi-Family Low-Rise (≤ 3 stories)	DU		43.00	500	6.74	50%	0%	1,685
Multi-Family Mid-Rise (4-10 stories)	DU			400	4.54	50%	0%	908
Retail Commercial	SF			350,000	37.01	50%	19%	5,246
Total			103.00					11,221
Bastian Property East								
Residential	Unit			69	6.9	50%	0%	238
Office	SF	0.32	8.00	111,514	10.84	50%	0%	604
Retail Commercial	SF	0.32	19.40	270,420	37.01	50%	29%	3,553
Total			27.40					4,395

Source: South Jordan Parkway Buy-In Fee Analysis Update, Table 2

WATER DEMAND UNITS

The demand unit utilized for the Last Holdout water impact fee is equivalent residential connections (“ERCs”). According to the October 26, 2022 Cost Apportionment Study memo provided by HAL, ERCs were calculated based on the following description:

An equivalent residential connection (ERC) is a measure used in comparing total water usage of a given entity (such as a school) to the demand imposed by a single-family residential connection. As defined by Utah code (R3009-110), each single-family residential connection represents 1 ERC. The water system demand for the Bastian Property has been determined by estimating the number of ERCs for the proposed high school, middle school, and mixed-use developments planned for the property. The ratios of ERCs for the Bastian Property to the total ERCs served by each of the facilities defined above were then determined. The cost for each facility was then multiplied by the determined ratio applicable to that facility to determine what portion of the cost for each facility should be paid for by developers of the Bastian Property versus what portion should be paid for by Daybreak Communities.

Based on the ERC analysis, Service Area 1 consists of 1,015 ERCs.

TRANSPORTATION LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing “Level of Service” (“LOS”). The analysis of existing facilities, combined with the growth assumptions, produces an existing LOS which is provided to a community's existing residents. This document is intended to maintain these standards. The Impact Fees Act allows local political subdivisions to charge impact fees for public facilities if a reasonable relationship exists between the fees imposed on development and the needs generated by new development activity.

Roadway operations are typically rated based on level of service standard, described as the traffic operations of an intersection and/or roadway based on congestion and delay. The LOS is generally defined in ranges from LOS A (almost no congestion or delay) to LOS F (traffic demand is above capacity and the intersections experience long queues and delays). LOS C or D is generally considered acceptable for rural or urbanized areas, whereas LOS E and F are considered above capacity or failure without modification or adjustment. For this analysis a LOS D is the maximum acceptable delay/congestion for both roadways and intersections.

WATER LEVEL OF SERVICE ANALYSIS

The equalization storage requirement is based on 599 gallons/ERC. The associated improvements are designed to support the storage improvements and LOS.



SECTION 4: EXISTING FACILITIES & EXCESS CAPACITY

SERVICE AREA 1 - LAST HOLD OUT

TRANSPORTATION BUY-IN

To determine the appropriate buy-in fee for the Service Area, this analysis calculates the percentage of daily traffic on each road segment, multiplied by the segment's qualified cost, as shown below.

TABLE 4.1: DETERMINATION OF SERVICE AREA 1 BUY-IN ALLOCATION

SOUTH JORDAN PARKWAY SEGMENT	TRAFFIC GENERATOR/SUB AREA			QUALIFIED COST
	HIGH SCHOOL SITE	SCHOOL DIST. FLEX/MIXED USE SITE	BASTIAN PROPERTY EAST SITE	
Mountain View Corridor East to Daybreak Boundary				\$17,905,637
Percent of daily traffic on segment	1.22%	3.96%	7.03%	12.21%
Buy-in Cost	\$218,449	\$709,063	\$1,258,766	\$2,186,278
West of the Mountain View Corridor to Highway 111				\$17,753,634
Percent of daily traffic on segment	1.87%	4.81%	2.48%	9.16%
Buy-in Cost	\$331,993	\$853,950	\$440,290	\$1,626,233
Overall Corridor within Daybreak				\$35,659,271
Total Buy-in Cost	\$550,442	\$1,563,013	\$1,699,056	
Percent of total qualified cost	1.54%	4.38%	4.76%	

Source: South Jordan Parkway Buy-In Fee Analysis Update, Table 1

Service Area 1 also considers the cost for the needed water future infrastructure to serve new development within the Service Area. This is discussed in **Section 5**.



SECTION 5: CAPITAL FACILITY ANALYSIS

SERVICE AREA 1 - LAST HOLD OUT

NEW WATER INFRASTRUCTURE

The total construction costs for the defined facilities can be found in the HAL Cost apportionment Study Memo (See Appendix A) and summarized in Table 5.1. The total cost associated with each of the four major facility categories, along with the cost apportionment between the Bastian Property and Daybreak Communities are presented in the following table.

TABLE 5.1: SERVICE AREA 1 CAPITAL FACILITY COST ALLOCATION

FACILITY	CONSTRUCTION COST	LAST HOLD OUT/BASTIAN PROPERTY		DAYBREAK COMMUNITIES	
		ALLOCATION PERCENT	COST	ALLOCATION PERCENT	COST
1. 5 MG Tank and Associated Facilities	\$3,796,682	13.51%	\$512,961	86.49%	\$3,283,721
2. 30" Diameter Pipeline	\$976,842	13.51%	\$131,979	86.49%	\$844,863
3. 24" Diameter Pipeline and associated Facilities from U111 to Prosperity Road.	\$893,450	20.27%	\$181,081	79.73%	\$712,369
4. 24" Diameter Pipeline on Prosperity Rd from Old Bingham to Bastian Property	\$532,945	20.27%	\$108,015	79.73%	\$424,930
Total	\$6,199,919		\$934,036		\$5,265,883

Source: HAL Cost Apportionment Study Memo

Based on the above analysis, the total allocated cost equals \$934,033 which will serve 1,015 ERCs.



SECTION 6: IMPACT FEE CALCULATION

The calculation of impact fees relies upon the demand analysis, LOS analysis, inventory of existing facilities and excess capacity, and the needed future capital improvement as identified in **Sections II** through **VI**. Impact fees are calculated based on many variables centered on proportionality and level of service. This analysis defines the impact fees for Service Area 1 defined in **Section 3**.

SERVICE AREA 1 – LAST HOLD OUT TRANSPORTATION IMPACT FEE

Service Area 1 includes a buy-in fee for transportation as shown below, based on a total cost per trip-end. In addition, the professional expense of \$14,972 related to completing the capital facility analysis and impact fee analysis is also included.

TABLE 6.1: ALLOCATED COST PER TRIP

	TOTAL QUALIFIED COST	% OF TOTAL QUALIFIED COST	COST TO SERVICE AREA	NEW TRIP ENDS	COST PER TRIP END	PROFESSIONAL EXPENSE	TOTAL
School District Property	\$35,659,271	5.93%	\$2,113,455	11,221	\$188.35	\$0.96	\$189.31
Bastian East Property	\$35,659,271	4.76%	\$1,699,056	4,395	\$386.55	\$0.96	\$387.51

The cost per trip is then applied to the trip statistics for each type of land use, as shown below in order to derive the impact fee for various types of land uses.

TABLE 6.2: RECOMMENDED IMPACT FEE BASED ON LAND-USE TYPE

LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	SCHOOL DISTRICT PROPERTY	BASTIAN PROPERTY
Single Family Residential	210	Unit	9.43	0%	0.5	4.72	\$892.61	\$1,827.13
Multi-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37	\$637.98	\$1,305.92
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27	\$429.74	\$879.66
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16	\$407.97	\$835.09
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62	\$306.69	\$627.77
Assisted Living	254	Beds	2.6	0%	0.5	1.30	\$246.11	\$503.77
Hotel	310	Rooms	7.99	0%	0.5	4.00	\$756.30	\$1,548.12
Light Industrial	110	KSF	4.87	0%	0.5	2.44	\$460.98	\$943.60
Industrial Park	130	KSF	3.37	0%	0.5	1.69	\$318.99	\$652.96
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73	\$137.25	\$280.95
Elementary School	520	Students	2.27	0%	0.5	1.14	\$214.87	\$439.83
Middle/Jr. High School	522	Students	2.1	0%	0.5	1.05	\$198.78	\$406.89
High School	525	Students	1.94	0%	0.5	0.97	\$183.63	\$375.89
Daycare Center	565	KSF	47.62	0%	0.5	23.81	\$4,507.53	\$9,226.70
Nursing Home	620	KSF	6.75	0%	0.5	3.38	\$638.93	\$1,307.86
Clinic	630	KSF	37.6	0%	0.5	18.80	\$3,559.08	\$7,285.25
Church	560	KSF	7.6	0%	0.5	3.80	\$719.39	\$1,472.55
General Office	710	KSF	10.84	0%	0.5	5.42	\$1,026.07	\$2,100.32
Medical Dental Office	720	KSF	36	0%	0.5	18.00	\$3,407.63	\$6,975.24
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96	\$3,777.81	\$7,732.99
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99	\$565.27	\$1,157.08
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14	\$2,487.29	\$5,091.37
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99	\$2,837.62	\$5,808.46
New Car Sales	840	KSF	27.84	0%	0.5	13.92	\$2,635.23	\$5,394.19
Tire Store	848	KSF	27.69	25%	0.5	10.38	\$1,965.77	\$4,023.84
Supermarket	850	KSF	93.84	24%	0.5	35.66	\$6,750.73	\$13,818.42
Discount Club	857	KSF	42.46	34%	0.5	14.01	\$2,652.61	\$5,429.76
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91	\$1,687.65	\$3,454.53



LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	SCHOOL DISTRICT PROPERTY	BASTIAN PROPERTY
Department Store	875	KSF	22.88	0%	0.5	11.44	\$2,165.74	\$4,433.15
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.4	49%	0.5	27.64	\$5,232.98	\$10,711.65
Drive In Bank	912	KSF	100.35	35%	0.5	32.61	\$6,174.19	\$12,638.27
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48	\$4,444.15	\$9,096.96
High Turnover/Sit Down Restaurant	932	KSF	107.2	43%	0.5	30.55	\$5,783.88	\$11,839.31
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18	\$19,912.46	\$40,759.83
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13	\$212.98	\$435.95
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55	\$16,575.02	\$33,928.26

Source: South Jordan Parkway Buy-In Fee Analysis, Table 4, LYRB

NON-STANDARD IMPACT FEES

The proposed Buy-In Fees are based on projected trip ends generated by potential land uses. If the City determines to assess a non-standard Buy-In Fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

School District Property: Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$189.31) = Impact Fee

Bastian Property: Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$387.51) = Impact Fee

WATER IMPACT FEE

Service Area 1 also includes a new facilities fee for water as shown below, based on a total cost per ERC. In addition, the professional expense of \$11,842 related to completing the capital facility analysis and impact fee analysis is also included. The result is a cost of \$931.90 per ERC.

TABLE 6.3: ALLOCATION OF COST PER ERC AND PROPOSED IMPACT FEE

	Total Cost	% Eligible Cost	Total Eligible Value	% to IFA Demand	Cost to IFA	ERCs Served	Cost Per ERC	% of Total
New Facilities	\$6,199,919	15%	\$934,036	100%	\$934,036	1,015	\$920.23	99%
Professional Expense	\$11,842	100%	\$11,842	100.00%	\$11,842	1,015	\$11.67	1%
Total	\$6,211,761		\$945,878		\$945,878		\$931.90	100%

NON-STANDARD IMPACT FEES

The proposed fee is based on projected costs and demand. If the City determines to assess a non-standard that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Estimate of ERCs x Cost Per ERC (\$931.90) = Impact Fee

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing public facilities designed to provide services to service areas within the community at large and future public facilities that are intended to provide services to service areas within the community at large.⁶ Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.⁷ The Impact Fee Analysis may only include the costs of impacts on system improvements related to new growth within the proportionate share analysis.

⁶ 11-36a-102(20)

⁷ 11-36a102(13)



FINANCING STRATEGY

This analysis must also include a consideration of the financing strategy for existing and proposed facilities. all revenue sources, including impact fees and the dedication of system improvements, which may be used to finance system improvements.⁸ In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.⁹

FUNDING OF FUTURE FACILITIES

It is not anticipated that future facilities will be constructed with Federal and/or State funding resources. It is anticipated that the City's general fund and impact fee funds will need to be utilized to ensure the system improvements can be constructed. The impact fee facilities plan identifies the necessary general funds and impact fee funds for each project.

EQUITY OF IMPACT FEES

The impact fees identified in this document are intended to recover the costs of capital infrastructure that relate to future development activity. The impact fee calculations are structured for impact fees to fund the growth-related facilities identified in the proportionate share analysis as presented in this document. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, other revenues such as general fund revenues will be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through impact fees. This analysis recommends that the City consider documenting any inter-fund loan or transfer as a liability or debt obligation for which future collection of impact fees will repay and reimburse. This will allow the City to accurately allocate the true cost of new development activity.

PASS THROUGH TRAFFIC

Traffic that passes through a service area but does not start or end at a destination within the area, is often referred to as pass through traffic. While these trips are not impact fee eligible, they utilize capacity within the transportation system. Regional traffic is often funded through state or federal sources. The proportion of pass-through impact on each roadway is not included as impact fee eligible cost. This cost should be recouped from the general fund or from other funding sources.

NECESSITY OF IMPACT FEES

This analysis and documentation has determined that for purposes of the transportation impact fees, the City is justified to collect impact fees as a way to finance system improvements. This is predicated upon the review of existing inventory, level of service standards, and historic funding of similar system improvements. In other words, in order to establish and achieve parity and equity across current and future users of the transportation and roadway system, the City must impose and collect the impact fees calculated in this document.

⁸ 11-36a-302(2)

⁹ 11-36a-304(2)



APPENDIX A: HAL COST APPORTIONMENT MEMO (LAST HOLD OUT)



APPENDIX B: WCG SOUTH JORDAN PARKWAY BUY-IN FEE ANALYSIS MEMO (LAST HOLD OUT)



MEMORANDUM

DATE: Updated October 26, 2022 (Final)
 TO: Brad Klavano, P.E.
 City Engineer
 City of South Jordan
 10996 South Redwood Road
 South Jordan, UT 84095

FROM: Marvin E. Allen, P.E.
 Hansen, Allen & Luce, Inc. (HAL)
 859 West South Jordan Pkwy – Suite 200
 South Jordan, Utah 84095

SUBJECT: Cost Apportionment Between Bastian Property and Daybreak Communities for Water Infrastructure

PROJECT NO.: 176.34.100

This memorandum provides a summary of the results from a study to define the apportionment of drinking water system capital costs between Daybreak Communities and entities that develop the approximate 160-acre rectangular property referred to in prior studies as the Bastian Property. The Bastian Property is located entirely in South Jordan City's drinking water system Pressure Zone 7. To date Daybreak Communities has been responsible for the construction and cost of all drinking water facilities within Pressure Zone 7. The Bastian Property is not owned by Daybreak Communities, but will benefit from the water infrastructure constructed to date, or currently under construction that will serve Pressure Zone 7.

