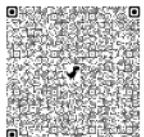




CITY OF BELLEVUE, IDAHO
Planning and Zoning Commission
Monday, February 2, 2026, 5:30 PM
115 Pine Street, Bellevue, Idaho 83313

AGENDA



JOIN TEAMS MEETING

[Join the meeting now](#)

Meeting ID: 296 592 476 369 10

Passcode: hu63ES6K

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MT14YjgzYTAtNmMxOS00ZWU0LTkxNGItZWQ2MTA0ZmJNDC1%40thread.v2/0?context=%7b%22Tid%22%3a%224bf19b22-eade-47a0-a58b-8db6b13f043c%22%2c%22Oid%22%3a%22c5e34ffd-539c-475c-b8b7-172244c9c3d6%22%7d

CALL TO ORDER

ROLL CALL

1. NOTICE OF AGENDA COMPLIANCE - ACTION ITEM

*Finding that the regular meeting notice and agenda were posted in accordance with Idaho Code §74-204 within forty-eight (48) hours prior to the meeting at: the City of Bellevue City Hall, Post Office, on the City's website on **January 28, 2026**. (**Suggested Motion: I move the notice for the February 2, 2026, regular Meeting was completed in accordance with Idaho Code, Section §74-204.**)*

2. CALL FOR CONFLICT: (As outlined in Idaho Code §74-404)

3. PUBLIC COMMENT: For items of concern NOT on the Agenda.

4. NEW BUSINESS

a. Development Impact Fee Review – ACTION ITEM

5. NEXT MEETING

a. Regular Meeting – February 17, 2026

6. ADJOURNMENT - ACTION ITEM

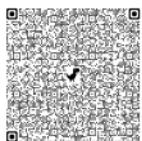
I, designated Planning Commission Secretary for the City of Bellevue, Idaho, hereby certify that the regular meeting notice and agenda were posted in accordance with **Idaho Code §74-204** within forty-eight (48) hours prior to the meeting at: the City of Bellevue City Hall, Post Office, and on the City of Bellevue Website: <https://www.bellevueidaho.us/> on **January 28, 2026**.

In compliance with the American with Disabilities Act, individuals needing special accommodations during this meeting should notify the City of Bellevue, 115 East Pine Street, Bellevue, Idaho 83313, or **phone number 208-788-2128 ext. 8, at least twenty-four (24) hours prior to the meeting**.



CIUDAD DE BELLEVUE, IDAHO
Comisión de Planificación y Zonificación
Lunes 2 de febrero de 2026, 17:30
115 Pine Street, Bellevue, Idaho 83313

ORDEN DEL DÍA



UNIRSE A LA REUNIÓN DE EQUIPOS
[Únase a la reunión ahora](#)
ID de reunión: 296 592 476 369 10
Código de acceso: hu63ES6K

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MT14YjgzYTAtNmOs00ZWU0LTkxNGItZWQ2MTA0ZmJNDC1%40thread.v2/0?context=%7b%22Tid%22%3a%224bf19b22-eade-47a0-a58b-8db6b13f043c%22%2c%22Oid%22%3a%22c5e34ffd-539c-475c-b8b7-172244c9c3d6%22%7d

LLAMAR AL ORDEN

LISTA

1. AVISO DE CUMPLIMIENTO DE LA AGENDA - PUNTO DE ACCIÓN

Constatando que el aviso y la agenda de la reunión regular se publicaron de conformidad con el Código de Idaho §74-204 dentro de las cuarenta y ocho (48) horas previas a la reunión en: el Ayuntamiento de la ciudad de Bellevue, la oficina de correos, en el sitio web de la ciudad el 28 de enero de 2026. (Moción sugerida: Propongo que la notificación para la reunión ordinaria del 2 de febrero de 2026 se complete de conformidad con el Código de Idaho, Sección §74-204).

2. LLAMADA AL CONFLICTO: (Como se describe en el Código de Idaho §74-404)

3. COMENTARIO PÚBLICO: Para temas de preocupación que NO están en la Agenda.

4. NUEVOS NEGOCIOS

a. Revisión de la Tarifa de Impacto del Desarrollo – ACCIÓN

5. PRÓXIMA REUNIÓN

a. Reunión ordinaria – 17 de febrero de 2026

6. APLAZAMIENTO - PUNTO DE ACCIÓN

Yo, el Secretario designado de la Comisión de Planificación de la Ciudad de Bellevue, Idaho, por la presente certifico que el aviso y la agenda de la reunión regular se publicaron de conformidad con **el Código de Idaho §74-204** dentro de las cuarenta y ocho (48) horas anteriores a la reunión en : el Ayuntamiento de la Ciudad de Bellevue, la Oficina de Correos y en el sitio web de la Ciudad de Bellevue : <https://www.bellevueidaho.us/> el **28 de enero de 2026**.

De conformidad con la Ley de Estadounidenses con Discapacidades, las personas que necesiten adaptaciones especiales durante esta reunión deben notificar a la Ciudad de Bellevue, 115 East Pine Street, Bellevue, Idaho 83313, o **al número de teléfono 208-788-2128 ext. 8, al menos veinticuatro (24) horas antes de la reunión** .



Memorandum

To: **Bellevue Planning & Zoning Commission Acting as the Bellevue Development Impact Fee Advisory Committee**

From: **Brian Parker, Community Development Director**

Re: **Development Impact Fee Periodic Review**

Date: **February 2, 2026**

Background

In accordance with Idaho Statute 67-8205(2)(b), the Bellevue Planning & Zoning Commission acts as the Bellevue Development Impact Fee Advisory Committee (DIF Advisory Committee). Bellevue City Code Section 9-5-14-04 requires the DIF Advisory Committee to provide recommendations to the Bellevue Common Council at least once every twelve (12) months with the intention “to ensure that the benefits to a development paying development impact fees are equitable, in that the fee charged to the development shall not exceed a proportionate share of system improvements costs, and that the procedures for administering development impact fees remain efficient.”

Recommendation and Next Steps

The Commission should review the existing DIF ordinance, capital improvement plan, DIF revenues, and DIF fee structure. The Commission should make recommendations to the Common Council regarding the equitable application of DIF fees, the proportionate share of improvement costs, and the efficiency of administration.

Enclosures

1. Bellevue City Code Chapter 9-5: Development Impact Fees
2. Development Impact Fee Update Study, Dated November 30, 2022
3. Development Impact Fee Revenue, FY21-FY25

CHAPTER 5

DEVELOPMENT IMPACT FEES

SECTION:

9-5-1: Findings And Purpose

9-5-1-01: Findings

9-5-1-02: Purpose

9-5-2: Definitions

9-5-3: Authority, Applicability And Exemptions

9-5-3-01: Authority

9-5-3-02: Applicability

9-5-3-03: Exemptions

9-5-4: Calculation Of Development Impact Fees

9-5-5: General Provisions

9-5-6: Methodology

9-5-7: Schedules

9-5-8: Procedures

9-5-9: Credits And Reimbursement

9-5-9-01: Credits To Be Issued

9-5-9-02: Limitations

9-5-9-03: Valuation Of Credit At Present Value

9-5-9-04: When Credits Become Effective

9-5-9-05: Application Procedures

9-5-9-06: Credits Exceeding Fee Amounts Due

9-5-9-07: Written Agreement Required

9-5-10: Refunds

9-5-10-01: Duty To Refund

9-5-10-02: Failure To Commence Construction Or Encumber Trust Funds

9-5-10-03: No Refund Due For Subsequent Reduction In Size Of Development

9-5-10-04: Interest

9-5-10-05: Timing

9-5-11: Collection And Administration Of Impact Fees

9-5-11-01: Payment Of Fees

9-5-11-02: Deposit Of Development Impact Fees

9-5-11-03: Establishment Of Trust Fund And Accounts

9-5-11-04: First In/First Out

9-5-11-05: Deposit And Management Of Trust Fund

9-5-12: Use Of Development Impact Fees

9-5-12-01: Admin Capital Facilities

9-5-12-02: Buildings And Grounds Capital Facilities

9-5-12-03: Community Development Capital Facilities

9-5-12-04: Fire Capital Facilities

9-5-12-05: Library Capital Facilities

9-5-12-06: Marshal Capital Facilities

9-5-12-07: Park Capital Facilities

9-5-12-08: Streets Capital Facilities

9-5-12-09: Capital Improvement Plan Reimbursement

9-5-12-10: Limitation On Use

9-5-13: Appeals, Protest And Mediation

9-5-13-01: Appeals

9-5-13-02: Payment Under Protest

9-5-13-03: Mediation

9-5-14: Periodic Reviews

9-5-14-01: Review And Modification Of Capital Improvement Plan

9-5-14-02: Annual Review

9-5-14-03: Audit

9-5-14-04: Development Impact Fee Advisory Committee Revisions

9-5-15: Enforcement And Collection

9-5-16: Miscellaneous Provisions

9-5-16-01: Development Projects

9-5-16-02: Private Agreements

9-5-16-03: Extraordinary Impacts

9-5-16-04: Reduction In Levels Of Service

9-5-16-05: Additional Rights Not Created

9-5-16-06: Eminent Domain

9-5-16-07: Annexation

9-5-16-08: Alternative Sources Of Revenue

9-5-16-09: Permits Issued Prior To Effective Date

9-5-16-10: Monies Not Expended

9-5-16-11: Errors

9-5-16-12: Recalculation

9-5-16-13: Advisory Committee

9-5-16-14: Penalty

9-5-16-15: Construction

9-5-17: Development Impact Fee Schedule

9-5-1: FINDINGS AND PURPOSE:

9-5-1-01: FINDINGS:

A. Based on the City of Bellevue comprehensive plan adopted by the City, pursuant to Idaho Code title 67, chapter 65 and based on the general governmental goal of protecting the health, safety and general welfare of the citizens of the City, it is necessary that the City's public facilities for: 1) parks and recreation; 2) transportation; 3) police; and 4) fire be expanded and improved to accommodate new development within the City. Throughout this chapter, the system improvements for these types of public facilities are sometimes collectively referred to as the "City capital facilities" and sometimes individually referred to as a "City capital improvements element".

B. The City will form a Development Impact Fee Advisory Committee as required by Idaho Code section 67-8205, and that committee will perform the duties required of it pursuant to Idaho Code sections 67-8205 and 67-8206(2). The City intends that the Committee continue to exist and to perform those duties identified in Idaho Code section 67-8205 that occur following the adoption of development impact fees.

C. New residential and nonresidential development imposes and will impose increasing and excessive demands upon City capital facilities.

D. The revenues generated from new residential and nonresidential development often do not generate sufficient funds to provide the necessary improvements of these City capital facilities to accommodate new development.

E. New development is expected to continue, and will place ever increasing demands on the City to provide and expand City capital facilities to serve new development.

F. The City has planned for the improvement of the City capital facilities in the City of Bellevue comprehensive plan.

G. Idaho Code title 67, chapter 82 (the Idaho development impact fee act) authorizes the City to adopt a development impact fee system to offset, recoup or reimburse the portion of the costs of needed improvements to the City capital facilities caused by new development in the City.

H. The creation of an equitable development impact fee system would promote the purposes set forth in the Idaho development impact fee act, in that it would: 1) ensure that adequate public facilities are available to serve new growth and development; 2) promote orderly growth and development by establishing uniform standards by which the City may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities needed to serve new growth and development; 3) establish minimum standards for the adoption of development impact fees; 4) ensure that those who benefit from new growth and development are required to pay no more than their proportionate share of the cost of public facilities needed to serve new growth and development; and 5) prevent duplicate and ad hoc development requirements.