The Mountain View Corridor bisects the 160-acre rectangular property into a west segment and an east segment. Thus, a portion of the 160 acres has been taken up by the Mountain View Corridor. The entire Bastian Property was previously owned by The Last Holdout, LLC. Jordan School District recently acquired approximately 103 acres of land, the entire west segment of the property. The school district plans to construct a high school on 60 acres of the land and a middle school on 23 acres. The remaining 20 acres is planned for mixed use development. The Last Holdout, LLC still owns the east segment, consisting of approximately 27.74 acres of developable land. It is assumed this east side property will be developed as mixed use.

APPROACH

Major facilities to be included in the cost apportionment calculations include:

1. A new 5 MG drinking water storage tank being constructed at approximately 7981 West Old Bingham Highway with accompanying valve vault, site piping, chlorination facility, and meter vault connection to the Jordan Valley Water Conservancy District (JVWCD) wholesale supply. This storage tank will serve a little more than the north half of Pressure Zones 7 and 8.

2. The 30-inch diameter transmission pipeline from the tank site to the junction of Old Bingham Highway and Highway U111. At this location the pipeline splits into an 18" diameter pipeline to the south along U111 and a 24" diameter pipeline to the east along Old Bingham Highway. The 18" diameter pipeline primarily serves Pressure Zone 8 and the 24" diameter pipeline serves a little more than the northern half of Pressure Zone 7 and some of Pressure Zone 8.
3. The 24" diameter pipeline between Highway U111 and Prosperity Road, including the connection meter vault to the JVVCD wholesale supply system at the north eastern corner of U111 and Old Bingham Highway and a pressure reducing valve station (reducing pressure from Zone 8 to Zone 7) located just west of Prosperity Road.
4. The 24" diameter pipeline that goes south along Prosperity Road from Old Bingham Highway to the south side of the Bastian Property.

The approach for determining cost apportionment of the above referenced facilities between the Bastian Property development versus the Daybreak Development is a demand based approach. An equivalent residential connection (ERC) is a measure used in comparing total water usage of a given entity (such as a school) to the demand imposed by a single-family residential connection. As defined by Utah code (R3009-110), each single-family residential connection represents 1 ERC. The water system demand for the Bastian Property has been determined by estimating the number of ERCs for the proposed high school, middle school, and mixed use developments planned for the property. The ratios of ERCs for the Bastian Property to the total ERCs served by each of the facilities defined above were then determined. The cost for each facility was then multiplied by the determined ratio applicable to that facility to determine what portion of the cost for each facility should be paid for by developers of the Bastian Property versus what portion should be paid for by Daybreak Communities.

Of the 5 MG storage in the water tank, 0.5 MG is for fire flow and 4.5 MG is for equalization storage. The total fire flow requirement with Pressure Zones 7 and 8 is on the order of 1 MG. Two tanks are proposed to serve these two pressure zones, the 5 MG tank currently under construction (located on the north side of the pressure zones) and a future tank to be located on the south side of the pressure zones. The equalization storage is used to meet the day to day water demands of the system. At 4.5 MG equalization storage and assuming a storage requirement to meet State Standards of 599 gallons/ERC, the total ERCs served by the equalization storage of the 5 MG tank will be on the order of 7,512 ERCs. The demand for the Bastian Property is estimated at 1,015 ERCs. Thus the percentage of the total storage dedicated to the Bastian Property versus the Daybreak Development is 13.51% (i.e. 1,015/7,512) and the percentage of total storage dedicated to the Daybreak Development is 86.49%.

The 30" diameter transmission pipeline from the tank to Highway U111 serves all of the demand from the tank. Therefore the percentage apportionment of cost to the Bastian Property as developed for the tank also applies to the 30" diameter pipeline, i.e. 13.51% versus 86.49% to the Daybreak Development.

The 30" pipeline splits at Highway U111 into an 18" diameter pipeline to the south along U111, and a 24" diameter pipeline to the east along Old Bingham Highway. The 18" diameter pipeline primarily serves Pressure Zone 8 and the 24" diameter pipeline serves a little more than the northern half of Pressure Zone 7 and some of Pressure Zone 8. The 18" diameter pipeline will convey approximately one-third of the total flow from the tank, and the 24" diameter pipeline will convey approximately two-thirds of the total flow from the tank. The 24" pipeline is the supply pipeline to the northern half of Pressure Zone 7 in which the Bastian Property is located. The 24" pipeline will convey the demand of approximately two-thirds of the total ERCs served by the tank, or 5,008 ERCs. The percentage apportionment of cost to the Bastian Property for the 24" pipeline

is 20.27% (i.e. 1,015/5008) and the percentage to Daybreak Development is 79.73%. This applies to the 24" diameter pipeline on Old Bingham Highway from U111 to Prosperity Road as well as along Prosperity Road to the Bastian Property.

RESULTS

The total construction costs for the defined facilities were obtained from actual construction costs. The total cost associated with each of the four major facility categories referenced above, along with the cost apportionment between the Bastian Property and Daybreak Communities are presented in the following table.

Facility	Construction Cost	Bastian Property		Daybreak Communities	
		Allocation Percent	Cost	Allocation Percent	Cost
1. 5 MG Tank and Associated Facilities	\$3,796,682	13.51	\$512,932	86.49	\$3,283,750
2. 30" Diameter Pipeline	\$976,842	13.51	\$131,971	86.49	\$844,871
3. 24" Diameter Pipeline and associated Facilities from U111 to Prosperity Road.	\$893,450	20.27	\$181,102	79.73	\$712,348
4. 24" Diameter Pipeline on Prosperity Rd from Old Bingham to Bastian Property	\$532,945	20.27	\$108,028	79.73	\$424,917
TOTAL	\$6,199,919		\$934,033		\$5,265,886

Based on a total allocated cost of \$934,033 to the Bastian Property and 1,015 ERCs determined for the Bastian Property, the cost for the identified water related facilities per each ERC would be \$920.

APPENDIX

CALCULATIONS

Site	Approx. Gross Acres	Dwelling Units/acre	Retail SF/Acre	Office SF/Acre	Total Dwelling Units	Total Retail SF	Total Office SF
Bastian Property East of MVC							
North of SJ Pkwy	18.23	3	7,000	6,000	55	127,610	109,380
South of SJ Pkwy	9.51	0	10,000	6,000	0	95,100	57,060
Sub-Total	27.74	-	-	-	55	222,710	166,440
School District Properties West of MVC							
Mixed-Use	23	10	2,650	4,800	190	60,950	110,400
High School	60	0	0	0	0	0	0
Middle School	20	0	0	0	0	0	0
Sub-Total	103	-	-	-	190	60,950	110,400
Total	130.74	-	-	-	245	283,660	276,840

Demand Criteria:

Each dwelling unit = 1 ERC

3,174 SF of Office Space = 1 ERC & 1,904 SF of Retail Space = 1 ERC based on meter data and also master plan assumptions for North Mixed Use and South Mixed Use areas in recent Drinking Water Master Plan update

Based on billing data for local schools, demands of 4.5 gpm/acre and 5.9 gpm/acre were used for the middle school and High School, respectively. For Zone 7, 1 ERC = 0.833 gpm. Therefore, school areas contribute 5.4 and 7.1 ERCs per acre

Site	Dwelling Unit ERCs	Retail ERCs	Office ERCs	School ERCs	Total ERCs
Bastian Property East of MVC					
North of SJ Pkwy	55	67	34	0	156
South of SJ Pkwy	0	50	18	0	68
Sub-Total	55	117	52	0	224
School District Properties West of MVC					
Mixed-Use	190	32	35	0	257
High School	0	0	0	426	426
Middle School	0	0	0	108	108
Sub-Total	190	32	35	534	791
Total	245	149	87	534	1015

Zone 7 ERCs excluding Bastian Property = 6,457
 Zone 7 ERCs with revised Bastian number = 7,472
 Original ERCs in Master Plan = 7,597

Objective: Determine what proportion of major tank and transmission pipeline costs should be assigned to Bastian Property vs. Daybreak

1- Base percentage share of each based on ERCs served by each.

Attached is a spreadsheet that determines ERCs assigned to Bastian Property vs. Daybreak.

Zone 7: Bastian ERCs = 1015
Daybreak ERCs = 6457
Zone 8: Daybreak ERCs = 4535
Total 12,007

Base % of Bastian Property on % of storage tank volume required.

Assume Bastian Property primarily served by Northern tank and facilities and include costs for only those facilities.

The master plan shows total required storage of 8.94 MG. of this amount:

Zone 6 Storage will → 7.24 MG is equalization storage for Zones 7/8
be met from South Tank 0.7 MG is " " for Zone 6
1.0 MG is fire flow storage for all zones.
8.94 MG Assume 9.0 MG Tanks

Of the 9.0 MG requirement, 5.0 MG has been built and will serve a little more than the north half of South Jordan (62%). The Bastian property lies in this area. Therefore, it is assumed the Bastian Property will pay its proportionate share of the 5 MG tank and transmission pipelines from this tank and into the system.

Use equalization storage to determine % share as all will need the fire storage. Assume roughly 500,000 gallons of fireflow storage in the 5.0 MG tank and 500,000 will be in the future 4.0 MG Tank

Bastian proportionate share of 4.5 MG of equalization storage:

$$\text{Bastian Equalization Storage} = 1015 \text{ ECU} \times 599 \text{ gal/ECU} = 607,985 \text{ gal}$$

$$\text{Bastian \% of total Equal Storage} = \frac{607,985}{4,500,000} = 13.51\%$$

Apply this percentage to project costs (tank & 30" Pipeline)

2 - Facilities to be included and costs.

A. 5 MG Tank - Pro-Built Bid

Tank -	\$ 3,663,672.00
Chlorine Building -	<u>133,010.00</u>
	\$ 3,796,682.00

B - 30" Dia Pipeline from Tank to UHI = \$976,842 ← Actual Cost VanCen
(See attached spreadsheet)

C - 24" Dia Pipeline down Old Bingham Highway to Zone 7 PRV @ Prosperity + PRV Cost.
Length = 6100 ft. Cost = \$893,450

D - 24" Dia Pipeline along Prosperity Road to south end of the Bastian Property. Length = 15620 ft

$$\text{Cost} = 15620 \times \$94.83/\text{ft} = \$1,481,124.60$$

↑
FROM GARY LANGSTON
OF KENNECOTT LAND

3. Proportional Cost of Facilities

A - 5 MG Tank and 30" Pipeline = 14.3% to Bastian Property as defined above.

$$\begin{aligned} \text{Bastian Property Cost} &= (3,796,682 + 976,842) \times 0.1351 = \\ &= \$644,903 \end{aligned}$$

B - 24" Dia Pipelines

At UH and Old Bingham Highway the 30" Dia Pipe splits with an 18" dia going south to primarily serve Zone 8 and a 24" Dia Pipe going east to serve Zones 7 and 8.

The Bastian Property will primarily be served by the 24" Dia Pipelines. Based on the size of the pipelines (i.e. cross sectional area) the 18" pipe can carry approximately $\frac{1}{3}$ of the flow from the 30" pipe and the 24" pipe will carry approx $\frac{2}{3}$ of the flow. The area of an 18" pipe is 1.77 ft^2 , the area of the 24" pipe is 3.14 ft^2 . The sum of these two cross-sectional areas is 4.91 ft^2 . The area of the 30" pipe is 4.91 ft^2 .

Assume $\frac{1}{3}$ of the Zone 7/8 ERUs served by the tank are served by the 18" pipe, and $\frac{2}{3}$ of the ERUs served by the tank are served by the 24" pipe.

Tank provides 4.5 MGD Equalization Storage. At 599 gallons/ERU for storage requirement, this will serve 7512 ERUs.

$$18" \text{ Pipe will serve } \frac{7512}{3} = 2504 \text{ ERUs}$$

$$24" \text{ Pipe will serve } \frac{2}{3} \times 7512 = 5008 \text{ ERUs}$$

The Bastian property which contains 1015 ERUs will be served primarily by the 24" Dia Pipe.

$$\% \text{ Cost for the 24" Pipe owed by Bastian Property} \\ = \frac{1015}{5008} = 0.2027 \text{ or } 20.27\%$$

$$\text{Cost to Bastian Property} = (843,450 + 532,945) \times 0.2027 \\ = \$ 289,130$$

C - Total Cost to Bastian Property

$$= \$ 644,903 + \$ 289,130 = \$ 934,033$$

BID SUMMARY
KLC ZONE 6 AND ZONE 7 PPELINES
CORRECT BIDS
July 28, 2008

CORRECT BIDS

July 28, 2008

[illegible]

18a	Furnish and Install Combination Air Valves and Boxes on 30" Diameter Fusible PVC or DIP Pipe Alternatives.	1	Each	\$ 11,630.33	\$ 11,630.33	\$0.00	\$0.00
18b	Furnish and Install Combination Air Valve on 36" Diameter HDPE Pipe Alternative.			\$ 12,970.29		\$0.00	\$0.00
19	42" Diameter RCP Class V Casing.	86	L.F.	\$ 272.33	\$ 23,420.38	\$0.00	\$0.00
20a	30" Diameter Fusible PVC Pipe DR-25 (PR 165)	1,699	L.F.	\$ 198.03	\$ 336,452.97	\$0.00	\$0.00
20b	36" Diameter HDPE Pipe DR 11 (160 psi)			\$ 246.14		\$0.00	\$0.00
21	Concrete Anchors for 36" Diameter HDPE Pipe Alternative.	2	Each	\$ 4,521.63	\$ 0.00	\$0.00	\$0.00
22a	Furnish and Install 30" Diameter Butterfly Valves for Fusible PVC Pipe Alternative.	1	Each	\$ 13,803.07	\$ 13,803.07	\$0.00	\$0.00
22b	Furnish and Install 30" Diameter Butterfly Valves for HDPE Pipe Alternative.			\$ 33,047.26		\$0.00	\$0.00
23a	Furnish and Install Combination Air Valves and Boxes on 30" Diameter Fusible PVC Pipe Alternative.	1	Each	\$ 11,629.21	\$ 11,629.21	\$0.00	\$0.00
23b	Furnish and Install Combination Air Valve on 36" Diameter HDPE Pipe Alternative.			\$ 14,960.39		\$0.00	\$0.00
24	42" Diameter RCP Class V Casing	321	L.F.	\$ 260.54	\$ 83,633.34	\$0.00	\$0.00
25a	30" Diameter Fusible PVC Pipe DR-25 (PR 165)	1,043	L.F.	\$ 172.87	\$ 145,780.11	\$0.00	\$0.00
25b	30" Diameter DIP (Pressure Class 250), with bonded joints and test stations.			\$ 139.77		\$0.00	\$0.00
25c	36" Diameter HDPE Pipe DR 11 (160 psi)			\$ 236.35		\$0.00	\$0.00
26	Additional Cost for 30" Restrained Joint Piping for DIP Pipe.	259	L.F.	\$ 34.54	\$ 8,945.86	\$0.00	\$0.00
27	Concrete Anchors for 36" Diameter HDPE Pipe Alternative.	2	Each	\$ 4,521.63	\$ 0.00	\$0.00	\$0.00
28a	Furnish and Install 30" Diameter Butterfly Valves for Fusible PVC or DIP Pipe Alternatives.	2	Each	\$ 11,717.38	\$ 23,434.76	\$0.00	\$0.00
28b	Furnish and Install 30" Diameter Butterfly Valves for HDPE Pipe Alternative.			\$ 18,729.69		\$0.00	\$0.00
29a	Furnish and Install Combination Air Valves and Boxes on 30" Diameter Fusible PVC or DIP Pipe Alternatives.	1	Each	\$ 11,630.33	\$ 11,630.33	\$0.00	\$0.00
29b	Furnish and Install Combination Air Valve on 36" Diameter HDPE Pipe Alternative.			\$ 14,960.39		\$0.00	\$0.00
30	Meter Station Complete	1	L.S.	\$ 134,002.53	\$ 134,002.53	\$134,002.53	\$0.00
31	Health, Safety and Environmental	1	L.S.	\$ 18,720.00	\$ 18,720.00	\$0.00	\$0.00
32	Electrical Work	1	L.S.	\$ 50,651.56	\$ 50,651.56	\$50,651.56	\$0.00
33	Performance and Payment Bonds	1	L.S.	\$ 21,735.00	\$ 21,735.00	\$7,824.60	\$7,824.60
34a	30" Diameter Fusible PVC Pipe DR-25 (PR 165)	2,912	L.F.	\$ 169.02	\$ 413,271.04	\$0.00	\$0.00
34b	30" Diameter DIP (Pressure Class 250), with bonded joints and test stations.			\$ 141.92		\$0.00	\$0.00
34c	36" Diameter HDPE Pipe DR 11 (160 psi)			\$ 240.00		\$0.00	\$0.00
35	30" Tee Assembly	1	L.S.	\$ 33,091.23	\$ 33,091.23	\$0.00	\$0.00
36	12" Tee Assembly	1	L.S.	\$ 19,314.48	\$ 19,314.48	\$0.00	\$0.00
37	Furnish and Install Pipeline thru Existing 44" Casing	1	L.S.	\$ 20,588.14	\$ 20,588.14	\$0.00	\$0.00
TOTAL				\$ 2,770,586.12	TOTAL	\$ 893,449.66	\$ 514,975.11