I. The creation of an equitable development impact fee system would enable the City to accommodate new development, and would assist the City to implement the capital improvements element of the comprehensive plan.

J. In order to implement an equitable development impact fee system for the City capital facilities, the City retained Richard Caplan and Associates to prepare an impact fee study for these types of facilities. The resulting document is titled "City of Bellevue, Idaho, Development Impact Fees Study" dated November 30, 2022 (the "development impact fee study"). The development impact fee study was prepared by qualified professionals in the fields relating to finance, engineering, planning and transportation. Richard Caplan and Associates has consulted with the Bellevue City Council and will be consulting with the Development Impact Fee Advisory Committee.

K. The methodology used in preparing the development impact fee study, when applied through this chapter, complies with all applicable provisions of Idaho law, including those set forth in Idaho Code sections 67-8204(1), (2), (16) and (23), 67-8207 and 67-8209. The incorporation of the development impact fee study by reference satisfies the requirement in Idaho Code section 67-8204(16) for a detailed description of the methodology by which the development impact fees were calculated, and the requirement in Idaho Code section 67- 8204(24) for a description of acceptable levels of service for system improvements.

L. In determining the proportionate share of the cost of system improvements, the City has considered: 1) the cost of the existing system improvements; 2) the means by which the existing system improvements have been financed; 3) the extent to which the new development will contribute to the cost of system improvements through taxation assessment or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions; 4) the extent to which the new development is required to contribute to the cost of existing system improvements in the future; 5) the extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas; 6) extraordinary costs, if any, incurred in serving the new development; 7) the time and price differential inherent in a fair comparison of fees paid at different times; and 8) the availability of other sources of funding system improvements, including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation. The governmental entity shall develop a plan for alternative sources of revenue.

M. The development impact fee study sets forth reasonable methodologies and analyses for determining the impacts of various types of new development on the City capital facilities, and determines the cost of acquiring or constructing the improvements necessary to meet the demands for such facilities created by new development.

N. In accordance with Idaho Code, the development impact fee study was based on actual system improvement costs or reasonable estimates of such costs. In addition, the development impact fee study uses a fee calculation methodology that is net of credits for the present value of revenues that will be generated by new growth and development based on historical funding patterns and that are anticipated to be available to pay for system improvements, including taxes, assessments, user fees and intergovernmental transfers.

O. The development impact fees described in this chapter are based on the development impact fee study, and do not exceed the costs of system improvements for City capital facilities to serve new development that will pay the development impact fees.

P. The facilities for parks and recreation, and fire included in the calculation of fees in the development impact fee study will benefit all new residential and nonresidential development throughout the City, and it is therefore appropriate to treat all areas of the City as a single service area for purposes of calculating, collecting, and spending the development impact fees collected from residential and nonresidential development.

Q. In accordance with Idaho Code section 67-8208, the City of Bellevue has adopted a development impact fee for the cost of preparing the capital improvements element of the City of Bellevue comprehensive plan.

R. There is both a rational nexus and a rough proportionality between development impacts created by each type of development covered by this chapter and the development impact fees that such development covered by this chapter and the development impact fees that such development will be required to pay.

S. This chapter creates a system by which development impact fees paid by new development will be used to finance,

defray or reimburse a portion of the costs incurred by the City to construct improvements for City capital facilities in ways that benefit the development for which each development impact fee was paid within a reasonable period of time after the development impact fee is paid, and in conformance with Idaho Code section 67-8210.

T. This chapter creates a system under which development impact fees shall not be used to correct existing deficiencies for any capital facilities, or to replace or rehabilitate existing improvements, or to pay for routine operation or maintenance of those facilities.

U. This chapter creates a system under which there shall be no double payment of impact fees, in accordance with Idaho Code section 67-8204(19).

V. This chapter is consistent with all applicable provisions of Idaho Code title 67, chapter 82, concerning development impact fee ordinances. (Ord. 2021-03, 3-22-2021; amd. Ord. 2023-02, 5-8-2023)

9-5-1-02: PURPOSE:

A. This chapter is adopted to be consistent with, and to help implement the City of Bellevue comprehensive plan.

B. The intent of this chapter is to ensure that new development bears a proportionate share of the cost of improvements to the City capital facilities; to ensure that such proportionate share does not exceed the cost of improvements to such facilities required to accommodate new development; and to ensure that funds collected from new development are actually used for improvements to the City capital facilities in accordance with Idaho Code title 67, chapter 82.

C. It is the further intent of this chapter to be consistent with those principles for allocating a fair share of the cost of new capital facilities to new development, and for adopting development impact fee ordinances, established by Idaho Code title 67, chapter 82.

D. It is not the intent of this chapter to collect any money from any new development in excess of the actual amount necessary to offset new demands for City capital facilities created by such new development.

E. It is not the intent of this chapter that any monies collected from any development impact fee deposited in an impact fee account ever be commingled with monies from a different impact fee account, or ever be used for a development impact fee component different from that for which the fee was paid, or ever be used to correct current deficiencies in the City capital facilities or ever be used to replace, rehabilitate, maintain or operate any City facility. (Ord. 2021-03, 3-22-2021)

9-5-2: DEFINITIONS:

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

ACCOUNTS:	The administration capital facilities account, the buildings and grounds capital facilities account, the community development capital facilities account, the fire capital facilities account, the library capital facilities account, the marshal capital facilities account, the parks capital facilities account, the streets capital facilities account, and the capital improvement plan account, established as part of the development impact fee trust fund established in section 9-5-11-03 of this chapter.
APPROPRIATE:	To legally obligate by contract or otherwise commit to use by appropriation or other official act of a governmental entity.
BUILDING PERMIT:	The permit required for foundations, new construction and additions pursuant to chapter 15.08 of this title, as amended.
CAPITAL IMPROVEMENTS:	Improvements with a useful life of ten (10) years or more, by new construction or other action, which increases the service capacity of a public facility.
CAPITAL IMPROVEMENTS PLAN:	A plan adopted pursuant to the development impact fee act, Idaho Code section 67-8201 et seq., that identifies capital improvements for which development impact fees may be used as a funding source.
CHILDCARE FACILITY:	Any business, home or establishment which provides childcare.
CITY:	The City of Bellevue, Idaho.
CITY COUNCIL:	The City Council of the City of Bellevue, Idaho.
DEVELOPER:	Any person or legal entity undertaking development, including a party that undertakes the subdivision of property pursuant to Idaho Code sections 50-1301 through 50-1334, as amended.
DEVELOPMENT:	Any construction or installation of a building or structure, or any change in use of a building or structure, or any change in the use, character or appearance of land, which creates additional demand and need for public facilities or the subdivision of property that would permit any change in the use, character or appearance of land.
DEVELOPMENT APPROVAL:	Any written duly authorized document from the City which authorizes the commencement of a development.

DEVELOPMENT IMPACT FEE:	A payment of money imposed as condition of development approval to pay for a proportionate share of the costs of system improvements needed to serve development. In the context of this chapter, development impact fee shall mean one of the eight (8) impact fees defined for the eight (8) City capital facilities elements, and development impact fees (in the plural) shall mean all eight (8) impact fees (or all of them that apply to the proposed development pursuant to section 9-5-17, Exhibit A of this chapter). The term does not include the following:
	A. A charge or fee to pay the administrative plan review, or inspection cost associated with permits required for development; B. Connection or hookup charges; C. Availability charges for drainage, sewer, water or transportation charges for services provided directly to the development; or D. Amounts collected from a developer in a transaction in which the City has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements, unless a written agreement is made pursuant to Idaho Code section 67-8209(3), as amended, for credit or reimbursement.
DEVELOPMENT IMPACT FEE ADMINISTRATOR:	The Community Development Director of the City of Bellevue, Idaho, or his or her designee.
DEVELOPMENT IMPACT FEE STUDY:	The document entitled "Bellevue Growth Related Capital Improvements Plan and Development Impact Fees", dated March 23, 2007, prepared by Richard Caplan and Associates for the City, that sets forth reasonable methodologies and analyses for determining the impacts of various types of development on the City capital facilities and determines the cost of expansions to those facilities necessary to meet the demands created by new development.
DEVELOPMENT IMPACT FEE TRUST FUND OR TRUST FUND:	The trust fund established by this chapter that includes a: a) administration capital facilities account; b) buildings and grounds capital facilities account; c) community development capital facilities account; d) fire capital facilities account; e) library capital facilities account; f) marshals capital facilities account; g) parks capital facilities account; h) streets capital facilities account; and i) capital improvement plan account.
DEVELOPMENT REQUIREMENT:	A requirement attached to a developmental approval or other governmental action approving or authorizing a particular development project, including, but not limited to, a rezoning, which requirement compels the payment, dedication or contribution of goods, services, land or money as condition of approval.
EXTRAORDINARY COSTS:	Those costs incurred as result of an extraordinary impact.
EXTRAORDINARY IMPACT:	An impact which is reasonably determined by the City to: a) result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Idaho Code section 67-8214(2), as amended; or b) result in the need for system improvements which are not identified in the capital improvements plan.
FEE PAYER:	The person who pays or is required to pay a development impact fee. A fee payer may include a developer.
FIRE CAPITAL FACILITIES:	Lands, as well as buildings, improvements to land, and related equipment and vehicles meeting the definition of capital improvement, used for fire and emergency medical service facilities included in the calculation of the fire/EMS impact fee in the development impact fee study, and specifically including those related costs included in the definition of system improvement cost, but not including maintenance, operations or improvements that do not expand capacity.
LAND USE ASSUMPTIONS:	A description of the service area and projections of land uses, densities, intensities and population in the service area over at least a twenty (20) year period.
LEVEL OF SERVICE:	A measure of the relationship between service capacity and service demand for public facilities.

MANUFACTURED/MOBILE HOME:	A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight feet (8') or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in such structure, except that such term shall include any structure which meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42 USC section 5401 et seq.
MODULAR BUILDING:	Any building or building component other than a manufactured/mobile home, which is constructed according to the international building codes adopted or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.
NET FLOOR AREA:	The sum of the horizontal areas of all floors in a building including basements but not including open unenclosed decks, exterior circulation, common hallways, mechanical equipment rooms, parking areas, common areas, public bathrooms or storage areas in basements.
PARK CAPITAL FACILITIES:	Open space lands, as well as buildings, improvements to land, and related equipment meeting the definition of "capital improvements", as defined in this section, used for public parks, recreation, open space and trail facilities included in the calculation of the park impact fee in the development impact fee study, and specifically including those related costs included in the definition of "system improvement costs", as defined in this section, but not including maintenance, operations or improvements that do not expand capacity.
MARSHAL CAPITAL FACILITIES:	Lands, as well as buildings, improvements to land, and related equipment and vehicles meeting the definition of "capital improvements", as defined in this section, used for police facilities included in the calculation of the police impact fee in the development impact fee study, and specifically including those related costs included in the definition of "system improvement costs", as defined in this section, but not including maintenance, operations or improvements that do not expand capacity.
PRESENT VALUE:	The total current monetary value of past, present or future payments, contributions or dedications of goods, services, materials, construction or money.
PROJECT:	A particular development on an identified parcel of land.
PROJECT IMPROVEMENTS:	In contrast to system improvements, shall mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project.
PROPORTIONATE SHARE:	That portion of the cost of system improvements determined pursuant to Idaho Code section 67-8207, which reasonably relates to the service demands and needs of the project.
PUBLIC FACILITIES:	<ul style="list-style-type: none"> A. Water supply production, treatment, storage and distribution facilities; B. Wastewater collection, treatment and disposal facilities; C. Roads, streets, bridges, sidewalks, and bike paths, including rights of way, traffic signals, landscaping and any local components of state or federal highways; D. Stormwater collection, retention, detention, treatment and disposal facilities, flood control facilities, and bank and shore protection and enhancement improvements; E. Parks, open space and recreation areas, and related capital improvements; and F. Public safety facilities, including law enforcement, fire, emergency medical and rescue and street lighting facilities.

RECREATIONAL VEHICLE:	A vehicular type unit primarily designed as temporary quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.
SERVICE AREA:	Any defined geographic area identified by the City in which specific public facilities provide service to development within the areas defined, on the basis of sound planning or engineering principles, or both.
SERVICE UNIT:	A standardized measure of consumption, use, generation or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.
SYSTEM IMPROVEMENTS:	In contrast to project improvements, shall mean capital improvements to public facilities which are designed to provide service to a service area including, without limitation, the type of improvements described in Idaho Code section 50-1703, as amended. For the purpose of this chapter, the system improvements are the park capital facilities, transportation capital facilities, police capital facilities and fire/EMS capital facilities.
SYSTEM IMPROVEMENTS COSTS:	<p>Costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering and other costs, and also including, without limitation, the type of costs described in Idaho Code section 50-1702(h), as amended, to provide additional public facilities needed to service new growth and development. For clarification, system improvement costs do not include:</p> <p>A. Construction, acquisition, or expansion of public facilities other than capital improvements identified in the capital improvements plan;</p> <p>B. Repair, operation or maintenance of existing or new capital improvements;</p> <p>C. Upgrading, updating, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;</p> <p>D. Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;</p> <p>E. Administrative and operating costs of the City unless such costs are attributable to development of the capital improvements plan, as provided in Idaho Code section 67-8208 as amended; or</p> <p>F. Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the City to finance capital improvements identified in the capital improvements plan.</p>
TRANSPORTATION FACILITIES:	Lands, improvements to land, and equipment meeting the definition of capital improvement, used for the system of traffic signals and for the widening of bridges on arterial and collector roads, included in the calculation of the road impact fee in the development impact fee study, and consistent with the capital improvements element, and specifically including those related costs included in the definition of system improvement costs, but not including maintenance, operations or improvements that do not expand capacity. (Ord. 2021-03, 3-22-2021)

9-5-3: AUTHORITY, APPLICABILITY AND EXEMPTIONS:

9-5-3-01: AUTHORITY:

This chapter is enacted pursuant to the City's general police power granted to the City by Idaho Code title 67, chapter 82, and other applicable laws of the state of Idaho. (Ord. 2021-03, 3-22-2021)

9-5-3-02: APPLICABILITY:

Except as otherwise exempted, the provisions of this chapter shall apply to any development within all areas of the City. (Ord. 2021-03, 3-22-2021)

9-5-3-03: EXEMPTIONS:

The provisions of this chapter shall not apply to the following:

- A. Rebuilding the same amount of net floor area of a structure which is destroyed by fire or other catastrophe, provided the structure is rebuilt and ready for occupancy within two (2) years of its destruction.
- B. Remodeling or repairing a structure which does not increase the number of service units. In the event one (1) or more service units are added in a remodel, a development impact fee shall be calculated based on the net floor area attributable to the additional service unit(s).

C. Replacing a residential unit, including a manufactured/mobile home, with another residential unit on the same lot, provided the net floor area does not increase. In the event the net floor area increases, a development impact fee shall be calculated based on the additional net floor area.

D. Placing a temporary construction trailer or office on a lot.

E. Constructing an addition on a residential structure which does not increase the number of service units.

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

G. The installation of a modular building, manufactured/mobile home or recreational vehicle if the fee payer can demonstrate by documentation, such as utility bills and tax records, that either: 1) a modular building, manufactured/mobile home or recreational vehicle was legally in place on the lot or space prior to the effective date hereof; or 2) a development impact fee has been paid previously for the modular building, manufactured/mobile home or recreational vehicle on that same lot or space.

H. Childcare facility.

I. Replacing a nonresidential unit with another nonresidential unit on the same lot, provided the net floor area does not increase. In the event the net floor area increases, a development impact fee shall be calculated based on the additional net floor area. (Ord. 2021-03, 3-22-2021)

9-5-4: CALCULATION OF DEVELOPMENT IMPACT FEES:

9-5-5: GENERAL PROVISIONS:

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

B. Levels of Service: A development impact fee shall be calculated on the basis of levels of service for public facilities adopted in this chapter that are applicable to existing development as well as new growth and development. The construction, improvement, expansion or enlargement of new or existing public facilities for which a development impact fee is imposed must be attributable to the capacity demands generated by the new development. (Ord. 2021-03, 3-22-2021)

9-5-6: METHODOLOGY:

A. Proportionate Methodology: A development impact fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with Idaho Code section 67-8207, as amended. Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs. The amount of the development impact fee shall be calculated using the methodology contained in the development impact fee study and as summarized in the schedule in section 9-5-17, Exhibit A of this chapter.

B. Proportionate Share Determination:

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

- a. Any appropriate credit, offset or contribution of money, dedication of land or construction of system improvements;
- b. Payments reasonably anticipated to be made by or as a result of a new development in the form of user fees and debt service payments;
- c. That portion of general tax or other revenues allocated by the jurisdiction to system improvements; and
- d. All other available sources of funding such system improvements.

2. In determining the proportionate share of the cost of system improvements to be paid by the developer, the following factors shall be considered by the City and accounted for in the calculation of the development impact fee:

- a. The costs of existing system improvements within the service area;
- b. The means by which existing system improvements have been financed;
- c. The extent to which the new development will contribute to the cost of system improvements through taxation, assessments or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions;
- d. The extent to which the new development is required to contribute to the cost of existing system improvements in the future;
- e. The extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area;
- f. Extraordinary costs, if any, incurred in serving the new development;

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

h. The availability of other sources of funding system improvements, including, but not limited to, user charges, general tax levies, intergovernmental transfers and special taxation.

C. Nonlisted Uses: If the proposed development is of a type not listed in section 9-5-17, Exhibit A of this chapter, then the City shall apply the development impact fees applicable to the most nearly comparable type of land use listed in section 9-5-17, Exhibit A of this chapter. The determination as to which type of development is most nearly comparable to the proposed development shall be made by referring to traffic generation rates for land uses published by Institute Of Transportation Engineers, and by identifying that land use listed in section 9-5-17, Exhibit A of this chapter, whose traffic generation rates are most comparable to the proposed land use. If no traffic generation rate for the proposed land use appears in a publication of the Institute Of Transportation Engineers, or if it is not possible to determine which land use listed in section 9-5-17, Exhibit A of this chapter has the most comparable traffic generation rates, then the most nearly comparable land use shall be determined by the Development Impact Fee Administrator based on comparison of other characteristics of the proposed land use (including employment or occupancy, the size of the facility, and the amount of parking to be provided with the characteristics of those land uses listed in section 9-5-17, Exhibit A of this chapter).

D. Mixed Uses: If the development for which a building permit is sought contains a mix of uses, the development impact fee will be calculated for each type of development based on net floor area.

E. Developer's Election: A developer shall have the right to elect to pay a project's proportionate share of system improvement costs by payment of development impact fees according to the fee schedule in section 9-5-17, Exhibit A of this chapter as full and complete payment of the development project's proportionate share of system improvement costs, except as provided in Idaho Code section 67-8214(3), as amended. (Ord. 2021-03, 3-22-2021)

9-5-7: SCHEDULES:

Development impact fees shall be calculated using the schedule in section 9-5-17, Exhibit A of this chapter, unless: a) the fee payer requests an individual assessment pursuant to subsection 9-5-8C of this chapter; or b) the City finds an extraordinary impact for a proposed development in writing to the fee payer, in which case subsection 9-5-8D of this chapter shall apply. (Ord. 2021-03, 3-22-2021)

9-5-8: PROCEDURES:

A. Building Permit: Upon submittal of complete building permit plans, the City shall calculate the development impact fees in accordance with this chapter within thirty (30) days of submittal.

B. Exemption: An exemption must be claimed by the fee payer upon application for a building permit. Any exemption not so claimed shall be deemed waived by the fee payer. Applications for exemption shall be submitted to and determined by the City within ninety (90) days.

C. Using An Individual Assessment:

1. In lieu of calculating the amount of development impact fees by reference to section 9-5-17, Exhibit A of this chapter, a fee payer may request that the amount of the required development impact fee be determined through an individual assessment for the proposed development. The individual assessment process shall permit consideration of studies, data, and any other relevant information submitted by the fee payer to adjust the amount of the fee. If a fee payer requests the use of an individual assessment, the fee payer shall be responsible for retaining a qualified professional to prepare the individual assessment that complies with the requirements of this chapter, at the fee payer's expense. The fee payer shall, at the fee payer's expense, bear the burden of proving by clear and convincing evidence that the resulting individual assessment complies with the requirements of this chapter. The fee payer shall bear the burden of proving by clear and convincing evidence that the resulting individual assessment is a more accurate measure of its proportionate share of the cost of City capital improvements, based on the City's adopted levels of service, than the development impact fees that would otherwise be due pursuant to the schedule set forth in section 9-5-17, Exhibit A of this chapter.
2. Each individual assessment shall be based on the same level of service standards and unit costs for system improvements used in the development impact fee study, shall use an average cost (not a marginal cost) methodology, and shall document the relevant methodologies and assumptions used.
3. An application for an individual assessment may be submitted at any time that the types and amounts of development in each category identified in section 9-5-17, Exhibit A of this chapter are known. The City shall issue a decision within thirty (30) days following receipt of a completed application for individual assessment and supporting information from the applicant, so as not to unreasonably delay subsequent applications for or issuance of building permits.
4. Each individual assessment shall be submitted to the Development Impact Fee Administrator, and may be accepted, rejected, or accepted with modifications by the Development Impact Fee Administrator as the basis for calculating development impact fees. The criteria for acceptance, rejection or acceptance with modifications shall be whether the individual assessment is more accurate measure of demand for the City capital improvements element(s) created by the proposed development, or the costs of those facilities, than the applicable fee shown in section 9-5-17, Exhibit A of this chapter.
5. The decision by the Development Impact Fee Administrator on an application for an individual assessment shall include an explanation of the calculation of the development impact fee, shall specify the system improvement(s) for which the development impact fee is intended to be used, and shall include an explanation of those factors identified in Idaho Code section 67-8207.

6. If an individual assessment is accepted or accepted with modifications by the Development Impact Fee Administrator, then the development impact fees due under this chapter for such development shall be calculated according to such individual assessment.

D. Extraordinary Impacts:

1. If the City determines that a proposed development generates extraordinary impacts that will result in extraordinary costs, the City will notify the fee payer of such determination within thirty (30) days after receipt for a certification pursuant to subsection E of this section, or a request for a building permit of development approval, whichever occurs first. Such notice shall include a statement that the potential impacts of such development on system improvements are not adequately addressed by development impact fee study, and that a supplemental study at the fee payer's expense will be required.