Cost/ft

\$84.42

TECHNICAL MEMORANDUM

DATE: 10/3/2022

TO: Brad Klavano, P.E., Director of Engineering Services/City Engineer - South Jordan City

FROM: Tim Taylor, PE, PTOE
Austin Feula, PE, PTOE

RE: South Jordan Parkway Buy-In Fee Analysis Update

This South Jordan Parkway Buy-In Fee Analysis Update supersedes the previous December 11, 2018 memorandum (See attached). This updated analysis considers changes to project area trip generation, trip distribution, infrastructure costs, and project area land use assumptions.

The purpose of the analysis is to assist South Jordan City in allocating a cost per trip-end buy-in fee for future development in the areas currently owned by the Jordan School District and The Last Holdout, LLC (generally referred to as the Bastian Property). **Figure 1** shows the Bastian Property Area. This updated analysis considered fees that will be used to reimburse Daybreak Communities for their past and future South Jordan Parkway construction costs.

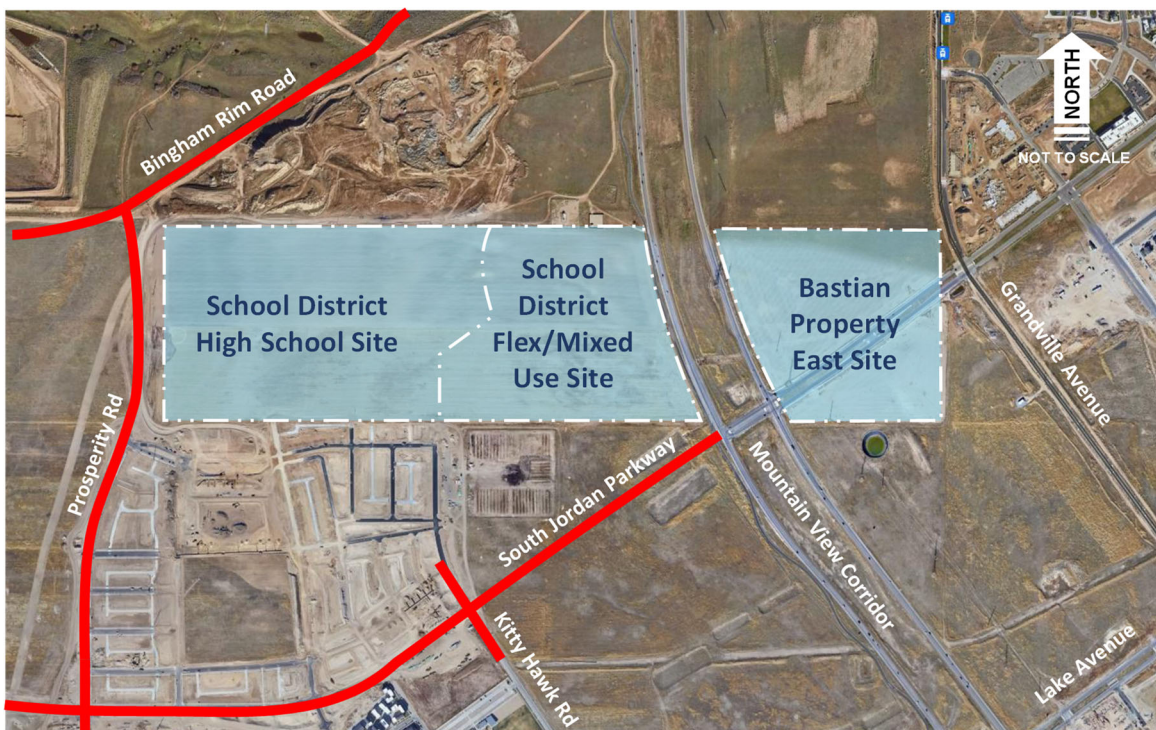


Figure 1: Bastian Property Area and Sub-Areas/Sites

Background

The Bastian Property Area now includes three general sub-areas, rather than the four previously studied, as follows:

- 60-acre school district high school site west of the Mountain View Corridor (MVC)
- 43-acre school district flex/mixed use site west of the MVC
- 27.4-acre mixed use Bastian Property East site east of the MVC

The overall methodology from previous analyses has been maintained. This methodology calculated the percentage of future year (2040) daily traffic generated by the Bastian Property sub-areas/sites that is expected to utilize the two South Jordan Parkway study segments:

- 1) Mountain View Corridor east to the eastern boundary of Daybreak
- 2) Mountain View Corridor west to Bacchus Highway (Highway 111)

These percentages have been adjusted as a part of this analysis based on changes to the sub-areas and their associated land uses (See **Table 1**).

The qualified cost associated with the MVC segment west of the MVC has been updated to account for a per linear foot cost \$1,760 for South Jordan Parkway. This cost reflects a 2021 dollar value, increased 20% for inflation. The qualified cost for the segment of South Jordan Parkway east of the MVC did not change.

Proposed property area trips were calculated based on updated daily trip generation rates from the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition.

For each traffic generator or sub-area, the percentage of daily traffic on each segment was multiplied by the segment's qualified cost to determine a segment buy-in cost. The sum of the two segment buy-in costs or total buy-in cost for the overall corridor was then used to calculate each traffic generator's percentage of the overall qualified cost.

Table 1: Proportionate Share Assessment Findings

South Jordan Parkway Segment	Traffic Generator / Sub-Area			Qualified Cost
	High School Site	School Dist. Flex/Mixed Use Site	Bastian Property East Site	
Mountain View Corridor East to Daybreak Boundary				\$17,905,637
Percent of daily traffic on segment	1.22%	3.96%	7.03%	12.21%
Buy-in Cost	\$218,449	\$709,063	\$1,258,766	\$2,186,278
West of the Mountain View Corridor to Highway 111				\$17,753,634
Percent of daily traffic on segment	1.87%	4.81%	2.48%	9.16%
Buy-in Cost	\$331,993	\$853,950	\$440,290	\$1,626,233
Overall Corridor within Daybreak				\$35,659,271
Total Buy-in Cost	\$550,442	\$1,563,013	\$1,699,056	
Percent of total qualified cost	1.54%	4.38%	4.76%	

For the purposes of this analysis, the High School Site and the School District Flex/Mixed-Use Site were combined and referred to as the Overall School District Property.

South Jordan Parkway Buy-In Fee Analysis

This Buy-In Fee Analysis Update utilizes the “Total Buy-In Costs” (See **Table 1**) and relates them to the trip ends generated by future land uses in the Overall School District Property and the Bastian Property East area as a cost per trip end.

The trip generation or demand unit used in the calculation of the buy-in fee is based on each land use category’s impact and road usage characteristics expressed in the number of trips generated.

To determine the proportionate trips from the land use types, future trips were allocated to the different land use types based on the updated trip generation rates presented in the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition. Appropriate adjustment factors were applied to remove pass-by traffic.

Table 2 summarizes the Overall School District Property and the Bastian Property East area trips ends by land use type.

Table 2: Daily Trip Ends By Land Use Type

Land Use	Unit	FAR	Acres	Developable Units	Daily Trip Rate	Entering/ Exiting	Pass-By Adjust.	Trip Ends
Overall School District Property								
High School	Students		60	3,000	1.94	0.5	0%	2,910
Flex/Mixed Use Site								
Single Family Residential	Unit			100	9.43	0.5	0%	472
Multi-Family Low-Rise (≤ 3 stories)	Unit		43	500	6.74	0.5	0%	1,685
Multi-Family Mid-Rise (4-10 stories)	Unit			400	4.54	0.5	0%	908
Retail Commercial	Sq Ft			350,000	37.01	0.5	19%	5,246
TOTAL			103					11,221
Bastian Property East								
Residential				69	6.90	0.5	0%	238
Office		0.32	8	111,514	10.84	0.5	0%	604
Retail Commercial		0.32	19.4	270,420	37.01	0.5	29%	3,553
TOTAL			27.4					4,396

The total qualified cost of South Jordan Parkway utilized by the new development was applied to the total daily trip ends served. **Table 3** summarizes the updated cost per trip end for the Overall School District Property (\$188.35) and the Bastian Property East area (\$386.54).

The number of trip ends for various land use types was calculated using ITE Trip Generation characteristics for daily trips and adjusted to remove pass-by traffic. **Table 4** presents the trip ends by land use type.

Table 3: Cost Per Trip End Illustration

	Total Qualified Cost	% of Total Qualified Cost	Cost to Service Area	New Trip Ends	Cost per Trip End
South Jordan Parkway Service Area					
Overall School District Property	\$35,659,271	5.93%	\$2,113,455	11,221	\$188.35
High School	\$35,659,271	1.54%	\$550,442	2,910	
School Dist. Flex/Mixed Use Site	\$35,659,271	4.38%	\$1,563,013	8,311	
Bastian East Property	\$35,659,271	4.76%	\$1,699,056	4,396	\$386.54

Table 4: Trip Ends by Land Use Type

Land Use	ITE Code	Unit	Weekday Trip Rate	Pass-By Adjust.	Entering/ Exiting	Adjusted Trips Ends
Single Family Residential	210	Unit	9.43	0%	0.5	4.72
ti-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62
Assisted Living	254	Beds	2.60	0%	0.5	1.30
Hotel	310	Rooms	7.99	0%	0.5	4.00
Light Industrial	110	KSF	4.87	0%	0.5	2.44
Industrial Park	130	KSF	3.37	0%	0.5	1.69
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73
Elementary School	520	Students	2.27	0%	0.5	1.14
Middle/Jr. High School	522	Students	2.10	0%	0.5	1.05
High School	525	Students	1.94	0%	0.5	0.97
Daycare Center	565	KSF	47.62	0%	0.5	23.81
Nursing Home	620	KSF	6.75	0%	0.5	3.38
Clinic	630	KSF	37.60	0%	0.5	18.80
Church	560	KSF	7.60	0%	0.5	3.80
General Office	710	KSF	10.84	0%	0.5	5.42
Medical Dental Office	720	KSF	36.00	0%	0.5	18.00
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99
New Car Sales	840	KSF	27.84	0%	0.5	13.92
Tire Store	848	KSF	27.69	25%	0.5	10.38
Supermarket	850	KSF	93.84	24%	0.5	35.66
Discount Club	857	KSF	42.46	34%	0.5	14.01
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91
Department Store	875	KSF	22.88	0%	0.5	11.44
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.40	49%	0.5	27.64
Drive In Bank	912	KSF	100.35	35%	0.5	32.61
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48
High Turnover/Sit Down Restaurant	932	KSF	107.20	43%	0.5	30.55
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55

Source: ITE Trip Generation Manual (11th Edition)

The cost per trip was then applied to the various land use type trip ends to calculate an associated Buy-In Fee rate for both the Overall School District Property (See **Table 5**) and the Bastian Property East area (See **Table 6**). These rates represent the recommended Buy-In Fees by land use type.