2. Circumstances that may lead to a determination of extraordinary impacts include, but are not limited to: a) an indication that traffic generation from the proposed development or activity will exceed those typical for a facility or activity of its type; b) an indication that employment generated by the development or activity will exceed those typical for a facility or activity of its type; c) an indication the assumptions used in the development impact fee study underestimate the level of activity or impact on City capital facilities from the proposed development or activity; or d) an indication that levels of calls for fire or emergency services from developments or activities owned or operated by the fee payer or its agents will exceed assumptions used in the development impact fee study.

3. Within thirty (30) days following the designation of a development with extraordinary impacts, the City shall meet with the fee payer to discuss whether the fee payer wants to: a) pay for the supplemental study necessary to determine the system improvement costs related to the proposed development; or b) modify the proposal to avoid generating extraordinary impacts; or c) withdraw the application for certification, building permit or development approval.

4. If the fee payer agrees to pay for the supplemental study required to document the proposed development's proportionate share of system improvement costs, then the City and the fee payer shall jointly select an individual or organization acceptable to both to perform such study. The fee payer shall enter into a written agreement with such individual or organization to pay the costs of such study. Such agreement shall require the supplemental study to be completed within thirty (30) days of such written agreement, unless the fee payer agrees to a longer time.

5. Once the study has been completed, the fee payer may choose to: a) pay the proportionate share of system improvement costs documented by the supplemental study; or b) modify the proposed development to reduce such costs; or c) withdraw the application. If the fee payer agrees to pay the system improvement costs documented in the supplemental study, that agreement shall be reduced to writing between the City and the fee payer prior to review and consideration of any application for any development approval or building permit related to the proposed development.

6. Notwithstanding any agreement by the fee payer to pay the proportionate share of system improvement costs documented by the supplemental study, nothing in this chapter shall obligate the City to approve development that results in an extraordinary impact.

E. Certification: After the development impact fees due for a proposed development have been calculated pursuant to section 9-5-17, Exhibit A of this chapter or the individual assessment, the fee payer may request the Development Impact Fee Administrator or a designee for a certification of the amount of development impact fees due for that development. Within thirty (30) days after receiving such request, the Development Impact Fee Administrator shall issue a written certification of the amount of development impact fees due for the proposed development. Such certification shall establish the development impact fee so long as there is no material change to the particular project as identified in the individual assessment application, or the impact fee schedule set forth in section 9-5-17, Exhibit A of this chapter. The certification shall include an explanation of the calculation of the impact fee, including an explanation of factors considered under Idaho Code section 67-8207 and shall also specify the system improvement(s) for which the development impact fee is intended to be used. (Ord. 2021-03, 3-22-2021)

9-5-9: CREDITS AND REIMBURSEMENT:

9-5-9-01: CREDITS TO BE ISSUED:

When a developer or his or her predecessor in title or interest has constructed system improvements of the same category as a City capital improvement, or contributed or dedicated land or money toward the completion of system improvements of the same category as a City capital improvement, and the City has accepted such construction, contribution or dedication, the City shall issue a credit against the development impact fees otherwise due for the same City capital improvements in connection with the proposed development as set forth in this 9-5-9. Credit shall be issued regardless of whether the contribution or dedication to system improvements was required by the City as a condition of development approval or was offered by the developer and accepted by the City in writing, and regardless of whether the contribution or dedication was contributed by the developer or by a local improvement district controlled by the developer. (Ord. 2021-03, 3-22-2021)

9-5-9-02: LIMITATIONS:

Credits against development impact fees shall not be given for: a) project improvements; or b) any construction, contribution or dedication not agreed to in writing by the City prior to commencement of the construction, contribution or dedication. Credits issued for one City capital improvement may not be used to reduce development impact fees due for a different capital improvement. No credits shall be issued for system improvements contributed or dedicated prior to the effective date hereof. (Ord. 2021-03, 3-22-2021)

9-5-9-03: VALUATION OF CREDIT AT PRESENT VALUE:

A. Land: Credit for qualifying land dedications shall, at the fee payer's option, be valued at the present value of: 1) one

hundred percent (100%) of the most recent assessed value for such land as shown in the records of the County Assessor; or 2) that fair market value established by a private appraiser acceptable to the City in an appraisal paid for by the fee payer.

B. Improvements: Credit for qualifying acquisition or construction of system improvements shall be valued by the City at the present value of such improvements based on complete engineering drawings, specifications, and construction cost estimates submitted by the fee payer to the City. The City shall determine the amount of credit due based on the information submitted, or, if it determines that such information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the City as a more accurate measure of the value of the offered system improvements to the City. (Ord. 2021-03, 3-22-2021)

9-5-9-04: WHEN CREDITS BECOME EFFECTIVE:

A. Land: Approved credits for land dedications shall become effective when the land has been conveyed to the City in a form acceptable to the City, at no cost to the City, and has been accepted by the City. Upon request of the fee payer, the City shall issue a letter stating the amount of credit available.

B. Improvements: Approved credits for acquisition or construction of system improvements shall generally become effective when: 1) all required construction has been completed and has been accepted by the City; 2) a suitable maintenance and warranty bond has been received and approved by the City; and 3) all design, construction, inspection, testing, bonding and acceptance procedures have been completed in compliance with all applicable requirements of the City and the state of Idaho. Upon request of the fee payer, the City shall issue a letter stating the amount of credit available. (Ord. 2021-03, 3-22-2021)

9-5-9-05: APPLICATION PROCEDURES:

A. Request: In order to obtain a credit against development impact fees otherwise due, a fee payer shall submit a written offer to dedicate to the Development Impact Fee Administrator for specific parcels of qualifying land or a written offer to contribute or construct specific system improvements to the City capital facilities in accordance with all applicable state or City design and construction standards, and shall specifically request a credit against the type of development impact fees for which the land dedication or system improvement is offered. No request for a credit against development impact fees shall be accepted unless a written offer to dedicate, contribute or construct has previously been approved in writing.

B. Review: After receipt of the request for credit, the Development Impact Fee Administrator shall review the request and determine whether the land or system improvements offered for credit will reduce the costs of providing City capital facilities by an amount at least equal to the value of the credit. If the Development Impact Fee Administrator determines that the offered credit satisfies that criteria, then the credit shall be issued. The City shall complete its review and determination of an application within thirty (30) days after receipt of an application for credit. (Ord. 2021-03, 3-22-2021)

9-5-9-06: CREDITS EXCEEDING FEE AMOUNTS DUE:

A. If the credit due to a fee payer pursuant to sections 9-5-9-01 through 9-5-9-05 of this chapter exceeds the development impact fee that would otherwise be due from the fee payer pursuant to this chapter (whether calculated through section 9-5-17, Exhibit A of this chapter or through an independent assessment), the fee payer may choose to receive such credit in the form of either: 1) a credit against future development impact fees due for the same capital improvements; or 2) a reimbursement from development impact fees paid by future development that impacts the system improvements contributed or dedicated by the fee payer.

B. Unless otherwise stated in an agreement with the fee payer, the City shall be under no obligation to use any City funds, other than development impact fees paid by other development for the same City capital improvements, to reimburse the fee payer for any credit in excess of development impact fees due. (Ord. 2021-03, 3-22-2021)

9-5-9-07: WRITTEN AGREEMENT REQUIRED:

If credit or reimbursement is due to the fee payer pursuant to this section 9-5-9, the City shall enter into a written agreement with the fee payer, negotiated in good faith, prior to the contribution, dedication or funding of the system improvements giving rise to the credit. The agreement shall provide for the amount of credit or the amount, time and form of reimbursement, and shall have a term not exceeding ten (10) years. (Ord. 2021-03, 3-22-2021)

9-5-10: REFUNDS:

9-5-10-01: DUTY TO REFUND:

Development impact fees shall be refunded to the fee payer, or to a successor in interest, in the following circumstances:

- A. Service is available but never provided;
- B. A building permit, or permit for installation of a manufactured home, is denied, or abandoned;
- C. The fee payer pays a development impact fee under protest and a subsequent review of the fee paid or the completion of an individual assessment determines that the fee paid exceeded the proportionate share to which the City was entitled to receive; or
- D. The City has collected a development impact fee and has failed to appropriate or expend the collected fees pursuant to section 9-5-10-02 of this chapter. (Ord. 2021-03, 3-22-2021)

9-5-10-02: FAILURE TO COMMENCE CONSTRUCTION OR ENCUMBER TRUST FUNDS:

Any development impact fees paid shall be refunded if the City has failed to commence construction of system improvements in accordance with this chapter, or to appropriate funds for such construction, within eight (8) years after the date on which such fee was paid. Any refund due shall be paid to the owner of record of the parcel for which the

development impact fees were paid. The City may hold development impact fees for longer than eight (8) years if it identifies in writing: a) a reasonable cause why the fees should be held longer than eight (8) years; and b) an anticipated date by which the fees will be expended, but in no event greater than eleven (11) years from the date they were collected. If the City complies with the previous sentence, then any development impact fees identified in such writing shall be refunded to the fee payer if the City has failed to commence construction of system improvements in accordance with this chapter, or to appropriate funds for such construction on or before the date identified in such writing. (Ord. 2021-03, 3-22-2021)

9-5-10-03: NO REFUND DUE FOR SUBSEQUENT REDUCTION IN SIZE OF DEVELOPMENT:

After a development impact fee has been paid pursuant to this chapter and after a certificate of occupancy has been issued, no refund of any part of such fee shall be made if the project for which the fee was paid is later demolished, destroyed, or is altered, reconstructed, or reconfigured so as to reduce the size of the project. (Ord. 2021-03, 3-22-2021)

9-5-10-04: INTEREST:

Each refund shall include a refund of interest at one-half (1/2) the legal rate provided for in Idaho Code section 28-22-104 from the date on which the fee was originally paid. (Ord. 985 § 1, 2007; amd. Ord. 2021-03, 3-22-2021)

9-5-10-05: TIMING:

The City shall make a determination of whether a refund is due within thirty (30) days after receipt of a written request for a refund from the owner of record of the property for which the fee was paid. When the right to a refund exists, the City shall send the refund to the owner of record within ninety (90) days after the City determines that a refund is due. (Ord. 2021-03, 3-22-2021)

9-5-11: COLLECTION AND ADMINISTRATION OF IMPACT FEES:

9-5-11-01: PAYMENT OF FEES:

Development impact fees shall be paid to the City at the following times:

- A. If a building permit or manufactured/mobile home installation permit is required, then at the time such permit is issued;
- B. If no building permit or manufactured/mobile home installation permit is required, then at the time that construction commences; or
- C. At such other time as the developer and the City have agreed upon in writing. (Ord. 2021-03, 3-22-2021)

9-5-11-02: DEPOSIT OF DEVELOPMENT IMPACT FEES:

All monies paid by a fee payer pursuant to this chapter shall be identified as development impact fees and shall be promptly deposited in the appropriate account. (Ord. 2021-03, 3-22-2021)

9-5-11-03: ESTABLISHMENT OF TRUST FUND AND ACCOUNTS:

A development impact fee trust fund (the "trust fund") is hereby established for the purpose of ensuring that the development impact fees collected pursuant to this chapter are used to address impacts reasonably attributable to new development for which the development impact fees are paid. The trust fund shall be divided into the accounts. The trust fund shall be maintained in an interest-bearing account. The interest earned on each account shall not be governed by Idaho Code section 57-127, as amended, but shall be considered funds of the account and shall be subject to the same restrictions on uses of funds as the development impact fees on which interest is generated. (Ord. 2021-03, 3-22-2021)