Table 5: Recommended Buy-In Fees - Overall School District Property

Land Use Category	Trip Ends	South Jordan Parkway Fee
Cost per Trip		\$188.35
Residential (per unit)		
Single Family Residential	4.72	\$888.09
Multi-Family Low-Rise (≤ 3 stories)	3.37	\$634.75
Multi-Family Mid-Rise (4-10 stories)	2.27	\$427.56
Senior Adult Housing Detached	2.16	\$405.90
Senior Adult Housing Attached	1.62	\$305.13
Assisted Living	1.30	\$244.86
Hotel	4.00	\$752.47
Light Industrial	2.44	\$458.64
Non-Residential (per 1,000 square feet)		
Industrial Park	1.69	\$317.38
Mini Warehouse	0.73	\$136.56
Elementary School	1.14	\$213.78
Middle/Jr. High School	1.05	\$197.77
High School	0.97	\$182.70
Daycare Center	23.81	\$4,484.70
Nursing Home	3.38	\$635.69
Clinic	18.80	\$3,541.05
Church	3.80	\$715.74
General Office	5.42	\$1,020.88
Medical Dental Office	18.00	\$3,390.37
Free Standing Discount Store	19.96	\$3,758.67
Hardware/Paint Store	2.99	\$562.41
Shopping Center/General Commercial 150k-300k sq ft	13.14	\$2,474.70
Shopping Center/General Commercial > 300k sq ft	14.99	\$2,823.24
New Car Sales	13.92	\$2,621.88
Tire Store	10.38	\$1,955.82
Supermarket	35.66	\$6,716.54
Discount Club	14.01	\$2,639.18
Home Improvement Superstore	8.91	\$1,679.10
Department Store	11.44	\$2,154.77
Pharmacy/Drugstore w/ Drive Thru	27.64	\$5,206.47
Drive In Bank	32.61	\$6,142.92
Quality Restaurant	23.48	\$4,421.64
High Turnover/Sit Down Restaurant	30.55	\$5,754.58
Fast Food with Drive Thru	105.18	\$19,811.61
Automobile Care Center	1.13	\$211.90
Convenience Store/Gas Station (9-15 veh. fueling positions)	87.55	\$16,491.08

Table 6: Recommended Buy-In Fees - Bastian Property East

Land Use Category	Trip Ends	South Jordan Parkway Fee
Cost per Trip		\$386.54
Residential (per unit)		
Single Family Residential	4.72	\$1,822.56
Multi-Family Low-Rise (≤ 3 stories)	3.37	\$1,302.65
Multi-Family Mid-Rise (4-10 stories)	2.27	\$877.46
Senior Adult Housing Detached	2.16	\$833.00
Senior Adult Housing Attached	1.62	\$626.20
Assisted Living	1.30	\$502.51
Hotel	4.00	\$1,544.24
Light Industrial	2.44	\$941.24
Non-Residential (per 1,000 square feet)		
Industrial Park	1.69	\$651.33
Mini Warehouse	0.73	\$280.24
Elementary School	1.14	\$438.73
Middle/Jr. High School	1.05	\$405.87
High School	0.97	\$374.95
Daycare Center	23.81	\$9,203.62
Nursing Home	3.38	\$1,304.59
Clinic	18.80	\$7,267.03
Church	3.80	\$1,468.87
General Office	5.42	\$2,095.07
Medical Dental Office	18.00	\$6,957.80
Free Standing Discount Store	19.96	\$7,713.65
Hardware/Paint Store	2.99	\$1,154.18
Shopping Center/General Commercial 150k-300k sq ft	13.14	\$5,078.63
Shopping Center/General Commercial > 300k sq ft	14.99	\$5,793.93
New Car Sales	13.92	\$5,380.70
Tire Store	10.38	\$4,013.78
Supermarket	35.66	\$13,783.86
Discount Club	14.01	\$5,416.18
Home Improvement Superstore	8.91	\$3,445.89
Department Store	11.44	\$4,422.07
Pharmacy/Drugstore w/ Drive Thru	27.64	\$10,684.86
Drive In Bank	32.61	\$12,606.66
Quality Restaurant	23.48	\$9,074.21
High Turnover/Sit Down Restaurant	30.55	\$11,809.70
Fast Food with Drive Thru	105.18	\$40,657.90
Automobile Care Center	1.13	\$434.86
Convenience Store/Gas Station (9-15 veh. fueling positions)	87.55	\$33,843.41

The proposed Buy-In Fees are based on projected trip ends generated by potential CRA Area land uses. If the City determines to assess a non-standard Buy-In Fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

Overall School District Property

Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$188.35)

Bastian Property East

Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$386.54)

ORDINANCE NO. 2023 - 03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING AN AMENDED AND UPDATED IMPACT FEE FOR WATER AND TRANSPORTATION WITHIN THE “LARK MEADOWS” PROPERTIES; ESTABLISHING CERTAIN POLICIES RELATED TO IMPACT FEES FOR WATER AND TRANSPORTATION FACILITIES; ESTABLISHING SERVICE AREA; AND/OR OTHER RELATED MATTERS.

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

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

WHEREAS, the City has historically assessed Impact Fees as a condition precedent to development approval in order to assign capital infrastructure costs to development in an equitable and proportionate manner; and

WHEREAS, the City has traditionally provided a high level of service in its water and transportation infrastructure, which has been a factor in the City’s growth, and high property values due to the unique aesthetics which City residents enjoy; and

WHEREAS, the City has entered into a Master Development Agreement to develop the Daybreak subdivision; and

WHEREAS, the Daybreak developer has agreed to pay for and construct certain infrastructure, including water and transportation in lieu of assessing impact fees; and

WHEREAS, the City desires to identify and assess the proportionate share of water and transportation infrastructure which has or will be constructed and dedicated to the City to service the area known as “Lark Meadows” property (see service area map – Area 2); and

WHEREAS, in the exercise of its legislative discretion the City Council desires to take a conservative approach in preparing the Impact Fee Facilities Plan (“IFFP”) and Impact Fee Analysis (“IFA”) and in the assessment of an impact fee which may be less than might otherwise be justified by the IFA and IFFP in order to promote economic development, expand the tax base, allow for more job creation, and respond to current economic realities; and

WHEREAS, the City properly noticed its intent to prepare the IFFP and IFA on September 9, 2022 and the City held the required hearing on February 7, 2023; and

WHEREAS, the City has completed a water and transportation IFFP and IFA which meets the requirements of State Law and City Ordinance; and

WHEREAS, the City Council has directed Lewis Young Robertson & Burningham, Inc. (“Consultants”) to prepare a Written Impact Fee Analysis including the Executive Summary of the Impact Fee Analysis consistent and in compliance with the Act specifically 11-36a-303; and

WHEREAS, the City and Consultants retained by the City have reviewed and evaluated the land within the City boundaries and have determined there shall be one service area; and

WHEREAS, the South Jordan City Council has reviewed the water and transportation IFFP and IFA, and find it in the best interest of the welfare of the residents of the City to adopt the water and transportation IFFP and IFA and enact a new water and transportation Impact Fee based on the IFFP and IFA.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Purpose.

This Impact Fee Ordinance establishes the City’s water and transportation Impact Fee policies and procedures and repeals certain provisions of prior ordinances related to water and transportation Impact Fees and conforms to the requirements of the Utah Impact Fees Act (§ 11-36a, the Act). This Ordinance repeals any prior ordinances related to water and transportation facilities within the Service Area, provides a schedule of Impact Fees for differing types of land-use development, and sets forth direction for challenging, modifying and appealing Impact Fees.

SECTION 2. Definitions.

Words and phrases that are defined in the Act shall have the same definition in this Impact Fee Ordinance. The following words and phrases shall have the following meanings:

1. “City” means a political subdivision of the State of Utah and is referred to herein as City of South Jordan.
2. “Development Activity” means any construction or expansion of building, structure or use, any change in use of building or structure, or any change in the use of land located within the Service Area that creates additional demand and need for water and transportation Facilities.
3. “Development Approval” means any written authorization from the City that authorizes the commencement of Development Activity and vests the property owner with the right to commence Development Activity, whether or not a specific building permit has been issued.

4. “Impact Fee” means a payment of money imposed upon Development Activity as a condition of development approval. “Impact Fee” includes development Impact Fees, but is not a tax, a special assessment, a hookup fee, a building permit fee, a fee for project improvements, or other reasonable permit or application fees.
5. “Impact Fee Analysis” or (“IFA”) means the written analysis required by Section 11-36a-201 of the Act and is included in this ordinance by this reference and attached in Exhibit A.
6. “Impact Fee Facilities Plan” or (“IFFP”) means the plan required by Section 11-36a-301 of the Act. In Section 11-36a-301 (3) (a) there is an exception for cities of 5,000 or less in population, based on the latest census. “The City of South caused to be prepared an Impact Fee Facilities Plan in accordance with the Impact Fees Act. The IFFP is to be adopted by passage of this Ordinance, and is included by this reference and attached hereto in Exhibit A.”
7. “Project Improvements” includes but is not limited to site improvements and facilities that are planned and designed to provide service for development resulting from a Development Activity and are necessary solely for the use and convenience of the occupants or users of said Development Activity. “Project Improvements” do not include “System Improvements” as defined below.
8. “Proportionate Share” of the cost of water and transportation Facility improvements means an amount that is roughly proportionate and reasonably related to the service demands and needs of a Development Activity.
9. “Public Safety Facilities” means a police facility, fire facility, and/or fire apparatus valued at five hundred thousand dollars (\$500,000) or greater.
10. “Service Area” refers to a geographic area designated by the City based on sound planning and engineering principles in which a defined set of the City’s water and transportation Facilities provides service. For purposes of this Ordinance, there will be one service area. A map of the Service Area is included in Exhibit A attached hereto.
11. “System Improvements” refer both to existing water and transportation Facilities designed to provide services within the Service Areas and to future water and transportation Facilities identified in the water and transportation IFFP adopted by the City that are intended to provide service to the Service Area. “System Improvements” do not include “Project Improvements” as defined above.

SECTION 3. Written Impact Fee Analysis.

1. Executive Summary. A summary of the findings of the written impact fee analysis that is designed to be understood by a lay person is included in the water and

transportation IFFP and IFA and demonstrates the need for Impact Fees to be assessed on Development Activity. The Executive Summary has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance.

2. Impact Fee Analysis. The City has commissioned the IFFP and IFA for the water and transportation Impact Fees which identifies the impacts upon water and transportation Facilities required by the Development Activity, demonstrates how those impact the City and the facilities required by Development Activity, demonstrates how those impacts on System Improvements are reasonably related to Development Activity, estimates the proportionate share of the costs of impacts on System Improvements that are reasonably related to the Development Activity and identifies how the Impact Fees are calculated. A copy of the water and transportation IFFP and IFA has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance.
3. Proportionate Share Analysis. In connection with the IFFP and IFA, the City has prepared a Proportionate Share analysis which analyzes whether or not the proportionate share of the costs of future water and transportation Facilities is reasonably related to new Development Activity. The Proportionate Share analysis identifies the costs of existing water and transportation Facilities, the manner of financing existing water and transportation Facilities, the relative extent to which new development will contribute to the cost of existing facilities and the extent to which new development is entitled to a credit for payment towards the costs of new facilities from general taxation or other means apart from user charges in other parts of the City. A copy of the Proportionate Share analysis is included in the written water and transportation Impact Fee Analysis and has been available for public inspection at least ten (10) days prior to the adoption of this Ordinance (See Exhibit A attached).

SECTION 4. Impact Fee Calculations.

1. Ordinance Enacting Impact Fees. The City Council does, by this Ordinance, approve Impact Fees in accordance with the water and transportation IFFP and IFA.
 - a. Elements. In calculating the Impact Fee, the City has included the construction costs, land acquisition costs, costs of improvements, fees for planning, surveying, and engineering services provided for and directly related to the construction of System Improvements, and outstanding or future debt service charges if the City might use Impact Fees as a revenue stream to pay principal and interest on bonds or other obligations to finance the cost of System Improvements.
 - b. Notice and Hearing. In conjunction with the approval of this, the City held a public hearing on February 7, 2023, and made a copy of the Ordinance available to the public in the two (2) South Jordan City Libraries, at least

ten (10) days before the date of the hearing, all in conformity with the requirements of Utah Code Annotated 11-36a-502 (1). After the public hearing, the Council adopted this Impact Fee Ordinance as presented herein.

- c. Contents of the Ordinance. The Ordinance adopting or modifying an Impact Fee contains such detail and elements as deemed appropriate by the Council, including a designation of the Service Area within which the Impact Fees are to be calculated and imposed. The South Jordan Service Area is the only service area, with a map defining its boundaries included in the water and transportation IFFP and IFA. The Ordinance herein includes (i) a schedule of Impact Fees to be imposed for water and transportation and (ii) the formula to be used by the City in calculating the Impact Fee.
 - d. Adjustments. The standard Impact Fee may be adjusted at the time the fee is assessed:
 - i. in response to unusual circumstances in specific cases;
 - ii. in response to 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;
 - iii. to ensure that the impact fees are imposed fairly; or
 - iv. to a particular development should the developer supply sufficient studies and data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.
 - e. Previously Incurred Costs. To the extent that new growth and Development Activity will be served by previously constructed improvements, the City's Impact Fees may include water and transportation Facility costs and outstanding bond costs related to the water and transportation improvements previously incurred by the City. These costs may include all projects included in the Impact Fee Facilities Plan which are under construction or completed but have not been utilized to their capacity, as evidenced by outstanding debt obligations. Any future debt obligations determined to be necessitated by growth activity may also be included to offset the costs of future capital projects.
2. Developer Credits. Development Activity may be allowed a credit against Impact Fees for any dedication or improvement to land or new construction of System Improvements provided by the Development Activity provided that the Development Activity is (i) identified in the City's Impact Fee Facilities Plans and

(ii) required by the City as a condition of Development Approval. Otherwise, no credit may be given.

3. Impact Fees Accounting. The City will establish a separate interest-bearing ledger account for the Impact Fees collected pursuant to this Ordinance and will conform to the accounting requirements provided in the Impact Fees Act. All interest earned on the collection of water and transportation Impact Fees shall accrue to the benefit of the segregated account. Impact Fees collected prior to the effective date of this Ordinance need not meet the requirements of this section.
 - a. Reporting. At the end of each fiscal year, the City shall prepare a report pursuant to Utah Code Ann, 11-36a-601.
 - b. Impact Fee Expenditures. The City may expend Impact Fees pursuant to Utah Code Ann. § 11-36-602 the Impact Fees Policy only for System Improvements that are (i) water and transportation Facilities identified in the City's Impact Fee Facilities Plans and (ii) of the specific water and transportation Facility type for which the fee was collected. Impact Fees will be expended on a First-In First-Out ("FIFO") basis.
 - c. Time of Expenditure. Impact fees collected pursuant to the requirements of this Impact Fees Ordinance are to be expended, dedicated or encumbered for a permissible use within six years of the receipt of those funds by the City, unless the City meets other conditions outlined in the Act. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.
 - d. Refunds. The City shall refund any Impact Fees paid by a developer plus interest actually earned when (i) the developer does not proceed with the Development Activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund from the City may include any impact reasonably identified by the City, including, but not limited to, the City having sized facilities and/or paid for, installed and/or caused the installation of facilities based in whole or in part upon the developer's planned Development Activity even though that capacity may, at some future time, be utilized by another development.
4. Additional Fees and Costs. The Impact Fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City and other fees and costs that may not be included as itemized component parts of the Impact Fee Schedule. In charging any such fees as a condition of development approval, the City recognizes that the fees must be a reasonable charge for the service provided.

5. Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the Impact Fee shall be determined from the fee schedule in effect at the time of Development Approval and paid in accordance with the provisions of Section 6 below.
6. Imposition of Additional Fee or Refund After Development. Should any developer undertake Development Activities such that the ultimate density or other impact of the Development Activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or the Impact Fee is not initially charged against all units or the total density within the development, the City shall be entitled to recover the total Impact Fee pursuant the IFFP and IFA from the developer or other appropriate person covering the density for which an Impact Fee was not previously paid.

SECTION 5. Impact Fee Facilities Plan.

1. Impact Fee Facilities Plan. The City has developed a water and transportation IFFP for the City's water and transportation system. The water and transportation IFFP has been prepared based on reasonable growth assumptions for the Service Area, and analyzes the general demand characteristics of current and future users of the system. Furthermore, the IFFP identifies the impact on System Improvements created by Development Activity and estimates the Proportionate Share of the costs of impacts on System Improvements that are reasonably related to new Development Activity.

SECTION 6. Impact Fee Schedules and Formulas.

1. Fee Adoption. The City hereby adopts as the Impact Fee per unit for water and transportation as found in the South Jordan water and transportation IFFP & IFA and detailed below.

RECOMMENDED WATER AND TRANSPORTATION IMPACT FEE SCHEDULE (SEE IFFP & IFA)

- Transportation Impact Fee: (See Table 1.1 & 1.2)
 - Water Impact Fee: (See Table 1.3)
2. Maximum Supportable Impact Fees. The fee schedule included in the water and transportation IFFP and IFA indicates the maximum Impact Fees which the City may impose on development within the defined Service Area and are based upon general demand characteristics and potential demand that can be created by each class of user. The City reserves the right under the Impact Fees Act (Utah Code § 11-36a-402(1)(c)) to assess an adjusted fee to respond to unusual circumstances to

ensure that fees are equitably assessed. The City may also decrease the Impact Fee if the developer can provide documentation that the proposed impact will be less than what could be expected given the type of user (Utah Code § 11-36a-402(1)(d)).

SECTION 7. Fee Exceptions and Waivers.

1. Waiver for “Public Purpose”. The City Council may, on a project by project basis, authorize exceptions or waivers to the Impact Fees due from development for those projects the Council determines to be of such benefit to the community as a whole to justify the exception or adjustment. Such projects may include facilities being funded by tax-supported agencies, affordable housing projects, or facilities of a temporary nature. The City Council may elect to waive or adjust Impact Fees in consideration of economic benefits to be received from the Development Activity.
 - a. Procedures. Applications for exceptions are to be filed with the City at the time the developer first requests the extension of service to the respective development or property.

SECTION 8. Appeal Procedure.

1. Any person or entity that has paid an Impact Fee pursuant to this Ordinance may challenge the Impact Fee by filing:
 - a. An appeal to the City pursuant to South Jordan Municipal Code § 16.32.090. If no decision is issued pursuant to South Jordan Municipal Code §16.32.090 within 30 days of a timely filed appeal the appeal will be deemed denied.
 - b. A request for arbitration as provided in Utah Code Ann. § 11-36a-705 as amended; or
 - c. An action in district court.

SECTION 9. Severability. If any section, subsection, paragraph, clause or phrase of this Impact Fee Policy shall be declared invalid for any reason, such decision shall not affect the remaining portions of this Impact Fee Policy, which shall remain in full force and effect, and for this purpose, the provisions of this Impact Fee Ordinance are declared to be severable.

SECTION 10 Interpretation. This Impact Fee Ordinance has been divided into sections, subsections, paragraphs and clauses for convenience only and the interpretation of this Impact Fee Ordinance shall not be affected by such division or by any heading contained herein.

SECTION 11. Effective Date. This Impact Fee Ordinance shall become effective 90 days after the day which this Impact Fee Ordinance is passed and adopted by the South Jordan City Council. Except as otherwise specifically provided herein and according to law, this Impact Fee Ordinance shall not repeal, modify or affect any Impact Fee of the City in existence as of the effective date of this Ordinance, other than those expressly referenced in Section 1 above. All Impact Fees established, including amendments and modifications to previously existing Impact Fees, after the effective date of this Ordinance shall comply with the requirements of this Impact Fee Ordinance.

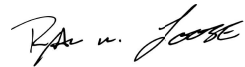
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2023 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:



Office of the City Attorney

Exhibit A

“Lark Meadows”

Impact Fee Facilities Plan & Impact Fee Analysis

IMPACT FEE FACILITIES PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA) PURSUANT TO 11-36A, UTAH CODE

SERVICE AREA 2 - LARK MEADOWS

JANUARY 2023

SOUTH JORDAN CITY, UTAH



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IMPACT FEE FACILITIES PLAN & ANALYSIS CERTIFICATION

IFFP CERTIFICATION

LYRB certifies that the attached impact fee facilities plan:

1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the 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.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

IFA CERTIFICATION

LYRB certifies that the attached impact fee analysis:

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

LYRB makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City Staff and elected officials.
2. If all or a portion of the IFFP or IFA are modified or amended, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.



DEFINITIONS

The following acronyms or abbreviations are used in this document:

AAGR:	Average Annual Growth Rate
DU:	Dwelling Unit
ERC:	Equivalent Residential Connection
FAR:	Floor Area Ratio
GAL:	Gallons
GPM:	Gallons per Minute
GPD:	Gallons per Day
HAL:	Hansen Allen Luce
IFA:	Impact Fee Analysis
IFFP:	Impact Fee Facilities Plan
LOS:	Level of Service
LYRB:	Lewis Young Robertson and Burningham, Inc.
MG:	Million Gallons
SF:	Square Feet
SVWRF:	South Valley Water Reclamation Facility
WCG:	Wall Consulting Group

SECTION 1: EXECUTIVE SUMMARY

This analysis considers the impact fee calculations for Service Area 2 Lark Meadows. This report is supported by the Wall Consulting Group ("WCG") Bacchus Highway CRA Project Area Buy-In Analysis Memo (Lark Meadows) and the Hansen Allen Luce ("HAL") Cost Apportionment Memo (Lark Meadows) to ascertain the impacts of development on existing and proposed infrastructure. The information from these analyses is used to support the IFFP and IFA findings. The following summarizes the elements of this analysis.

- ☞ **Impact Fee Service Area:** This analysis considers the impact fee calculations for Service Area 2 Lark Meadows.
- ☞ **Demand Analysis:** The demand units utilized in this analysis are trips from the specific service areas.
- ☞ **Level of Service:** For this analysis a LOS D is the maximum acceptable delay/congestion for both roadways and intersections. The LOS for water is based on the various system requirements for source, storage, and transmission. SECTION 3 of this report further explains the LOS.
- ☞ **Excess Capacity:** A buy-in component for transportation infrastructure is contemplated for Service Area 2.
- ☞ **Capital Facilities Analysis:** Service Area 2 includes future water infrastructure totaling \$19,233,000, of which \$2,242,568 as attributed to Service Area 2.
- ☞ **Funding of Future Facilities:** This analysis assumes future growth-related facilities will be funded on a pay-as-you-go basis, utilizing impact fee and utility fee revenues.

PROPOSED IMPACT FEE

The IFFP must meet the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and LOS. The table below illustrates the appropriate buy-in fee.

SERVICE AREA 2 – LARK MEADOWS TRANSPORTATION IMPACT FEE

Service Area 2 includes a buy-in fee for transportation as shown below, based on a total cost per trip-end. In addition, the professional expense of \$13,769 related to completing the capital facility analysis and impact fee analysis is also included.

TABLE 1.1: ALLOCATED COST PER TRIP

	TOTAL QUALIFIED COST	% OF TOTAL QUALIFIED COST	COST TO SERVICE AREA	NEW TRIP ENDS	COST PER TRIP END	PROFESSIONAL EXPENSE	TOTAL
CRA Property	\$33,430,734	9.78%	\$3,268,681	7,347	\$444.88	\$1.87	\$446.75

The cost per trip is then applied to the trip statistics for each type of land use, as shown below in order to derive the impact fee for various types of land uses.

TABLE 1.2: RECOMMENDED IMPACT FEE BASED ON LAND-USE TYPE

LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	IMPACT FEE
Single Family Residential	210	Unit	9.43	0%	0.5	4.72	\$2,106.44
Multi-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37	\$1,505.56
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27	\$1,014.13
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16	\$962.75
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62	\$723.74
Assisted Living	254	Beds	2.6	0%	0.5	1.30	\$580.78
Hotel	310	Rooms	7.99	0%	0.5	4.00	\$1,784.78
Light Industrial	110	KSF	4.87	0%	0.5	2.44	\$1,087.84
Industrial Park	130	KSF	3.37	0%	0.5	1.69	\$752.78
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73	\$323.90
Elementary School	520	Students	2.27	0%	0.5	1.14	\$507.07
Middle/Jr. High School	522	Students	2.1	0%	0.5	1.05	\$469.09
High School	525	Students	1.94	0%	0.5	0.97	\$433.35



LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	IMPACT FEE
Daycare Center	565	KSF	47.62	0%	0.5	23.81	\$10,637.20
Nursing Home	620	KSF	6.75	0%	0.5	3.38	\$1,507.79
Clinic	630	KSF	37.6	0%	0.5	18.80	\$8,398.96
Church	560	KSF	7.6	0%	0.5	3.80	\$1,697.66
General Office	710	KSF	10.84	0%	0.5	5.42	\$2,421.40
Medical Dental Office	720	KSF	36	0%	0.5	18.00	\$8,041.56
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96	\$8,915.14
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99	\$1,333.96
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14	\$5,869.69
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99	\$6,696.41
New Car Sales	840	KSF	27.84	0%	0.5	13.92	\$6,218.81
Tire Store	848	KSF	27.69	25%	0.5	10.38	\$4,638.98
Supermarket	850	KSF	93.84	24%	0.5	35.66	\$15,930.87
Discount Club	857	KSF	42.46	34%	0.5	14.01	\$6,259.82
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91	\$3,982.63
Department Store	875	KSF	22.88	0%	0.5	11.44	\$5,110.86
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.4	49%	0.5	27.64	\$12,349.16
Drive In Bank	912	KSF	100.35	35%	0.5	32.61	\$14,570.30
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48	\$10,487.62
High Turnover/Sit Down Restaurant	932	KSF	107.2	43%	0.5	30.55	\$13,649.21
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18	\$46,990.86
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13	\$502.60
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55	\$39,114.93

Source: Bacchus Highway CRA Project Area Buy-In Fee Analysis, Table 6

NON-STANDARD IMPACT FEES

The proposed fees are based on projected trip ends generated by potential land uses. If the City determines to assess a non-standard fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$446.75) = Impact Fee

WATER IMPACT FEE

Service Area 2 also includes a new facilities fee for water as shown below, based on a total cost per ERC. In addition, the professional expense of \$5,170 related to completing the capital facility analysis and impact fee analysis is also included. The result is a cost of \$2,376.04 per ERC.

TABLE 1.3: ALLOCATION OF COST PER ERC AND PROPOSED IMPACT FEE

	Total Cost	% Eligible Cost	Total Eligible Value	% to IFA Demand	Cost to IFA	ERCs Served	Cost Per ERC	% of Total
New Facilities	\$19,233,000	12%	\$2,242,568	100.00%	\$2,242,568	946	\$2,370.58	100%
Professional Expense	\$5,170	100%	\$5,170	100.00%	\$5,170	946	\$5.46	0%
Total	\$19,238,170		\$2,247,738		\$2,247,738		\$2,376.04	100%

NON-STANDARD IMPACT FEES

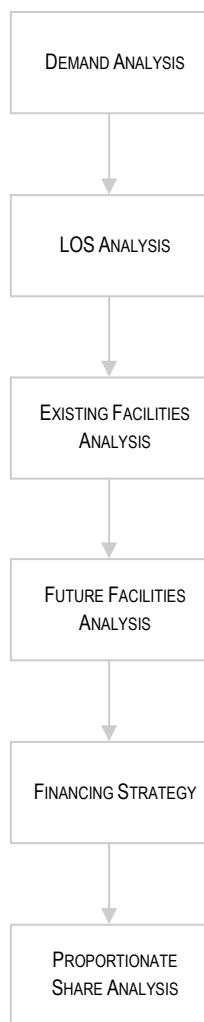
The proposed fee is based on projected costs and demand. If the City determines to assess a non-standard that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Estimate of ERCs x Cost Per ERC (\$2,376.04) = Impact Fee

SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFA¹. The sections of this report identify the demands placed upon the City's existing facilities by future development and evaluate how these demands will be met by the City, as well as the future improvements required to maintain the existing LOS. The purpose is to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. The following elements are important considerations when completing an IFA.

DEMAND ANALYSIS

The demand analysis serves as the foundation for this analysis. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact system facilities.

LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing LOS. Through the inventory of existing facilities, combined with population growth assumptions, this analysis identifies the LOS which is provided to a community's existing residents and ensures that future facilities maintain these standards.

EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the IFFP provides an inventory of the City's existing system improvements. The inventory does not include project improvements. The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development. Any excess capacity identified within existing facilities can be apportioned to future new development.

FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the LOS. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

FINANCING STRATEGY

This analysis must also include a consideration of all revenue sources, including impact fees, debt issuance, alternative funding sources, and the dedication (aka donations) of system improvements, which may be used to finance system improvements.² In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.³

PROPORTIONATE SHARE ANALYSIS

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future (UCA 11-36a-302).

¹ UC 11-36a-301,302,303,304

² UC 11-36a-302(2)

³ UC 11-36a-302(3)



SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities designed and intended to provide services to service areas within the community at large.⁴ Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.⁵ References to facilities, amenities, projects, etc. within this analysis are referring to System Improvements unless otherwise stated.

⁴ UC 11-36a-102(20)

⁵ UC 11-36a102(13)

SECTION 3: OVERVIEW OF SERVICE AREA, DEMAND, AND LOS

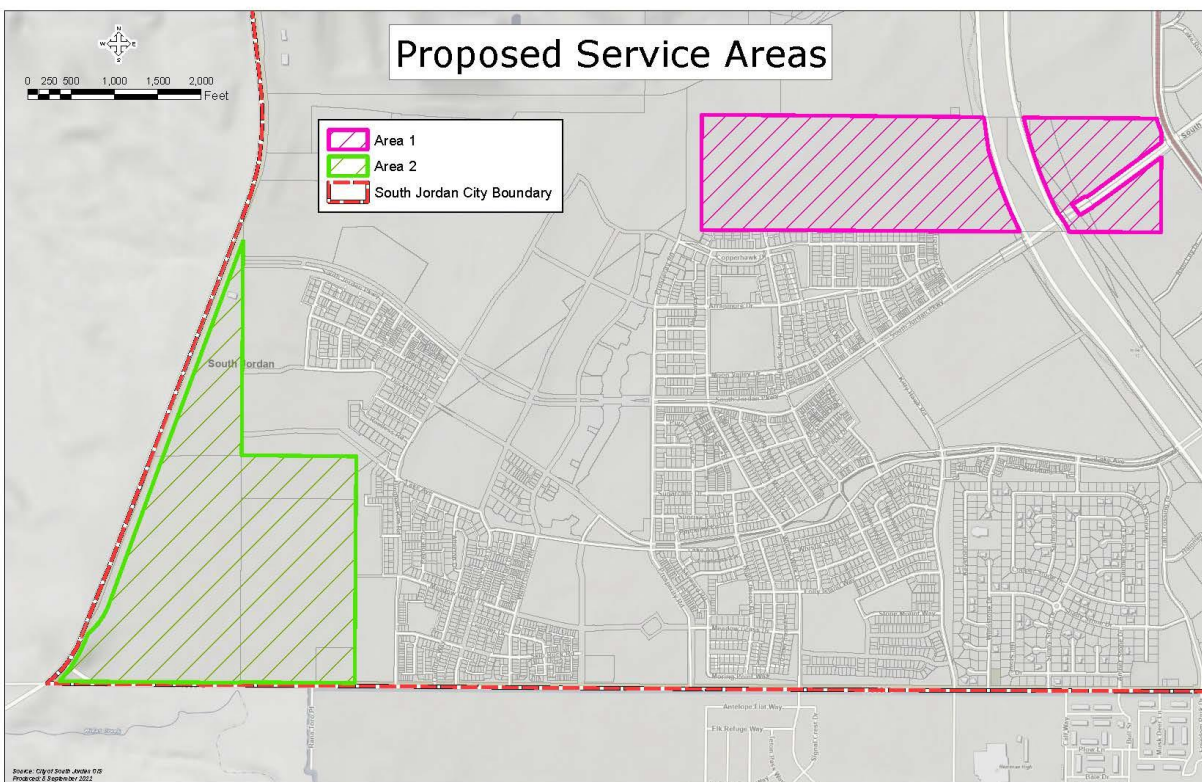
This analysis considers the impact fee calculations for Service Area 2 Lark Meadows. This report is supported by the Wall Consulting Group ("WCG") Bacchus Highway CRA Project Area Buy-In Analysis Memo (Lark Meadows) to ascertain the impacts of development on existing and proposed infrastructure. The information from these analyses is used to support the IFFP and IFA findings.