9-5-11-04: FIRST IN/FIRST OUT:

Monies in each account shall be spent in the order collected, on a first in/first out basis. (Ord. 2021-03, 3-22-2021)

9-5-11-05: DEPOSIT AND MANAGEMENT OF TRUST FUND:

- A. Deposit: All development impact fees collected by the City shall be promptly deposited into the appropriate account.
- B. Maintenance Of Records: The City shall maintain and keep accurate financial records for each account that shall show the source and disbursement of all revenues, that shall account for all monies received, that shall ensure that the disbursement of funds from each account shall be used solely and exclusively for the provisions of projects specified in the capital improvements plan, and that shall provide an annual accounting for each development impact fee account showing the source and amount of all funds collected and the projects that were funded. (Ord. 2021-03, 3-22-2021)

9-5-12: USE OF DEVELOPMENT IMPACT FEES:

9-5-12-01: ADMIN CAPITAL FACILITIES:

The monies collected from the admin development impact fees shall be used only to plan for and acquire or construct admin capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of admin capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-02: BUILDINGS AND GROUNDS CAPITAL FACILITIES:

The monies collected from the buildings and grounds development impact fees shall be used only to plan for and acquire or construct buildings and grounds capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of buildings and grounds capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-03: COMMUNITY DEVELOPMENT CAPITAL FACILITIES:

The monies collected from the community development impact fees shall be used only to plan for and acquire or construct community development capital facilities, or to pay debt service on any portion of any future general obligation or revenue

bond issue or similar instrument used to finance the acquisition or construction of community development capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-04: FIRE CAPITAL FACILITIES:

The monies collected from the fire development impact fees shall be used only to plan for and acquire or construct fire capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of fire capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-05: LIBRARY CAPITAL FACILITIES:

The monies collected from the library development impact fees shall be used only to plan for and acquire or construct library capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of library capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-06: MARSHAL CAPITAL FACILITIES:

The monies collected from the marshal development impact fees shall be used only to plan for and acquire or construct marshal capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of marshal capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-07: PARK CAPITAL FACILITIES:

The monies collected from the park development impact fees shall be used only to plan for and acquire or construct park capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of park capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-08: STREETS CAPITAL FACILITIES:

The monies collected from the streets development impact fees shall be used only to plan for and acquire or construct streets capital facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of streets capital facilities within the City, or to reimburse the City for such costs. (Ord. 2021-03, 3-22-2021)

9-5-12-09: CAPITAL IMPROVEMENT PLAN REIMBURSEMENT:

The monies collected from the capital improvement plan development impact fees shall be used only to reimburse the City for the preparation of the development impact fee study. (Ord. 2021-03, 3-22-2021)

9-5-12-10: LIMITATION ON USE:

Development impact fees shall not be used for a purpose other than system improvement costs to create additional improvements to serve new growth, or for reimbursement of the cost of the development impact fee study. The expenditure of development impact fees is prohibited except in accordance with the requirements of Idaho Code section 67-8210, as amended. (Ord. 2021-03, 3-22-2021)

9-5-13: APPEALS, PROTEST AND MEDIATION:

9-5-13-01: APPEALS:

A. Any fee payer that is or may be obligated to pay a development impact fee, or that claims a right to receive a refund, reimbursement, exemption or credit under this chapter, and who is dissatisfied with a decision made by the Development Impact Fee Administrator in applying this chapter, may appeal such decision to the City Council. The fee payer shall have the burden of proving by clear and convincing evidence that the decision was in error.

B. In order to pursue the appeal described in subsection A of this section, the fee payer shall file a written notice of the appeal with the Development Impact Fee Administrator within thirty (30) days after the date of the decision, or the date on which the fee payer submitted a payment of development impact fees under protest, whichever is later. Such written application shall include a statement describing why the fee payer believes that the decision was in error, together with copies of any documents that the fee payer believes support the claim.

C. The City Council shall hear the appeal within sixty (60) days after receipt of a written notice of appeal. The fee payer shall have a right to be present and to present evidence in support of the appeal. The Development Impact Fee Administrator who made the decision under appeal or his or her representative shall likewise have the right to be present and to present evidence in support of the decision. The criteria to be used by the City Council in considering the appeal shall be whether: 1) the decision or interpretation made by the Development Impact Fee Administrator; or 2) the alternative decision or interpretation offered by the fee payer, more accurately reflects the intent of this chapter that new development in the City pay its proportionate share of the costs of system improvements to City capital facilities necessary to serve new development and whether this chapter has been correctly applied. The City Council shall issue a decision upholding, reversing, or modifying the decision being appealed within thirty (30) days after hearing the appeal. (Ord. 2021-03, 3-22-2021)

9-5-13-02: PAYMENT UNDER PROTEST:

A fee payer may pay a development impact fee under protest in order not to delay in the issuance of a building permit. A fee payer making a payment under protest shall not be stopped from exercising the right to appeal provided herein, nor shall such fee payer be stopped from receiving a refund of any amount deemed to have been illegally collected. (Ord. 2021-03, 3-22-2021)

9-5-13-03: MEDIATION:

- A. Any fee payer that has a disagreement with the City regarding a development impact fee that is or may be due for a proposed development pursuant to this chapter, may enter into a voluntary agreement with the City to subject the disagreement to mediation by a qualified independent party acceptable to both the fee payer and the City.
- B. Mediation may take place at any time following the filing of a timely appeal pursuant to section 9-5-13-01 of this chapter, or as an alternative to such appeal; provided, that the request for mediation is filed no later than the last date on which a timely appeal could be filed pursuant to section 9-5-13-01 of this chapter.
- C. Participation in mediation does not preclude the fee payer from pursuing other remedies provided for in this section 9-5-13-01.
- D. If mediation is requested, any related mediation costs shall be shared equally by the fee payer and the City, and a written agreement regarding the payment of such costs shall be executed prior to the commencement of mediation.
- E. In the event that mediation does not resolve the issues between the parties, the fee payer retains all rights to seek relief from a court of competent jurisdiction. (Ord. 2021-03, 3-22-2021)

9-5-14: PERIODIC REVIEWS:**9-5-14-01: REVIEW AND MODIFICATION OF CAPITAL IMPROVEMENT PLAN:**

Unless the City Council deems some other period is appropriate, the City shall, at least once every five (5) years commencing from the date of the original adoption of the capital improvements plan, review the development potential and update the capital improvements plan in accordance with the procedures set forth in Idaho Code section 67-8206, as amended. (Ord. 2021-03, 3-22-2021)

9-5-14-02: ANNUAL REVIEW:

The City shall annually adopt a capital budget. (Ord. 2021-03, 3-22-2021)

9-5-14-03: AUDIT:

As part of its annual audit process, the City shall prepare an annual report: a) describing the amount of all development impact fees collected, appropriated, or spent during the preceding year by category of public facility; and b) describing the percentage of taxes and revenues from sources other than development impact fees collected, appropriated or spent for system improvement during the preceding year by category of public facility. (Ord. 2021-03, 3-22-2021)

9-5-14-04: DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE REVISIONS:

The City Council shall consider the Development Impact Fee Advisory Committee recommended revision(s) to this chapter at least once every twelve (12) months. The Committee's recommendations and the City Council's actions are intended to ensure that the benefits to a development paying development impact fees are equitable, in that the fee charged to the development shall not exceed a proportionate share of system improvements costs, and that the procedures for administering development impact fees remain efficient. (Ord. 2021-03, 3-22-2021)

9-5-15: ENFORCEMENT AND COLLECTION:

When any development impact fee is due pursuant to this chapter, or pursuant to the terms of any written agreement between a fee payer and the City, and such development impact fee has not been paid in a timely manner, the City may exercise any or all of the following powers, in any combination, to enforce the collection of the development impact fee:

- A. Withhold building permits or other City approvals related to the development for which the development impact fee is due until all development impact fees due have been paid, and issue stop work orders, and revoke or suspend a building permit.
- B. Withhold utility services from the development for which the development impact fee is due until all development impact fees due have been paid.
- C. Add interest to the development impact fee not paid in full at the legal rate provided for in Idaho Code section 28-22-104, as amended, plus five percent (5%) beginning on the date at which the payment of the development impact fee was due until paid in full.
- D. Impose a penalty of five percent (5%) of the total development impact fee (not merely the portion dishonored, late or not paid in full) per month beginning on the date at which the payment of the development impact fee was due until paid in full.
- E. Impose a lien for failure to timely pay a development impact fee following the procedures contained in Idaho Code title 45, chapter 5. (Ord. 2021-03, 3-22-2021)

9-5-16: MISCELLANEOUS PROVISIONS:**9-5-16-01: DEVELOPMENT PROJECTS:**

Nothing in this chapter shall prevent the City from requiring a developer to construct reasonable project improvements in conjunction with a development project. (Ord. 2021-03, 3-22-2021)

9-5-16-02: PRIVATE AGREEMENTS:

Nothing in this chapter shall be construed to prevent or prohibit private agreements between property owners or developers, the Idaho Transportation Department and governmental entities in regard to the construction or installation of system improvements or providing for credits or reimbursements for system improvement costs incurred by a developer, including

interproject transfers of credits or providing for reimbursement for project improvements which are used or shared by more than one development project. If it can be shown that a proposed development has a direct impact on a public facility under the jurisdiction of the Idaho Transportation Department, then the agreement shall include a provision for the allocation of development impact fees collected from the developer for the improvement of the public facility by the Idaho Transportation Department. (Ord. 2021-03, 3-22-2021)

9-5-16-03: EXTRAORDINARY IMPACTS:

Nothing in this chapter shall obligate the City to approve development which results in an extraordinary impact. (Ord. 2021-03, 3-22-2021)

9-5-16-04: REDUCTION IN LEVELS OF SERVICE:

In this chapter shall obligate the City to approve any development request which may reasonably be expected to reduce levels of service below minimum acceptable levels established in this chapter. (Ord. 2021-03, 3-22-2021)

9-5-16-05: ADDITIONAL RIGHTS NOT CREATED:

Nothing in this chapter shall be construed to create any additional right to develop real property or diminish the City in regulating the orderly development of real property within its boundaries. (Ord. 2021-03, 3-22-2021)

9-5-16-06: EMINENT DOMAIN:

Nothing in this chapter shall work to limit the use by the City of the power of eminent domain or supersede or conflict with requirements or procedures authorized in Idaho Code for local improvement districts or general obligation bond issues. (Ord. 2021-03, 3-22-2021)

9-5-16-07: ANNEXATION:

Nothing herein shall restrict or diminish the power of the City to annex property into its territorial boundaries or exclude property from its territorial boundaries upon request of a developer or owner, or to impose reasonable conditions thereon, including the recovery of project or system improvement costs required as a result of such voluntary annexation. (Ord. 2021-03, 3-22-2021)

9-5-16-08: ALTERNATIVE SOURCES OF REVENUE:

The City shall develop a plan for alternative sources of revenue, which shall include, but not necessarily be limited to, plans generated during City's annual budget process, lobbying efforts, tax increment financing, implementation of user fees, administrative and regulatory fees and other forms of revenue. (Ord. 2021-03, 3-22-2021)

9-5-16-09: PERMITS ISSUED PRIOR TO EFFECTIVE DATE:

Notwithstanding any other provision of this chapter, that portion of a project for which a complete application for a building permit has been received by the City prior to the effective date hereof shall not be subject to the development impact fees imposed by this chapter. If the resulting building permit is later revised or replaced after the effective date hereof, and the new building permit reflects a development density, intensity, development size or number of units more than ten percent (10%) higher than that reflected in the original building permit, then development impact fees may be charged on the difference in density, intensity, development size or number of units between the original and the revised or replacement building permit. (Ord. 2021-03, 3-22-2021)

9-5-16-10: MONIES NOT EXPENDED:

Any monies, including any accrued interest not assigned to specific system improvements within such capital improvements program and not expended pursuant to this chapter or refunded pursuant to this chapter shall be retained in the same account until the next fiscal year. (Ord. 2021-03, 3-22-2021)

9-5-16-11: ERRORS:

If the City discovers an error in the development impact fee study that results in assessment or payment of more than a proportionate share of system improvement costs on any proposed development, the City shall: a) adjust the development impact fee to collect no more than a proportionate share; or b) discontinue the collection of any development impact fees until the error is corrected by ordinance. (Ord. 2021-03, 3-22-2021)

9-5-16-12: RECALCULATION:

If development impact fees are calculated and paid based on a mistake or misrepresentation, they shall be recalculated. Any amounts overpaid by a fee payer shall be refunded by the City within thirty (30) days after the City's acceptance of the recalculated amount, with interest at the legal rate provided for in Idaho Code section 28-22-104 from the date on which the fee was paid. Any amounts underpaid by the fee payer shall be paid to the City within thirty (30) days after the City's acceptance of the recalculated amount, with interest at the legal rate provided for in Idaho Code section 28-22-104 from the date on which the fee was paid. In the case of an underpayment to the City, the City may withhold issuance of the building permits or development approvals for the project for which the development impact fee was paid until such underpayment is corrected, and if amounts owed to the City are not paid within such thirty (30) day period, the City may also revoke any building permits, or development approvals issued in reliance on the previous payment of such development impact fee and refund such fee to the fee payer. (Ord. 2021-03, 3-22-2021)

9-5-16-13: ADVISORY COMMITTEE:

The Development Impact Fee Advisory Committee established during the preparation of the development impact fee study shall continue in existence, and shall be composed of not fewer than five (5) members appointed by City Council. Two (2) or more members shall be active in the business of development, building or real estate. The Committee shall serve in an advisory capacity and has been established to: a) assist the City in adopting land use assumptions; b) review the capital improvements plan, and proposed amendments, and file written comments; c) monitor and evaluate implementation of the

capital improvements plan; d) file periodic reports, at least annually, with respect to the capital improvements plan and report to the City any perceived inequities in implementing the plan or imposing the development impact fees; and e) advise the City of the need to update or revise the land use assumptions, the capital improvements plan, and development impact fees. (Ord. 2021-03, 3-22-2021)

9-5-16-14: PENALTY:

Any person who violates any provision of this chapter shall be guilty of a misdemeanor, punishable by imprisonment not to exceed six (6) months or a fine not to exceed one thousand dollars (\$1,000.00), or both. Knowingly furnishing false information to any official of the City charged with the administration of this chapter, including, without limitation, the furnishing of false information regarding the expected size, use or impacts from a proposed development, shall be a violation of this chapter. (Ord. 2021-03, 3-22-2021)

9-5-16-15: CONSTRUCTION:

All provisions, terms, phrases and expressions contained in this chapter shall be liberally construed in order that the true intent and meaning of the Idaho development impact fee act and the City Council may be fully carried out. (Ord. 2021-03, 3-22-2021)

9-5-17: DEVELOPMENT IMPACT FEE SCHEDULE:

Exhibit A:

Proposed Residential Development Impact Fee By Unit Size (In Square Feet)

Housing Unit Size	Under 1,000 SF	1,001 - 1,600 SF	1,601 - 2,200 SF	2,201 - 2,800 SF	2,801 or more SF
Housing Unit Size	Under 1,000 SF	1,001 - 1,600 SF	1,601 - 2,200 SF	2,201 - 2,800 SF	2,801 or more SF
Department					
Administration	\$75.35	\$150.70	\$188.38	\$207.21	\$226.05
Buildings/Grounds	\$163.32	\$326.63	\$408.29	\$449.12	\$489.95
Community Development	\$183.99	\$367.99	\$459.99	\$505.99	\$551.98
Fire Services	\$310.71	\$621.42	\$776.77	\$854.45	\$932.12
Library	\$10.06	\$20.12	\$25.15	\$27.66	\$30.18
Marshal	\$3.29	\$6.57	\$8.21	\$9.04	\$9.86
Parks	\$30.14	\$60.28	\$75.35	\$82.89	\$90.42
Streets	\$131.22	\$262.44	\$328.06	\$360.86	\$393.67
Total Impact Fee/Unit	\$908.00	\$1,816.00	\$2,270.00	\$2,497.00	\$2,724.00

Assumptions:

Under 1,000 SF = 1 person per unit

1,001 to 1,600 SF = 2 persons per unit

1,601 to 2,200 SF = 2.5 persons per unit

2,201 to 2,800 SF = 2.75 persons per unit

2,801 or more SF = 3 persons per unit

Proposed Business/Industrial And Office Development Impact Fee

(In Square Feet)

DIF per 1,000 SF	Business/Retail	Light Industrial	Office
DIF per 1,000 SF	Business/Retail	Light Industrial	Office
Administration	\$49.86	\$41.63	\$83.02
Buildings/Grounds	\$108.07	\$90.24	\$179.93
Community Development	\$121.75	\$101.66	\$202.71
Fire Services	\$43.39	\$36.23	\$72.25
Library	\$6.66	\$5.56	\$11.08

Marshal	\$2.17	\$1.82	\$3.62
Parks	\$19.94	\$16.65	\$33.21
Streets	\$598.85	\$500.04	\$997.09
Total Impact Fee/per 1,000 SF	\$951.00 per 1,000 SF	\$794.00 per 1,000 SF	\$1,583.00 per 1,000 SF

(Ord. 2021-03, 3-22-2021)



CITY OF BELLEVUE, IDAHO DEVELOPMENT IMPACT FEE UPDATE

NOVEMBER 30, 2022

RICHARD CAPLAN & ASSOCIATES

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	2
Table A Bellevue Residential Development Impact Fee by Unit Size	2
II. Executive Summary	2
Table B Bellevue FY 2023 – 2042 Capital Improvements Plan	3
Table C Impact Fee Service Unit Measurement Component Sources	4
Table D Projected Population, Housing & Employment Development	5
III. Impact Fee by Department	6
Table E Administration, Buildings & Grounds Service Unit Analysis	6
Table F Community Development Service Unit Analysis	7
Table G Fire Services Service Unit Analysis	8
Table H Library Service Unit Analysis	9
Table I Marshal Service Unit Analysis	9
Table J Parks Service Unit Analysis	10
Table K Projected Average Vehicles Per Day (ADT) 2042	11
Table L Streets Service Unit Analysis	11
IV. Conclusion and Recommendations	12
Table M Proposed Development Impact Fee Schedule	12

Appendix: FY 2022 – 2027 Capital Improvements Plan

I. Introduction

Richard Caplan & Associates (RCA) was engaged by the City of Bellevue to update the 2020 development impact fees schedule. Impact fees are one-time payments by new development for growth-related infrastructure. Impact fees are intended to fund a portion of the system improvements that benefit the entire service area by increasing infrastructure capacity.

The FY 2022-2027 Bellevue CIP requirements are summarized in this study, with descriptions of these projects available from the city staff responsible for each type of infrastructure. The 2022 – 2027 Bellevue Capital Improvements Plan (CIP) was recommended by the Bellevue Planning & Zoning Commission on August 11, 2020, and amended and adopted by the Bellevue City Council on September 28, 2020 and adopted budget for fiscal year 2022- 2023.

II. Executive Summary

As a result of this update, it is recommended that the base residential impact fee be increased from \$2,270 enacted by the City of Bellevue in 2020 to \$2,543, or an increase of 12% and revise the following development impact fee schedule as follows:

Type of Development	Residential	Retail	Office	Light Industrial
2020 ADOPTED IMPACT FEE	\$2,270	\$951	\$1,583	\$382
PROPOSED 2023 IMPACT FEE	\$2,543 (1,601-2,200 SF unit)	\$1,027 Per 1,000 square feet	\$1,705 Per 1,000 square feet	\$855 Per 1,000 square feet
	Per average unit (a)			

(a) Residential fee will be based on the size of the unit as follows:

- Under 1,000 SF = 1 person per unit
- 1,001 to 1,600 SF = 2 persons per unit
- 1,601 to 2,200 SF = 2.5 persons per unit
- 2,201 to 2,800 SF = 2.75 persons per unit
- 2,801 SF or more = 3 persons per unit.

Table A

Proposed Residential Development Impact Fee by Unit Size (in Square Feet)

Housing Unit Size	Under 1,000 SF	1,001 to 1,600 SF	1,601 to 2,200 SF	2,201 to 2,800 SF	2,801 SF or more
TOTAL IMPACT FEE/UNIT	\$1,017	\$2,034	\$2,543	\$2,797	\$3,052

Details of the methodology for these fees and the components of determining these amounts are described in detail in this study.

Bellevue Capital Improvements Plan 2023 - 2042

The FY 2020 – 2040 capital improvements plan has been updated to reflect actual capital expenditures in the past fiscal year and the current adopted budget for fiscal year 2022 – 2023. This plan, along with the city's actual capital expenditures since FY 2018, guided the financial amounts in the city's capital improvements through 2042. (See Table A – “FY 2022–2042 Capital Improvements Plan”). Therefore, for fiscal years 2027 through 2042, a combination of past city capital expenditures and the adopted FY 2022 – 2027 capital improvements plan have been used, except where noted.

Major water and sewer projects are included in the city's capital improvement plan. However, these projects are not eligible for inclusion in a development impact fee since these utilities are funded by monthly service charges, and capital funding is a part of water and sewer connection fees.

Table B
FY 2023 – 2042 Capital Improvements Expenditures and Proposed Projects

Service Area	Actual 2017- 2022	Adopted 2023- 2027	Projected 2028 - 2032	Projected 2032 - 2037	Projected 2038 - 2042	2023- 2042 Total
Administration (a)	\$0	\$105,000	\$110,000	\$110,000	\$105,000	\$430,000
Building & Grounds (b)	\$19,750	\$609,625	\$101,600	\$101,600	\$101,600	\$914,425
Community Development (b)	\$0	\$262,500	\$262,500	\$262,500	\$262,500	\$1,050,000
Fire (c)	\$273,512	\$461,584	\$367,000	\$367,000	\$367,000	\$1,562,584
Library (b)	\$15,309	\$52,500	\$34,000	\$34,000	\$34,000	\$154,500
Marshal (d)	\$5,000	\$110,000	\$110,000	\$110,000	\$110,000	\$440,000
Parks	\$17,000	\$47,000	\$47,000	\$47,000	\$47,000	\$188,000
Streets	\$460,200	\$361,200	\$541,500	\$541,500	\$541,500	\$1,985,700
Total (e)	\$790,771	\$2,009,409	\$1,573,600	\$1,573,600	\$1,568,600	\$6,725,209

- (a) Includes \$5,000 eligible professional services to update the DIF every three years.
- (b) FY 2028-2042 are based on FY 2017-2022 annual average.
- (c) \$500,000 fire department includes a one-time only improvement during FY 2022-2027.
- (d) Includes 2 new vehicles every five years; does not include new building estimated at \$2 million.
- (e) Excludes water and sewer capital projects.

To determine these fees, RCA determined the number of service units associated for each type of capital improvement and calculated the proportionate share factors to allocate costs by type of development. This report includes the formulas and variables used to calculate the development impact fees. The method for calculating development impact fees involves two main steps:

- (1) determining the cost of development-related capital improvements; and
- (2) allocating those costs equitably to various types of development.

Note: The calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities.

In order to determine the appropriate measures, or service units, of development impact, a range of independent published sources were utilized and applied to the City of Bellevue as described in the following Table C.

Table C
Impact Fee Service Unit Measurement Component Sources

Impact Fee Component	Service Unit Measurement	Major Source of Data
Community Development	Number of employees; number of businesses	2020 U.S. Census; City of Bellevue 2017 Comprehensive Plan
Fire	Calls for service per structure (housing unit or business)	Bellevue, Hailey, Wood River Fire & Rescue Services Cooperative Efforts Feasibility Study; 2019 Fire Chief Annual Report
Library	Per capita library visits	American Academy of Arts & Sciences 2017
Marshal	Calls for Service per structure	City of Bellevue 2017 Comprehensive Plan
Streets	Average daily vehicles trips per housing unit; per business	Institute of Traffic Engineers 2019

To determine the share of future residential and business development to be allocated to the development impact fee, a combination of vacant residential lots in Bellevue including the Strahorn Canyon Ranch project were projected through 2042. (See Table C - “Projected Population, Housing Unit and Employment Growth 2022 – 2042”). These projections reflect a net increase of 288 housing units and 794 residents by 2042. (Note: A 7.9% housing unit vacancy rate has been applied to the 300 new housing units, the most recent housing vacancy rate reported for Bellevue by the U.S. Census.) The projected population is based on 2.5 persons per household, a slight decline from the 2020 Census that reported 2.55 persons per household, reflecting national and local trends of smaller average household sizes.

Bellevue has in excess of 24.5 acres of business zoned property that is either vacant or under-developed according to the City of Bellevue 2017 Comprehensive Plan and can expect new business or light industrial businesses to be added in the future. This vacant business zoned land will accommodate an increase in the number of local businesses and employees to serve the city’s population growth.

Total employment within the City of Bellevue is also projected to further assess the number of services units, i.e., persons using the library, streets, calls for law enforcement and fire services, etc. The projected number of new employees for each major land use is based on the number of parking spaces/employees per 1,000 square feet (SF) as specified in the Bellevue Zoning Ordinance. These requirements are based on the following:

- a) Retail/Restaurant: 1 space per each 500 square feet of net floor space = 2 spaces per 1,000 SF
- b) Office: 1 space per each 300 square feet of net floor space = 3.33 spaces per 1,000 SF
- c) Light Industrial: 1 space per each 600 square feet of net gross floor space = 1.67 per 1,000 SF

These employment projections are derived from Bellevue's population growth and reflect the city increasing from 171 businesses in 2020 to 194 businesses in 2042. There are 935 persons employed in Bellevue's 170 businesses according to the U.S. Census Bureau, or an average of 5.3 persons per business. Therefore, these 23 additional businesses are projected to result in 130 additional employees, an average of 5.3 persons per business. These employees will also utilize the city's library, streets, trails and generate calls for Marshal and fire services.

Based on the combined total 2020 U.S. Census population of 2,560 persons and the addition of 33 residential units permitted since 2020, and employment figures, 935 local jobs, and the projected 2042 population, +733 persons, and new employees, 134 employees, resulting in a **total of 4,491 service units**. New population and jobs are projected to represent 18.8% of the city in 2042.

Table D
Projected Bellevue Population, Housing and Employment Development

Year	Bellevue Population	Total Housing Units	Bellevue Projected Population	Number of Businesses	Bellevue Employment
2000	1,876	0	-	-	N / A
2010	2,287	0	-	-	N / A
2015	2,333	0	-	-	935
2020	2,560	977	-	-	N / A
2021	2,622	992	-	-	941
2022	2,642	1,001	-	171	948
2023	-	1,016	2,680	172	954
2024	-	1,031	2,714	174	961
2025	-	1,046	2,746	176	967
2026	-	1,061	2,791	178	974
2027	-	1,076	2,833	179	980
2028	-	1,091	2,872	180	987
2029	-	1,106	2,908	181	993
2030	-	1,121	2,947	182	1,000
2031	-	1,136	2,984	184	1,006
2032	-	1,151	3,022	185	1,012
2033	-	1,166	3,061	186	1,018
2036	-	1,211	3,179	189	1,037
2037	-	1,226	3,218	190	1,045
2040	-	1,271	3,335	193	1,066
2041	-	1,286	3,374	194	1,072
2042 TOTAL	-	1,301 units	3,413 persons	195	1,078 jobs
Net Change 2022 – 2042	-	300 units	733 persons	23 businesses	130 jobs
Total Service Units: 4,491			3,413 persons = 76% of total		1,078 jobs = 24% of total

Source: U.S. Census; City of Bellevue 2017 Comprehensive Plan; RICHARD CAPLAN & ASSOCIATES.

III. Impact Fee by Department

This section of the study analyzes the proposed development impact fee for each element of the city's capital improvement plan by department.

Administration, Buildings & Grounds Services Capital Improvements

Administrative and buildings and grounds capital improvements are most correlated to the number of residents and employees in Bellevue. The cost of preparing a development impact fee study and its periodic update are also eligible expenses and may be incorporated into determining the development impact fee. An estimate for these costs has been added to the administration impact fee calculation. The capital improvement plan administrative costs and buildings and grounds are respectively projected to be \$430,000 and \$914,425.

Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$181.92 allocated to administration and \$386.86 allocated to buildings and grounds;
- Retail development (per 1,000 square feet): \$45.96 for administration and \$97.93 for buildings and grounds;
- Office development (per 1,000 square feet): \$76.52 for administration and \$162.73 for buildings and grounds; and
- Light industrial development (per 1,000 square feet): \$38.38 for administration and \$81.61 for buildings and grounds.

Table E
Administration, Buildings & Grounds Service Unit Analysis

Factor	Administration	Buildings & Grounds
Population	3,413	3,413
<u>Employees</u>	<u>1,078</u>	<u>1,078</u>
Total Service Units	4,491	4,491
Capital Improvements Plan 2023 – 2042	\$430,000	\$914,425
Cost per Service Unit	\$ 95.75	\$203.61
Per Capita Service Unit Share	76%	76%
DIF per Housing Unit (@ 2.5 persons per unit)	\$181.92	\$386.86
Employee Service Unit Share	24%	24%
DIF per 1,000 Retail SF (@2 per 1,000 SF)	\$45.96	\$97.73
DIF per 1,000 Office SF (@3.33/1,000 SF)	\$76.52	\$162.73
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$38.38	\$81.61

Community Development Capital Improvements

Community development capital improvements are also associated with the number of residents and employees in Bellevue. The community development capital improvement plan costs are projected to be \$1,050,000. Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$444.32;
- Retail development (per 1,000 square feet): \$112.22;
- Office development (per 1,000 square feet): \$186.85; and
- Light industrial development (per 1,000 square feet): \$93.71.

Table F
Community Development Service Unit Analysis

Factor	
2042 Population	3,413
<u>2042 Employees</u>	<u>1,078</u>
Total Service Units	4,491
Community Development CIP 2023 – 2042	\$1,050,000
Cost per Service Unit	\$233.80
Per Capita Service Unit Share	76%
DIF per Housing Unit (@ 2.5 persons per unit)	\$444.32
Employee Service Unit Share	24%
DIF per 1,000 Retail SF (@2/1,000 square feet)	\$ 112.22
DIF per 1,000 Office SF (@3.33/1,000 square feet)	\$186.85
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$93.71

Fire Services Capital Improvements

Fire protection within Bellevue is provided by the Bellevue Volunteer Fire Department (BFD) overseen by a half-time Fire Chief and supplemented with a part-time Fire Inspector. The busiest zones within Bellevue for the Fire Department are residential. Expansion of the service area and new residential and commercial construction will be the main basis for increases in fire department capacity.

The FY 2023 – 2042 Bellevue Capital Improvements Plan projects \$1,562,584 in capital requirements for fire services which includes a \$500,000 one-time expenditure for a new station and/or station expansion.

Fire services' capital improvements are impacted by the number of calls for service to structures, either residential units or businesses. The number of calls for Fire Department services is based on the call data reported for the Bellevue Fire Chief's 2019 Annual Report and in the [City of Bellevue, City of Hailey, and Wood River Fire & Rescue Cooperative Efforts Feasibility Study](#) in 2011. Based on the 170 businesses in the city in 2017 and the number of residential units, the BFD averaged around 50 calls in 2019 and are projected by the Feasibility Study to average 70 calls in 2042 with the addition of a total of 300 housing units and 23 businesses. (See Table G).

Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$907.68;
- Retail development (per 1,000 square feet): \$49.76;
- Office development (per 1,000 square feet): \$82.85; and
- Light industrial development (per 1,000 square feet): \$41.55.

Table G
Fire Services Service Unit Analysis

Projected Housing Units 2042	1,301
Projected Businesses 2042	<u>195</u>
Total Service Units	1,496
Fire Capital Improvements Plan 2023 – 2042	\$ 1,562,584
Cost per Service Unit	\$1,044.51
Housing Unit Share	86.9%
DIF Per Housing Unit	\$907.68
Business Share of ADT	13.1%
DIF per Business	\$136.23
Equals DIF per Employee (@5.5 business)	\$ 20.51
DIF per 1,000 Retail SF (@2/1,000 SF)	\$49.76
DIF per 1,000 Office SF (@3.33/1,000 SF)	\$82.85
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$41.55

Source: Bellevue, Hailey & Wood River Fire & Rescue Cooperative Efforts Feasibility Study; City of Bellevue 2017 Comprehensive Plan.

Library Capital Improvements

Bellevue offers a range of services through the city library, which has been open to the public since approximately 1947. After years in City Hall, the library transferred to its current location, a small building next door, which had been the Bellevue Marshal's office. Bellevue's collection of books contains more than 10,000 volumes with access also available to other materials through the Inter-Library Loan Program.

The number of library visitors for the Bellevue Public Library is based on the national per capita visitation rate of library users published by the American Academy of Arts & Sciences. Library usage per capita was reported to be 4.6 visits per capita. Therefore, for purposes of determining library service units, library capital improvements are associated to the number of residents and employees in Bellevue. The library's capital improvement plan costs are projected to be \$154,500 through 2042. Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$65.36;
- Retail development (per 1,000 square feet): \$16.51;
- Office development (per 1,000 square feet): \$27.49; and
- Light industrial development (per 1,000 square feet): \$13.79.