SERVICE AREA 2 - LARK MEADOWS

SERVICE AREA

The Lark Meadows Service Area (formerly owned by the South Valley Water Reclamation Facility and generally referred to as the CRA Project Area) is shown in **Figure 3.1** as Service Area 2. Service Area 2 is anticipated to include 20 acres of commercial use and 166 acres of residential use for a total of 186 acres. The residential area is planned for five units per acre gross density. Primary access to the Project area is anticipated to be through a new intersection at Daybreak Parkway and the realigned Bacchus Highway as depicted in the South Jordan Transportation Master Plan, 2019 (SJTMP). The SJTMP also plans for the intersection to be signalized by 2040.

FIGURE 3.1: SERVICE AREA 2 - LARK MEADOWS/CRA PROJECT AREA



TRANSPORTATION DEMAND UNITS

The demand unit for Service Area 2 transportation buy-in calculation is "trip-ends". Each land use category was evaluated based on the number of trips generated, based on the updated trip generation rates presented in the ITE Trip Generation Manual, 11th Edition. Appropriate adjustment factors were also applied to remove pass-by traffic. **Table 3.1** summarizes the Service Area trips ends by land use type.

TABLE 3.1: SERVICE AREA 2 TRIP STATISTICS

LAND USE	UNIT	FAR	ACRES	DEVELOPABLE UNITS	DAILY TRIP RATE	ENTERING/EXITING	PASS-BY ADJUST.	NEW DAILY TRIPS
Single Family Detached Housing	DU	-	166	830	9.43	50%	0%	3,913



LAND USE	UNIT	FAR	ACRES	DEVELOPABLE UNITS	DAILY TRIP RATE	ENTERING/EXITING	PASS-BY ADJUST.	NEW DAILY TRIPS
Shopping Center/General Commercial > 150k sq ft	1,000 SF	0.30	20	261	37.01	50%	29%	3,434
Totals			186					7,347

Source: Bacchus Highway CRA Project Area Buy-In Fee Analysis, Table 1

TRANSPORTATION LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing "Level of Service" ("LOS"). The analysis of existing facilities, combined with the growth assumptions, produces an existing LOS which is provided to a community's existing residents. This document is intended to maintain these standards. The Impact Fees Act allows local political subdivisions to charge impact fees for public facilities as long as a reasonable relationship exists between the fees imposed on development and the needs generated by new development activity.

Roadway operations are typically rated based on level of service standard, described as the traffic operations of an intersection and/or roadway based on congestion and delay. The LOS is generally defined in ranges from LOS A (almost no congestion or delay) to LOS F (traffic demand is above capacity and the intersections experience long queues and delays). LOS C or D is generally considered acceptable for rural or urbanized areas, whereas LOS E and F are considered above capacity or failure without modification or adjustment. For this analysis a LOS D is the maximum acceptable delay/congestion for both roadways and intersections.

WATER DEMAND UNITS

The demand unit utilized for Service Area 2 is equivalent residential connections ("ERCs"). According to the January 18, 2021 Memo (Updated September 2022) Cost Apportionment Study memo provided by HAL, ERCs were calculated based on the following description:

An equivalent residential connection (ERC) is a measure used in comparing total water usage of a given entity to the demand imposed by a single-family residential connection. As defined by Utah code (R3009-110), each single-family residential connection represents 1 ERC. The water system demand for the CRA Project Area has been determined by estimating the number of ERCs for the proposed commercial area, the proposed Public Works Yard, and the area for residential development at 5 units per acre gross density. The ratios of ERCs for the CRA Project Area, the Sunstone Subdivision (South Jordan City portion), and Daybreak Development to the total ERCs served by each of the drinking water facilities defined above were then determined. The cost for each facility was then multiplied by the determined ratio applicable to that facility to determine what portion of the cost for each facility should be paid for by developers of the CRA Project Area by South Jordan City for Sunstone, and by Daybreak Communities for Daybreak Development.

Based on the ERC analysis, Service Area 2 consists of 946 ERCs.

SECTION 4: EXISTING FACILITIES & EXCESS CAPACITY

SERVICE AREA 2 - LARK MEADOWS

TRANSPORTATION BUY-IN

Service Area 2 daily traffic volumes were distributed and assigned to the focus roadways in order to calculate a weighted average percentage of total daily traffic for each segment as shown below.

TABLE 4.1: DETERMINATION OF SERVICE AREA 2 BUY-IN TRIP DISTRIBUTION

ROAD SEGMENT	SEGMENT LENGTH (FEET)	2040 FORECAST DAILY TRAFFIC VOLUME	2040 LARK MEADOW/CRA AREA DAILY TRAFFIC VOLUME	% OF TOTAL DAILY TRAFFIC VOLUME
Daybreak Parkway (11800 South)				
Daybreak Boundary to Bingham Rim Rd	500	20,500	8,817	43.0%
Bingham Rim Rd to Prosperity Rd	3,415	21,100	6,319	29.9%
Prosperity Rd to Kitty Hawk Rd	3,115	22,600	4,555	20.2%
Weighted Average Percent of CRA Area Daily Traffic on Segment				26.54%
Bingham Rim Rd				
Daybreak Pkwy (11800 S) to Lake Ave	2,420	12,100	1,469	12.1%
Lake Ave to South Jordan Pkwy	1,550	13,800	1,029	7.5%
South Jordan Pkwy to Prosperity Rd	4,070	13,900	1,051	7.6%
Prosperity Rd to Mountain View Corridor	3,755	13,800	782	5.7%
Weighted Average Percent of CRA Area Daily Traffic on Segment				7.88%
South Jordan Pkwy				
Bacchus Hwy to Bingham Rim Rd	2,835	20,700	1,323	6.4%
Bingham Rim Rd to Prosperity Rd	2,390	22,200	1,300	5.9%
Prosperity Rd to Kitty Hawk Rd	2,770	28,900	1,668	5.8%
Kitty Hawk Rd to Mountain View Corridor	2,090	29,300	1,925	6.6%
Weighted Average Percent of CRA Area Daily Traffic on Segment				6.13%
Source: Bacchus Highway CRA Project Area Buy-In Fee Analysis, Table 2				

The weighted average percentage of Service Area 2 daily traffic on each focus road segment was then multiplied by the segment's total qualified roadway costs to determine the total buy-in cost.

TABLE 4.2: DETERMINATION OF SERVICE AREA 2 BUY-IN ALLOCATION

	QUALIFIED COST
Daybreak Pkwy (11800 South)	\$5,061,600
Percent of daily traffic on segment	26.54%
Buy-in Cost	\$1,343,225
Bingham Rim Rd	\$10,615,500
Percent of daily traffic on segment	7.88%
Buy-in Cost	\$836,989
South Jordan Pkwy	\$17,753,634
Percent of daily traffic on segment	6.13%
Buy-in Cost	\$1,088,467
Overall Road Segments within Daybreak	\$33,430,734
CRA Area Buy-in Cost	\$3,268,681
CRA Area Percent of Total Qualified Cost	9.78%
Source: Bacchus Highway CRA Project Area Buy-In Fee Analysis, Table 3	



SECTION 5: CAPITAL FACILITY ANALYSIS

SERVICE AREA 2 - LARK MEADOWS

The total construction costs for the defined facilities can be found in the HAL Cost apportionment Study Memo (See Appendix B) and summarized in Table 5.1. The total cost associated with each of the facility categories, along with the cost apportionment between the CRA and other communities are presented in the following table.

TABLE 5.1: SERVICE AREA 2 CAPITAL FACILITY COST ALLOCATION

FACILITY	CONSTRUCTION COST	CRA PROJECT AREA		SUNSTONE SUBDIVISION		DAYBREAK COMMUNITIES	
		ALLOCATION PERCENT	COST	ALLOCATION PERCENT	COST	ALLOCATION PERCENT	COST
6.8 MG Tank and Assoc. Facilities	\$10,779,000	11.66%	\$1,256,831	6.14%	\$661,831	82.2%	\$8,860,338
36" Dia. Pipeline and Meter Vault	\$8,454,000	11.66%	\$985,736	6.14%	\$519,076	82.2%	\$6,949,188
Total	\$19,233,000		\$2,242,568		\$1,180,906		\$15,809,526

Source: Cost Apportionment Between Bacchus Highway CRA Projects Area (Lark Meadow), Daybreak Development, and South Jordan City for Water Infrastructure, Table 1

Based on the above analysis, the total allocated cost to Service Area 2 equals \$2,242,568 which will serve 946 ERCs.



SECTION 6: IMPACT FEE CALCULATION

The calculation of impact fees relies upon the demand analysis, LOS analysis, inventory of existing facilities and excess capacity, and the needed future capital improvement as identified in **Sections II** through **VI**. Impact fees are calculated based on many variables centered on proportionality and level of service. This analysis defines the impact fees for Service Area 2 as defined in **Section 3**.

SERVICE AREA 2 – LARK MEADOWS TRANSPORTATION IMPACT FEE

Service Area 2 includes a buy-in fee for transportation as shown below, based on a total cost per trip-end. In addition, the professional expense of \$13,769 related to completing the capital facility analysis and impact fee analysis is also included.

TABLE 6.1: ALLOCATED COST PER TRIP

	TOTAL QUALIFIED COST	% OF TOTAL QUALIFIED COST	COST TO SERVICE AREA	NEW TRIP ENDS	COST PER TRIP END	PROFESSIONAL EXPENSE	TOTAL
CRA Property	\$33,430,734	9.78%	\$3,268,681	7,347	\$444.88	\$1.87	\$446.75

The cost per trip is then applied to the trip statistics for each type of land use, as shown below in order to derive the impact fee for various types of land uses.

TABLE 6.2: RECOMMENDED IMPACT FEE BASED ON LAND-USE TYPE

LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	IMPACT FEE
Single Family Residential	210	Unit	9.43	0%	0.5	4.72	\$2,106.44
Multi-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37	\$1,505.56
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27	\$1,014.13
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16	\$962.75
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62	\$723.74
Assisted Living	254	Beds	2.6	0%	0.5	1.30	\$580.78
Hotel	310	Rooms	7.99	0%	0.5	4.00	\$1,784.78
Light Industrial	110	KSF	4.87	0%	0.5	2.44	\$1,087.84
Industrial Park	130	KSF	3.37	0%	0.5	1.69	\$752.78
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73	\$323.90
Elementary School	520	Students	2.27	0%	0.5	1.14	\$507.07
Middle/Jr. High School	522	Students	2.1	0%	0.5	1.05	\$469.09
High School	525	Students	1.94	0%	0.5	0.97	\$433.35
Daycare Center	565	KSF	47.62	0%	0.5	23.81	\$10,637.20
Nursing Home	620	KSF	6.75	0%	0.5	3.38	\$1,507.79
Clinic	630	KSF	37.6	0%	0.5	18.80	\$8,398.96
Church	560	KSF	7.6	0%	0.5	3.80	\$1,697.66
General Office	710	KSF	10.84	0%	0.5	5.42	\$2,421.40
Medical Dental Office	720	KSF	36	0%	0.5	18.00	\$8,041.56
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96	\$8,915.14
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99	\$1,333.96
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14	\$5,869.69
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99	\$6,696.41
New Car Sales	840	KSF	27.84	0%	0.5	13.92	\$6,218.81
Tire Store	848	KSF	27.69	25%	0.5	10.38	\$4,638.98
Supermarket	850	KSF	93.84	24%	0.5	35.66	\$15,930.87
Discount Club	857	KSF	42.46	34%	0.5	14.01	\$6,259.82
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91	\$3,982.63
Department Store	875	KSF	22.88	0%	0.5	11.44	\$5,110.86
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.4	49%	0.5	27.64	\$12,349.16
Drive In Bank	912	KSF	100.35	35%	0.5	32.61	\$14,570.30

LAND USE	ITE CODE	UNIT	WEEKDAY TRIP RATE	PASS-BY ADJUST.	ENTERING/ EXITING	ADJUSTED TRIPS ENDS	IMPACT FEE
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48	\$10,487.62
High Turnover/Sit Down Restaurant	932	KSF	107.2	43%	0.5	30.55	\$13,649.21
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18	\$46,990.86
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13	\$502.60
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55	\$39,114.93

Source: Bacchus Highway CRA Project Area Buy-In Fee Analysis, Table 6

NON-STANDARD IMPACT FEES

The proposed fees are based on projected trip ends generated by potential land uses. If the City determines to assess a non-standard fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$446.75) = Impact Fee

WATER IMPACT FEE

Service Area 2 also includes a new facilities fee for water as shown below, based on a total cost per ERC. In addition, the professional expense of \$5,170 related to completing the capital facility analysis and impact fee analysis is also included. The result is a cost of \$2,376.04 per ERC.

TABLE 6.3: ALLOCATION OF COST PER ERC AND PROPOSED IMPACT FEE

	Total Cost	% Eligible Cost	Total Eligible Value	% to IFA Demand	Cost to IFA	ERCs Served	Cost Per ERC	% of Total
New Facilities	\$19,233,000	12%	\$2,242,568	100.00%	\$2,242,568	946	\$2,370.58	100%
Professional Expense	\$5,170	100%	\$5,170	100.00%	\$5,170	946	\$5.46	0%
Total	\$19,238,170		\$2,247,738		\$2,247,738		\$2,376.04	100%

NON-STANDARD IMPACT FEES

The proposed fee is based on projected costs and demand. If the City determines to assess a non-standard that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

FORMULA FOR NON-STANDARD IMPACT FEES:

Estimate of ERCs x Cost Per ERC (\$2,376.04) = Impact Fee

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing public facilities designed to provide services to service areas within the community at large and future public facilities that are intended to provide services to service areas within the community at large.⁶ Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.⁷ The Impact Fee Analysis may only include the costs of impacts on system improvements related to new growth within the proportionate share analysis.

FINANCING STRATEGY

This analysis must also include a consideration of the financing strategy for existing and proposed facilities. all revenue sources, including impact fees and the dedication of system improvements, which may be used to finance system improvements.⁸ In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.⁹

⁶ 11-36a-102(20)

⁷ 11-36a-102(13)

⁸ 11-36a-302(2)

⁹ 11-36a-304(2)

FUNDING OF FUTURE FACILITIES

It is not anticipated that future facilities will be constructed with Federal and/or State funding resources. It is anticipated that the City's general fund and impact fee funds will need to be utilized to ensure the system improvements can be constructed. The impact fee facilities plan identifies the necessary general funds and impact fee funds for each project.