Table H
Library Services Service Unit Analysis

2042 Population	3,413
<u>2042 Employees</u>	<u>1,078</u>
Total Service Units	4,491
Library Capital Improvements Plan 2023 - 2042	\$154,500
Cost per Service Unit	\$34.40
Per Capita Service Unit Share	76%
DIF per Housing Unit (@ 2.5 persons per unit)	\$65.36
Employee Service Unit Share	24%
DIF per 1,000 Retail SF (@2/1,000 SF)	\$16.51
DIF per 1,000 Office SF (@3.33/1,000 SF)	\$27.49
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$13.79

Marshal Capital Improvements

Law enforcement in Bellevue is carried out by the Marshal's office. In 2015 the Marshal's Office handled 3,526 calls for service. Based on the city's 2015 population and employment, these calls represented 1.06 calls per capita and per employee. Therefore, Marshal's capital improvements are calculated on the number of persons, residents, and employees in Bellevue. The Marshal's capital improvement plan costs are projected to be \$440,000 through 2042. Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$186.15;
- Retail development (per 1,000 square feet): \$47.03;
- Office development (per 1,000 square feet): \$78.30; and
- Light industrial development (per 1,000 square feet): \$39.27.

Table I
Marshal Service Unit Analysis

2042 Population	3,413
<u>2042 Employees</u>	<u>1,078</u>
Total Service Units	4,491
Marshal Capital Improvements Plan 2023 – 2042	\$440,000
Cost per Service Unit	\$97.97
Per Capita Service Unit Share	76%
DIF per Housing Unit (@ 2.5 persons per unit)	\$186.15
Employee Service Unit Share	24%
DIF per 1,000 Retail SF (@2/1,000 SF)	\$47.03
DIF per 1,000 Office SF (@3.33/1,000 SF)	\$78.30
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$39.27

Parks Capital Improvements

Parks capital improvements also are calculated on the number of residents and employees in Bellevue. The park's capital improvement plan costs are projected to be \$188,000. Based on these projections, the proposed development impact fee associated with these capital improvements are presented in the following table and are as follows:

- Residential unit: \$41.86;
- Retail development (per 1,000 square feet): \$22.10;
- Office development (per 1,000 square feet): \$33.47; and
- Light industrial development (per 1,000 square feet): \$16.78.

Table J
Parks Service Unit Analysis

2042 Population	3,413
<u>2042 Employees</u>	<u>1,078</u>
Total Service Units	4,491
Parks Capital Improvements Plan 2023 – 2042	\$172,000
Cost per Service Unit	\$ 79.54
Per Capita Service Unit Share	76%
DIF per Housing Unit (@ 2.5)	\$41.86
Employee Service Unit Share	24%
DIF per 1,000 Retail SF (@2/1,000)	\$22.10
DIF per 1,000 Office SF (@3.33/1,000)	\$33.47
DIF per 1,000 Light Industrial SF (@1.67/1,000)	\$16.78

Streets Capital Improvements

Local streets, not under jurisdiction of the Idaho Department of Transportation, are maintained by the Public Works Department. The city's share of street improvements from 2020 and projected by the City of Bellevue through 2042 are projected to cost \$1.985 million. These improvements will enhance connectivity and improve streets for better service to existing and future residential and business development.

The streets impact methodology utilizes a percentage of added vehicle trips by type of land use. As documented by the National Household Travel Survey Trip Generation published by the Institute of Transportation Engineers (ITE 9th Edition 2012) vehicles trips are based on the following weighting factors:

- 121% of the average number of trips are from residential development. Residential trips include data on home-based work trips, social, and recreational purposes.
- Shopping (i.e., commercial) trips are roughly 66% of the average trip lengths.

These weighting factors are part of determining the projected traffic impact of new residential and business/light industrial development.

The most significant and traveled roadway in the City of Bellevue, State Highway 75 (SH-75), is owned and maintained by the Idaho Department of Transportation (IDT). According to the most recently published IDT traffic counts utilized in the [2012 Blaine County Transportation Plan](#), the average vehicles per day (ADT) in Bellevue were:

- SH-75 at Gannett-Pacabo Road in the southern portion of Bellevue was 8,800 vehicles; and
- SH-75 at Spruce Street in the northern portion of Bellevue had 12,000 vehicles.

Therefore, for the purpose of quantifying the projected traffic impact of new development on the city's streets, this study used a mid-point of these two SH-75 ADT's, or 10,600 average vehicles per day (ADT). Using the ITE weighting formula, these 10,600 vehicles per day represent 6,614 trips generated by residential development, or 62.4% of the total traffic and 3,986 vehicles from business/light industrial development, or 37.6% of total average daily trips.

The study also incorporated the findings of the [Strahorn Phase 1 Transportation Impact Study](#) prepared by Galena Engineering in 2018. Utilizing the weighted average by land use, the new business/light industrial businesses are projected to generate an additional 299 vehicle trips per day. Altogether, SH-75 traffic is projected to increase 11,416 ADT from 10,600 vehicles per day.

Table K
Projected Average Vehicle Per Day (ADT) 2042

Traffic Demand	Average Vehicle Count (ADT)	Percent of 2042
Existing ADT:		
Residential	6,614 average vehicles/day	62.4%
Business	3,986 average vehicles/day	37.6%
SUB-TOTAL EXISTING:	10,600 average vehicles/day	92.8%
Projected Residential (300 units)	517 average vehicles/day	4.6%
Projected 23 New Businesses/Light Industries	299 average vehicles/day	2.6%
TOTAL 2042 Projected ADT	11,416 average vehicles/day	100%

Source: IDT, Galena Engineering.

Based on these average vehicle trips, the following table calculates the impact fee by major land use.

Table L
Streets Service Unit Analysis

Current Residential ADT	6,614
Current Business/Commercial ADT	3,986
TOTAL ADT	10,600
2042 Projected residential increase in ADT	517
2042 Projected business increase in ADT	299
PROJECTED TOTAL ADT 2042	11,416
Streets Capital Improvements Plan 2023 – 2042	\$1,985,700
Cost per ADT	\$ 173.94
DIF per residential Unit (@ 1.726 trips/unit)	\$ 300.22
DIF per employee	\$312.90
DIF per 1,000 Retail SF (@2/1,000 SF)	\$625.80
DIF per 1,000 Office SF (@3.33/1,000 SF)	\$1,041.96
DIF per 1,000 Light Industrial SF (@1.67/1,000 SF)	\$522.54

IV. Conclusion and Recommended Development Impact Fee

In conclusion, when the components of each departments calculations of the city are combined, it is recommended that the city enact a **development impact fee of \$2,543 per residential unit and a range of \$855 to \$1,705 for every 1,000 square feet of new business development** as detailed in the following Table M.

Table M
Proposed Development Impact Fee Schedule 2023

City Service Area	Per Housing Unit	Retail (per 1,000 SF)	Office (per 1,000 SF)	Light Industrial (per 1,000 SF)
Administration	\$181.92	\$45.96	\$76.52	\$38.38
Buildings & Grounds	\$386.86	\$97.73	\$162.73	\$81.61
Community Development	\$459.99	\$121.75	\$202.71	\$101.66
Fire Services	\$907.68	\$49.76	\$82.85	\$41.55
Library	\$65.36	\$16.51	\$27.49	\$13.79
Marshal	\$186.15	\$47.03	\$78.30	\$39.27
Parks	\$41.86	\$22.10	\$33.47	\$16.78
Streets	\$300.22	\$625.80	\$1,041.96	\$522.54
TOTAL IMPACT FEE	\$ 2,543 per unit	\$1,027 per 1,000 SF	\$1,705 per 1,000 SF	\$855 per 1,000 SF

All development impact fees are in 2022 dollars with no assumed inflation rate. Necessary capital cost adjustments can and should be made during periodic evaluation and update of these fees. Enactment and collection of development impact fees will continue to support the City of Bellevue Capital Improvements Plan in the coming years.

Finally, in the event that City of Bellevue enacts financial incentives in the future to address affordable housing and/or incentives to attract certain types of new business, the City Council may consider applying a discount to the development impact fee schedule.

We appreciate the opportunity to assist the City of Bellevue with this important issue.

RICHARD CAPLAN & ASSOCIATES

Appendix:
FY 2023 - 2027 Capital Improvements Plan

Department	FY 2023 Adopted	FY 2024	FY 2025	FY 2026	FY 2027	2023- 2027 TOTAL
Administration	\$0	\$80,000 (record retention system)	\$20,000 Software upgrades	\$5,000	0	\$105,000
Buildings & Grounds	\$1,625	\$8,000 sprinkler system	\$250,000- Relocate City Street Dept.	\$250,000- Relocate City Street Dept.	\$100,000 Improvements to City Shop	\$609,625
Community Development	\$0	\$2,500 Computer set up in Chambers	0	\$50,000 Trail construction	\$10,000; floodplain maintenance \$200,000: Town Square	\$262,500 (a) DIF eligible: \$260,000
Parks (b)	\$4,000	\$31,000- parking O'Donnell Park; storage, power receptacles	\$12,000- Build roof over event state at Memorial Park	0	0	\$47,000
Fire	\$61,584	\$100,000- Addition to fire station	\$100,000- Addition to fire station	\$100,000- Addition to fire station	\$100,000- Addition to fire station	\$461,584
Library (b)	\$0	\$22,500 (front door; exterior)	\$10,000 (computers)	\$22,000 (shelving)	0	\$52,500
Marshal	\$0	\$55,000	0	\$55,000	0	\$110,000
Streets	\$217,200	\$20,000; replacement of water truck; walkway 7 th to Cedar	\$24,000 Match grant ITD, Broadford Road Shared Use Pathway,	\$50,000 Chip Seal Oak St., Muldoon Road:	\$50,000 Project TBD	\$361,200
Sub-Total for Development Impact Fee						\$2,009,409
Wastewater	0	\$310,000 Facility Plan \$70,000 Chestnut Lane; \$40,000 jet cleaning truck \$200,000	\$190,000 Sewer Plant expansion \$150,000 GIS mapping; \$40,000; sewer main deficiencies \$50,000		\$35,000 (well)	\$1,016,000

City of Bellevue, ID Development Impact Fee Update

Water	\$7,500 Finish meter project; \$7,500 SCADA work at Tank; \$4,000 Chestnut sidewalk; \$79,000 CL2 at spring;	\$450,000 Main St. mainline replacement; \$250,000 Distribution system survey	\$35,000 Add CL2 at Chestnut well		\$220,000 Replace spring line pipe	\$371,100
TOTAL WATER & SEWER CAPITAL PROJECTS						
	\$98,000	\$1,320,000	\$391,100	\$0	\$442,000	\$2,251,100

- (a) Low value and type of Community Development expenditure is not considered to be a DIF eligible capital improvement.
- (b) Includes projects in FY 2024 included in 2020 CIP but not yet funded.

Source: City of Bellevue City Council September 28, 2020. City of Bellevue Budget 2022 – 2023.

	FY21	FY22	FY23	FY24	FY25
Administrative	\$2,298.18	\$4,549.71	\$2,215.25	\$3,500.38	\$4,346.32
Buildings & Grounds	\$4,981.15	\$9,861.27	\$4,801.44	\$7,613.05	\$9,223.38
Community Development	\$5,609.61	\$11,105.64	\$5,407.65	\$8,760.82	\$10,902.82
Fire	\$9,476.58	\$18,422.35	\$7,136.94	\$9,468.51	\$18,762.25
Library	\$306.82	\$607.39	\$296.54	\$935.36	\$1,564.00
Marshal	\$100.23	\$198.47	\$96.65	\$2,008.22	\$4,268.06
Parks	\$919.28	\$1,819.94	\$886.08	\$1,193.63	\$1,531.17
Streets	\$4,002.15	\$8,992.23	\$10,164.64	\$27,103.81	\$12,078.18
Total	\$27,694.00	\$55,557.00	\$31,005.19	\$60,583.78	\$62,676.18