EQUITY OF IMPACT FEES

The impact fees identified in this document are intended to recover the costs of capital infrastructure that relate to future development activity. The impact fee calculations are structured for impact fees to fund the growth-related facilities identified in the proportionate share analysis as presented in this document. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, other revenues such as general fund revenues will be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through impact fees. This analysis recommends that the City consider documenting any inter-fund loan or transfer as a liability or debt obligation for which future collection of impact fees will repay and reimburse. This will allow the City to accurately allocate the true cost of new development activity.

PASS THROUGH TRAFFIC

Traffic that passes through a service area but does not start or end at a destination within the area, is often referred to as pass through traffic. While these trips are not impact fee eligible, they utilize capacity within the transportation system. Regional traffic is often funded through state or federal sources. The proportion of pass-through impact on each roadway is not included as impact fee eligible cost. This cost should be recouped from the general fund or from other funding sources.

NECESSITY OF IMPACT FEES

This analysis and documentation has determined that for purposes of the transportation impact fees, the City is justified to collect impact fees as a way to finance system improvements. This is predicated upon the review of existing inventory, level of service standards, and historic funding of similar system improvements. In other words, in order to establish and achieve parity and equity across current and future users of the transportation and roadway system, the City must impose and collect the impact fees calculated in this document.



APPENDIX A: WCG BACCHUS HIGHWAY CRA PROJECT AREA BUY-IN FEE ANALYSIS UPDATE MEMO (LARK MEADOWS)



APPENDIX B: HAL COST APPORTIONMENT MEMO (LARK MEADOWS)



MEMORANDUM

DATE: January 18, 2021 - Draft
Updated September 12, 2022

TO: Brad Klavano, P.E.
City Engineer
City of South Jordan
10996 South Redwood Road
South Jordan, UT 84095

FROM: Marvin E. Allen, P.E.
Hansen, Allen & Luce, Inc. (HAL)
859 West South Jordan Pkwy – Suite 200
South Jordan, Utah 84095

SUBJECT: Cost Apportionment Between Bacchus Highway CRA Projects Area (Lark Meadow), Daybreak Development, and South Jordan City for Water Infrastructure

PROJECT NO.: 176.34.200

This memorandum provides a summary of the results from a study to define the apportionment of drinking water system capital costs between Daybreak Communities, the Bacchus Highway CRA Project Area, and South Jordan City. The Bacchus Highway CRA Project Area includes 186 acres located adjacent to the northeast corner of the intersection of Bacchus Highway (Highway U111) and 118th South. Water infrastructure to be included in the evaluation includes the Zone 7/8 South Tank and the 36-inch diameter transmission pipeline from the tank to the intersection of Bacchus Highway and 118th South, and then along 118th South to the eastern property boundary of the CRA Project Area (see the attached Figure for location of facilities). This segment of pipeline will also serve the Sunstone Subdivision, which is an area of South Jordan City not included in the Daybreak Development Area. Thus, the cost is also apportioned to South Jordan City for the Sunstone Subdivision.

To date Daybreak Communities has been responsible for the construction and cost of all drinking water facilities within Pressure Zones 7 and 8. Neither the CRA Project Area nor the Sunstone Subdivision are owned by Daybreak Communities, but they will benefit from the proposed water infrastructure referenced above.

The CRA project area (Lark Meadows) includes 186 acres, consisting of 20 acres proposed as commercial development, 15 acres owned by South Jordan City for a public works yard, and 151 acres of residential development at a density of 5 units per acre gross density.

APPROACH

Major facilities to be included in the cost apportionment calculations include:

1. A new 6.8 MG drinking water storage tank to be constructed at a location adjacent to U111, approximately 4300 feet southwest along the highway from the intersection of the

highway with 118th South. The project will include the tank and accompanying valve vault, site piping, and meter vault connection to the Jordan Valley Water Conservancy District (JVWCD) wholesale supply. This storage tank will serve the south half of Pressure Zones 7 and 8, and a portion of Pressure Zone 6.

2. A new 36-inch diameter transmission pipeline from the tank site to the junction of 118th South and Highway U111 and thence east along 118th South to the eastern property boundary of the CRA Project area.

The approach for determining cost apportionment of the above referenced facilities between the CRA Project Area, South Jordan City and Daybreak Development is a demand-based approach. An equivalent residential connection (ERC) is a measure used in comparing total water usage of a given entity to the demand imposed by a single-family residential connection. As defined by Utah code (R3009-110), each single-family residential connection represents 1 ERC. The water system demand for the CRA Project Area has been determined by estimating the number of ERCs for the proposed commercial area, the proposed Public Works Yard, and the area for residential development at 5 units per acre gross density. The ratios of ERCs for the CRA Project Area, the Sunstone Subdivision (South Jordan City portion), and Daybreak Development to the total ERCs served by each of the drinking water facilities defined above were then determined. The cost for each facility was then multiplied by the determined ratio applicable to that facility to determine what portion of the cost for each facility should be paid for by developers of the CRA Project Area by South Jordan City for Sunstone, and by Daybreak Communities for Daybreak Development.

Of the 6.8 MG storage in the water tank, 0.5 MG is for fire flow, 4.87 MG is for equalization storage, and 1.4 MG is for emergency storage to serve the pressure zones. Two tanks are proposed to serve these two pressure zones, the existing 5 MG tank (located on the north side of the pressure zones) and this proposed 6.8 MG tank to be located on the south side of the pressure zones. The total fire flow requirement within Pressure Zones 7 and 8 is on the order of 1 MG, with approximately half included in each of the two tanks. The equalization storage is used to meet the day-to-day water demands of the system. At approximately 4.87 MG equalization storage and assuming a storage requirement to meet State Standards of 600 gallons/ERC, the total ERCs served by the equalization storage of the 6.8 MG tank will be on the order of 8,111 ERCs. Of this total, the estimated demand for the CRA Project Area is 946 ERCs, the estimated demand for the Sunstone Subdivision area is 498 ERCs, and the estimated demand for the Daybreak Development area is 6,667 ERCs. Thus, the percentage of the total storage dedicated to each entity is 11.66% (i.e. 946/8,111) for the CRA Project Area, 6.14% (i.e. 498/8,111) to South Jordan City for the Sunstone Subdivision, and 82.20% (i.e. 6,667/8,111) to Daybreak Communities for the Daybreak Development.

The 36-inch diameter transmission pipeline from the tank to the intersection of Bacchus Highway and 118th South, and then along 118th South to the eastern property boundary of the CRA Project Area will serve all of the demand from the tank. Therefore, the percentage apportionment of cost to the CRA Project Area, the Sunstone Subdivision, and to Daybreak Development is the same as specified above for the tank.

RESULTS

The total construction costs for the defined facilities were estimated from actual construction costs incurred for the existing north tank and pipeline. The estimated costs for the tank and pipeline, along with the cost apportionment between the CRA Project Area, South Jordan City for the Sunstone Subdivision, and Daybreak Communities are presented in the following table.

Facility	Construction Cost	CRA Project Area		Sunstone Subdivision		Daybreak Communities	
		Allocation Percent	Cost	Allocation Percent	Cost	Allocation Percent	Cost
1. 6.8 MG Tank and Assoc. Facilities	\$10,779,000	11.66	\$1,256,831	6.14	\$661,831	82.2	\$8,860,338
2. 36" Dia. Pipeline and Meter Vault	\$8,454,000	11.66	\$985,736	6.14	\$519,076	82.2	\$6,949,188
TOTAL	\$19,233,000		\$2,242,567		\$1,180,907		\$15,809,526

The cost per ERC to the CRA Project Area for the identified water related facilities would be \$2,370 based on a total allocated cost of \$2,242,567 and 946 ERCs determined for the CRA Project Area,

APPENDIX

CALCULATIONS

Objective: Determine what portion of the ^{costs of} major tanks and transmission pipelines should be assigned to the Bacchus Highway CRA Projects area, to Daybreak Development and to the City.

1- Base the percentage share of each by the number of ERCs located in each ownership area.

A - ERCs served by the two Zone 7/8 tanks, north tank vs. South Tank. From HAL's July 28, 2020 letter to Brad Klarano, assuming one-half of fire flow in each tank, the following ERCs are served by each tank:

i - North Zone 7/8 Tank

	Gallons
Equalization Storage	3,478,220
Emergency Storage	1,021,780
Fireflow Storage	500,000
Total	5,000,000

ERCs served by this tank using the ^{new} PDW minimum sizing standard of 600 gallons / ERC

$$= \frac{3,478,220}{600} = 5797 \text{ ERCs}$$

ii - South Zone 7/8 Tank

	Gallons
Equalization Storage	4,866,780
Emergency Storage	1,389,620
Fireflow Storage	500,000
Total	6,756,400

ERCs served by this tank = $\frac{4,866,780}{600} = 8111 \text{ ERCs}$

iii - From the above referenced letter, Zone 7/8 tanks must serve 1,776 ERCs in Zone 6. This will be served primarily by the South Tank.

iv - Total ERCs served from both tanks

Pressure Zone 6	1,776 ERCs
Pressure Zone 7	7,597 ERCs
Pressure Zone 8	4,535 ERCs
Total	13,908 ERCs

B- ERCs located in each property

i- The CRA property will be served by the South Tank.

• Total ERCs served by South Tank = 8111 ERCs

• CRA Property Area ERCs = 946 ERCs
(see attached email from Kayson Shurtz)
of this amount 5 ERCs belong to
South Jordan City Public Works Yard

South Jordan ERCs = 5 ERCs
Remaining Property = 939 ERCs

• Zone 6 ERCs to be served from Zone 7/8
are located in south area of Zone 6.
The north area of Zone 6 is served by
the Zone 6 tank which is located on
the north side of the City.

Zone 6 ERCs served by South Tank = 1776 ERCs

Of these Zone 6 ERCs, a portion
includes Sunstone Subdivision which is
a City subdivision, independent of Baybreak.
ERC Breakdown:

Sunstone ERCs	498 ERCs
Baybreak ERCs	1278 ERCs
Total	1776 ERCs Zone 6

• Baybreak Development ERCs in Zones 7/8

Balance = $8111 - 946 - 1776 = 5389$ ERCs

2- Determine costs and percentage of costs that
should be borne by each property group.

A- Major water infrastructure that would be shared
by the three entities would include the
following:

- Juncos Meter Vault
- 6.8 MG Tank
- 11,000 ft of 36" Pipeline

B- Percentage of Cost at Each Property Entity

Entity	ERCs	% Share
Daybreak	6667	82.20
CRA Projects Area	946	11.66
S. Jordan	498	6.14
Total	8111	100

2- Estimated Cost

A- Pipeline - 8025 l.f. of 36" Dia PVC
\$8,454,000 - Attached spreadsheet

B- Tank - 6.8 MG:
Include on-site piping and valve vault.
Use North 5 MG Zone 7/8 Tank Costs, which include landscape, tank, valve vault and site drainage and piping.
\$10,779,000 - Attached spreadsheet

C- Meter Vault - JUNCTION

Included w/ pipeline cost

D- Total Cost =

Pipeline & Meter Vault	= 8,454,000
Tank	= 10,779,000
TOTAL	= 19,233,000

3- Cost Allocation

Daybreak = $0.8220 \times 19,233,000 = 15,809,526$
CRA Project = $0.1166 \times 19,233,000 = 2,242,567$
South Jordan = $0.0614 \times 19,233,000 = 1,180,907$

PROJECT COSTS FOR CRA COST APORITIONMENT

176.34.200

9/12/2022

Based on June 2022 Bids on Vineyard City Pipelines Project
Meter Vault based on updating costs from Zone 7/8 North Tank

ITEM NO	ITEM	UNITS	QUANTITY	UNIT COST	COST	
Pipeline						
1	36" PVC Pipe	LF	8025	\$ 620.00	\$ 4,975,500.00	
2	36" 90 Degree Bend	EA	1	\$ 20,000.00	\$ 20,000.00	
3	36" 45 Degree Bends	EA	4	\$ 20,000.00	\$ 80,000.00	
4	36" 22.5 Degree Bends	EA	5	\$ 18,000.00	\$ 90,000.00	
5	36"x24" Tee	EA	1	\$ 23,000.00	\$ 23,000.00	
6	36"x30" Reducer	EA	1	\$ 15,000.00	\$ 15,000.00	
7	36" Butterfly Valve	EA	7	\$ 42,000.00	\$ 294,000.00	
8	Air Vac Stations	EA	6	\$ 53,000.00	\$ 318,000.00	
Testing Agency Services Related to Soil Management Work						
9	Plan	LS	1	\$ 90,000.00	\$ 90,000.00	
10	Site Preparation and SWPPP	LS	1	\$ 30,000.00	\$ 30,000.00	
11	Construction Surveying	LS	1	\$ 10,000.00	\$ 10,000.00	
12	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	
13	Removal and Disposal of Contaminated Soils	LS	1	\$ 30,000.00	\$ 30,000.00	Won't know until soil is tested
14	Testing	LS	1	\$ 15,000.00	\$ 15,000.00	
15	JVWCD Meter Vault	LS	1	\$ 335,500.00	\$ 335,500.00	\$275,000 in October of 2017
16	Mobilization	LS	1	\$ 543,645.00	\$ 543,645.00	Use 9% of Construction cost
						ENR Oct 2017 to Sept 2022:
						13173/10817= 1.22
				Subtotal	\$ 6,919,645.00	
				Engineering	\$ 150,000.00	
				20% Contingency	\$ 1,383,929.00	
				TOTAL	\$ 8,453,574.00	

Tank:

Tank based on combination of updating Zone 7/8 North Tank & Vineyard recently bid tank.

1	Mobilization and Traffic Control	LS	1	\$ 716,886.00	\$ 716,886.00	
2	Site Preparation and SWPPP	LS	1	\$ 30,000.00	\$ 30,000.00	
3	Construction Surveying	LS	1	\$ 20,000.00	\$ 20,000.00	
4	Independent Testing Agency Services	LS	1	\$ 45,000.00	\$ 45,000.00	
6.8 Million Gallon Concrete Tank (Includes Everything						
5	Within 5 Feet of the Tank Walls	LS	1	\$ 5,984,000.00	\$ 5,984,000.00	Use 0.88 per gallon based on Vineyard recent bids
6	Tank Backfill, Tank Site Grading and Improvements	LS	1	\$ 244,000.00	\$ 244,000.00	
7	Valve Vault, Piping and Equipment	LS	1	\$ 750,000.00	\$ 750,000.00	
Access Road with 8-inch Thick Imported Pulverized Asphalt						
8	Concrete Base Course	LS	1	\$ 40,000.00	\$ 40,000.00	
9	Tank Overflow Pipe and Precast Concrete Vault Complete	LS	1	\$ 50,000.00	\$ 50,000.00	
10	10-inch DIP Drain Pipeline STA 0+00 TO STA 3+62.35	LF	760	\$ 190.00	\$ 144,400.00	
11	36-inch RCP Class III Overflow Pipe and manholes	LF	760	\$ 300.00	\$ 228,000.00	
12	Chlorine Building, and Chlorine Equipment	LS	1	\$ 180,000.00	\$ 180,000.00	
13	Electrical Work at Tank Site	LS	1	\$ 100,000.00	\$ 100,000.00	
14	Landscaping	LS	1	\$ 50,000.00	\$ 50,000.00	
15	Fencing and Gate	LS	1	\$ 100,000.00	\$ 100,000.00	
					Subtotal	\$ 8,682,286.00
					Engineering:	\$ 360,000.00
					20% Contingency	\$ 1,736,457.20
					TOTAL	\$ 10,778,743.20

TECHNICAL MEMORANDUM

DATE: 12/14/2022

TO: Brad Klavano, P.E., Director of Engineering Services/City Engineer - South Jordan City

FROM: Tim Taylor, PE, PTOE
Austin Feula, PE, PTOE
Jeremy Searle, PE, PTOE

RE: Bacchus Highway CRA Project Area Buy-In Fee Analysis Update

This Bacchus Highway Buy-In Fee Analysis Update was prepared to assist South Jordan City in allocating a cost per trip-end buy-in fee for future development in the areas formerly owned by the South Valley Water Reclamation Facility and generally referred to as the CRA Property Area (See **Figure 1**). Fees will be used to reimburse Daybreak Communities for their past and future construction for the sections of Daybreak Parkway/118th South, Bingham Rim Road and South Jordan Parkway highlighted in Figure 1.



Figure 1: CRA Property Area

Background

The CRA Project Area is anticipated to include 20 acres of commercial use and 166 acres of residential use for a total of 186 acres. The residential area is planned for 5 units per acre gross density. Primary access to the Project area is anticipated to be through a new intersection at Daybreak Parkway and the realigned Bacchus Highway as depicted in the South Jordan Transportation Master Plan, 2019 (SJTMP). The SJTMP also plans for the intersection to be signalized by 2040.

Analysis

The SJTMP projected Future 2040 build average daily traffic volumes (ADT) along the project focus roadways of Daybreak Parkway/118th South, Bingham Rim Road and South Jordan Parkway as depicted in **Figure 2** below.

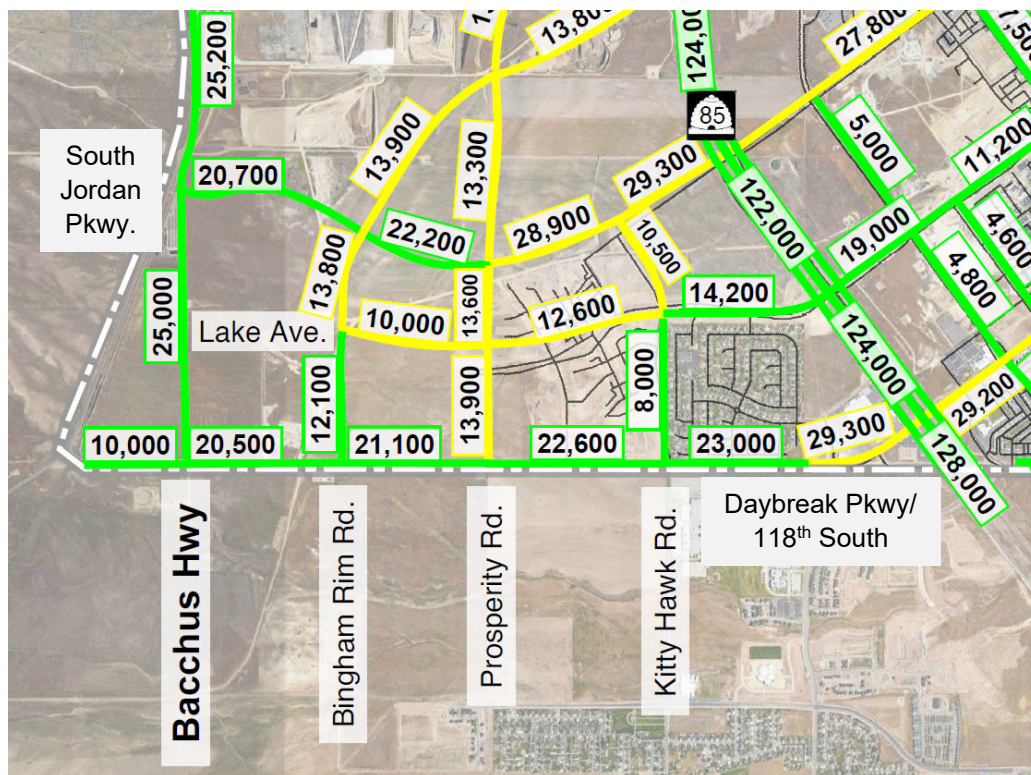


Figure 2: Future 2040 Build ADT

A total of 7,374 daily trip ends were calculated based on the assumption of 20 acres of retail shopping center land uses (FAR of 0.30) and 830 single family detached units. Trips were calculated based on daily trip generation rates from the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition. Appropriate adjustment factors were applied to account for pass-by traffic. **Table 1** summarizes the CRA Property areas daily trip ends by land use type.

Table 1: Daily Trip Ends By Land Use Type

Land Use	Unit	FAR	Acres	Developable Units	Daily Trip Rate	Entering / Exiting	Pass-By Adjust.	Daily Trip Ends
Residential								
Single Family Detached Housing (210)	Dwelling Units	-	166	830	9.43	0.5	0%	3,913
Commercial								
Shopping Center/General Commercial > 150k sq ft	1,000 SQ FT	0.30	20	261	37.01	0.5	29%	3,434
TOTALS			186					7,347

Focus Roadways Buy-In Fee Analysis

The CRA Area daily traffic volumes were distributed and assigned to the focus roadways in order to calculate a CRA Area weighted average percentage of total daily traffic for each segment as shown in **Table 2**.

Table 2: Percentage of CRA Area Daily Traffic by Road Segment

Road Segment	Segment Length (feet)	2040 Forecast Daily Traffic Volume	2040 CRA Area Daily Traffic Volume	CRA Area % of Total Daily Traffic Volume
Daybreak Parkway (11800 South)				
Daybreak Boundary to Bingham Rim Rd	500	20,500	8,817	43.0%
Bingham Rim Rd to Prosperity Rd	3,415	21,100	6,319	29.9%
Prosperity Rd to Kitty Hawk Rd	3,115	22,600	4,555	20.2%
Weighted Average Percent of CRA Area Daily Traffic on Segment				26.54%
Bingham Rim Rd				
Daybreak Pkwy (11800 S) to Lake Ave	2,420	12,100	1,469	12.1%
Lake Ave to South Jordan Pkwy	1,550	13,800	1,029	7.5%
South Jordan Pkwy to Prosperity Rd	4,070	13,900	1,051	7.6%
Prosperity Rd to Mountain View Corridor	3,755	13,800	782	5.7%
Weighted Average Percent of CRA Area Daily Traffic on Segment				7.88%
South Jordan Pkwy				
Bacchus Hwy to Bingham Rim Rd	2,835	20,700	1,323	6.4%
Bingham Rim Rd to Prosperity Rd	2,390	22,200	1,300	5.9%
Prosperity Rd to Kitty Hawk Rd	2,770	28,900	1,668	5.8%
Kitty Hawk Rd to Mountain View Corridor	2,090	29,300	1,925	6.6%
Weighted Average Percent of CRA Area Daily Traffic on Segment				6.13%

The weighted average percentage of CRA Area daily traffic on each focus road segment was multiplied by the segment's total qualified roadway costs to determine the total buy-in cost attributable to the CRA Area (See **Table 3**).

The qualified roadway costs are based on a per linear foot cost of \$720 for Daybreak Parkway/118th South (half section), \$900 for Bingham Rim Road, and \$1,760 for South

Jordan Parkway. Costs reflect a 2021 dollar value with a 20% increase over previous estimates, related to inflation.

Table 3: CRA Area Buy-In Cost

	Qualified Cost
Daybreak Pkwy (11800 South)	\$5,061,600
Percent of daily traffic on segment	26.54%
Buy-in Cost	\$1,343,225
Bingham Rim Rd	\$10,615,500
Percent of daily traffic on segment	7.88%
Buy-in Cost	\$836,989
South Jordan Pkwy	\$17,753,634
Percent of daily traffic on segment	6.13%
Buy-in Cost	\$1,088,467
Overall Road Segments within Daybreak	\$33,430,734
CRA Area Buy-in Cost	\$3,268,680
CRA Area Percent of Total Qualified Cost	9.78%

The CRA Area buy-in cost was then divided by the CRA Area trip ends to determine an overall cost per trip end (See **Table 4**).

Table 4: Cost Per Trip End Illustration

	Total Qualified Cost	CRA Area % of Total Qualified Cost	CRA Area Buy-In Cost	CRA Area Trip Ends	Cost per Trip End
CRA Property Area					
Overall CRA Property	\$33,430,734	9.78%	\$3,268,680	7,347	\$444.88

The number of trip ends for various land use types was calculated using ITE Trip Generation characteristics for daily trips and adjusted to remove pass-by traffic. **Table 5** displays the daily trip ends by land use type.

The cost per trip end was then applied to the trip ends of the various land use types to calculate an associated Buy-In Fee rate for the Overall CRA Property (See **Table 6**). These rates represent the recommended Buy-In Fees by land use type.

Table 5: Trip Ends by Land Use Type

Land Use	ITE Code	Unit	Weekday Trip Rate	Pass-By Adjust.	Entering/ Exiting	Adjusted Trips Ends
Single Family Residential	210	Unit	9.43	0%	0.5	4.72
Multi-Family Low-Rise (≤ 3 stories)	220	Unit	6.74	0%	0.5	3.37
Multi-Family Mid-Rise (4-10 stories)	221	Unit	4.54	0%	0.5	2.27
Senior Adult Housing Detached	251	Unit	4.31	0%	0.5	2.16
Senior Adult Housing Attached	252	Occ. Unit	3.24	0%	0.5	1.62
Assisted Living	254	Beds	2.60	0%	0.5	1.30
Hotel	310	Rooms	7.99	0%	0.5	4.00
Light Industrial	110	KSF	4.87	0%	0.5	2.44
Industrial Park	130	KSF	3.37	0%	0.5	1.69
Mini Warehouse	151	KSF	1.45	0%	0.5	0.73
Elementary School	520	Students	2.27	0%	0.5	1.14
Middle/Jr. High School	522	Students	2.10	0%	0.5	1.05
High School	525	Students	1.94	0%	0.5	0.97
Daycare Center	565	KSF	47.62	0%	0.5	23.81
Nursing Home	620	KSF	6.75	0%	0.5	3.38
Clinic	630	KSF	37.60	0%	0.5	18.80
Church	560	KSF	7.60	0%	0.5	3.80
General Office	710	KSF	10.84	0%	0.5	5.42
Medical Dental Office	720	KSF	36.00	0%	0.5	18.00
Free Standing Discount Store	813	KSF	50.52	21%	0.5	19.96
Hardware/Paint Store	816	KSF	8.07	26%	0.5	2.99
Shopping Center/General Commercial 150k-300k sq ft	820	KSF	37.01	29%	0.5	13.14
Shopping Center/General Commercial > 300k sq ft	820	KSF	37.01	19%	0.5	14.99
New Car Sales	840	KSF	27.84	0%	0.5	13.92
Tire Store	848	KSF	27.69	25%	0.5	10.38
Supermarket	850	KSF	93.84	24%	0.5	35.66
Discount Club	857	KSF	42.46	34%	0.5	14.01
Home Improvement Superstore	862	KSF	30.74	42%	0.5	8.91
Department Store	875	KSF	22.88	0%	0.5	11.44
Pharmacy/Drugstore w/ Drive Thru	881	KSF	108.40	49%	0.5	27.64
Drive In Bank	912	KSF	100.35	35%	0.5	32.61
Quality Restaurant	931	KSF	83.84	44%	0.5	23.48
High Turnover/Sit Down Restaurant	932	KSF	107.20	43%	0.5	30.55
Fast Food with Drive Thru	934	KSF	467.48	55%	0.5	105.18
Automobile Care Center	942	KSF	2.25	0%	0.5	1.13
Convenience Store/Gas Station (9-15 veh. fueling positions)	945	KSF	700.43	75%	0.5	87.55

Source: ITE Trip Generation Manual (11th Edition)

Table 6: Recommended Buy-In Fees - CRA Property

Land Use Category	Trip Ends	Daybreak Roads Fee
Cost per Trip End		\$444.88
Residential (per unit)		
Single Family Residential	4.72	\$2,097.61
Multi-Family Low-Rise (≤ 3 stories)	3.37	\$1,499.24
Multi-Family Mid-Rise (4-10 stories)	2.27	\$1,009.88
Senior Adult Housing Detached	2.16	\$958.71
Senior Adult Housing Attached (per occ. unit)	1.62	\$720.70
Assisted Living (per bed)	1.30	\$578.34
Hotel (per room)	4.00	\$1,777.29
Light Industrial	2.44	\$1,083.28
Non-Residential (per 1,000 square feet)		
Industrial Park	1.69	\$749.62
Mini Warehouse	0.73	\$322.54
Elementary School (per student)	1.14	\$504.94
Middle/Jr. High School (per student)	1.05	\$467.12
High School (per student)	0.97	\$431.53
Daycare Center	23.81	\$10,592.58
Nursing Home	3.38	\$1,501.47
Clinic	18.80	\$8,363.73
Church	3.80	\$1,690.54
General Office	5.42	\$2,411.25
Medical Dental Office	18.00	\$8,007.83
Free Standing Discount Store	19.96	\$8,877.74
Hardware/Paint Store	2.99	\$1,328.37
Shopping Center/General Commercial 150k-300k sq ft	13.14	\$5,845.07
Shopping Center/General Commercial > 300k sq ft	14.99	\$6,668.32
New Car Sales	13.92	\$6,192.72
Tire Store	10.38	\$4,619.52
Supermarket	35.66	\$15,864.04
Discount Club	14.01	\$6,233.56
Home Improvement Superstore	8.91	\$3,965.92
Department Store	11.44	\$5,089.42
Pharmacy/Drugstore w/ Drive Thru	27.64	\$12,297.35
Drive In Bank	32.61	\$14,509.18
Quality Restaurant	23.48	\$10,443.63
High Turnover/Sit Down Restaurant	30.55	\$13,591.95
Fast Food with Drive Thru	105.18	\$46,793.74
Automobile Care Center	1.13	\$500.49
Convenience Store/Gas Station (9-15 veh. fueling positions)	87.55	\$38,950.85

The proposed Buy-In Fees are based on projected trip ends generated by potential CRA Area land uses. If the City determines to assess a non-standard Buy-In Fee that more closely represents the true trip making characteristics of a proposed land use type, the following formulas will be utilized:

Overall CRA Property

Total Trip Ends (per specified land use) x Applicable Adjustment Factors x Cost Per Trip End (\$444.88)