



AGENDA

Middleton Planning and Zoning Commission

Date: Monday, November 4, 2019

Time: 6:30 p.m.

Location: 6 N. Dewey Ave., Middleton ID

1. Call To Order - Pledge of Allegiance
2. Roll Call
3. Information Items
4. Action Items
 - A. Consider approving minutes of September 09, 2019 regular meeting.
 - B. Consider recommending that city council renegotiate with Canyon County the area of city impact boundary and applicable plans and ordinances.
 - C. Consider approving an annexation and zoning for Paul and Janet Okamura of approximately 23.4 acres from existing Canyon County Agriculture to City of Middleton C-3 (Heavy Commercial). The subject property lies north of Main St. (State Hwy 44) adjacent to and West of Tractor Supply and not quite to the Eastern right-of-way of Emmett Road.
 - D. Consider approving a request by the City of Middleton to amend the city's Comprehensive Plan text and maps to incorporate updated capital improvement plans for city transportation and parks, and to add capital improvement plans for Greater Middleton Fire District and the Greater Middleton Parks and Recreation District.
5. Public Comments
6. Commission/Staff Comments
7. Adjourn

Posted by:

Bruce Bayne

Bruce Bayne, Planning and Zoning Official

Date:

November 1st, 2019 at 3:00 p.m.

4A

**MIDDLETON CITY PLANNING AND ZONING
COMMISSION MINUTES
SEPTEMBER 09, 2019**

The September 09, 2019 Planning and Zoning Commission Meeting was called to order by Chairwoman Gregor at 6:56 p.m.

Roll Call: Commissioners Jackie Hutchison, Ray Waltemate, Whitney Springston, and Chairwoman Janet Gregory were present.

3. **Information Items:** Planning and Zoning Official Bruce Bayne informed commissioners that the October 14, 2019 and November 11, 2019 commissioner meetings both fell on holidays and that the meetings have been rescheduled to October 7, 2019 and November 4, 2019.

4. **Action Items**

A. Consider approving minutes of August 12, 2019 regular meeting.

Motion: Motion by Commissioner Springston to approve the minutes for the regular meeting was seconded by Commissioner Hutchison and carried unanimously.

B. Consider approving a design review permit for Middleton Self Storage at 21892 Cobalt Ave., Caldwell, Idaho. The subject property is located along the East side of Cobalt Ave, North of Tungsten St. and South of Bass Lane.

Chairwoman Gregory called the agenda item Planning and Zoning Official Bruce Bayne gave a brief administrative review.

Motion: Motion by Commissioner Springston approve the special use permit with the conditions listed in the staff report was seconded by Commissioner Hutchison and carried unanimously.

C. Consider approving an Amended Preliminary Plat for Valhalla Estates Subdivision, Middleton, Idaho. The subject property is located South of Purple Sage Rd. and West of Middleton Rd.

Chairwoman Gregory called the agenda item and Planning and Zoning Official Bruce Bayne gave a brief administrative review.

Motion: Motion by Commissioner Waltemate to approve the preliminary plat for Valhalla Estates Subdivision was seconded by Commissioner Springston and carried unanimously.

D. Consider approving a design review permit for Clock Tower Orthodontics at 1060 West Main St. (Lot17 Block1 Wellstone Sub), Middleton, Idaho. The subject property is located in the Wellstone Buisness Park along the North side of Main St (Highway 44).

Chairwoman Gregory called the agenda item and Planning and Zoning Official Bruce Bayne gave a brief administrative review.

Motion: Motion by Commissioner Hutchison to approve the design review was seconded by Commissioner Springston and carried unanimously.

E. Consider changing the meeting time for all upcoming Planning and Zoning Commission meetings to be held at 6:30 p.m. instead of 7:00 p.m.

Chairwoman Gregory called the agenda item and Planning and Zoning Official Bruce Bayne gave a brief background on why the request was being brought before the Commission for consideration.

Motion: Motion by Commissioner Hutchison to change the meeting start times to 6:30 p.m. starting in November and continuing through the month of March, was second by Commissioner Springston and carried unanimously.

Public Comments, Commission/Staff Comments: none

Adjourn

Chairwoman Gregory adjourned the meeting at 7:35 p.m.

ATTEST:

Ray Waltemate, Vice Chair

Bruce Bayne, Planning & Zoning Official
Approved: November 4, 2019

4B



CITY OF MIDDLETON
1103 W. MAIN STREET, MIDDLETON, ID 83644
208-585-3133, 208-585-9601 FAX
WWW.MIDDLETONIDAHO.US

MEMORANDUM

MEMORANDUM

TO: Middleton Planning and Zoning Commission
FROM: Mayor Darin Taylor
DATE: November 1, 2019
SUBJECT: Area of Impact Recommendations to City Council

Canyon County Board of Commissioners (BOCC) continues approving subdivisions contiguous or adjacent to city limits without requiring annexation and extension of municipal infrastructure for water, sewer, stormwater and transportation. On October 16, 2019, the BOCC approved the preliminary plat for Faisan Pointe Subdivision, located across Emmett Road from Middleton High School, even though city domestic water is stubbed at the southeast corner of the subdivision property. A copy of the BOCC approval is attached as Exhibit A.

The comprehensive plan, and zoning and subdivision ordinances applicable in an area of city impact are agreed-to by the city and county. Middleton's was agreed-to and subsequently added to the county's code on July 1, 2002. A copy of Canyon County Code Title 9 Article 9 is attached as Exhibit B.

The City of Nampa's and the City of Caldwell's comprehensive plan, and zoning and subdivision ordinances apply in their respective areas of city impact. On October 25, 2019, the city requested to renegotiate with the county so the Middleton's plans and ordinances apply to the area of city impact in Middleton. A copy of the city's letter is attached as Exhibit C.

Idaho Code 67-6526(e) requires the city's and county's governing boards, i.e., city council and BOCC respectively, to submit questions to their respective planning and zoning commissions to make their recommendations to the governing board prior to renegotiation. "Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board" (I.C. 67-6526(e)) and "Renegotiations shall begin within thirty (30) days after written request by the city and shall follow the procedures for original negotiation" I.C. 67-6526(d).

Renegotiations between the city and county should begin by November 25, 2019. The city council requests the Middleton Planning and Zoning Commission's recommendation on this subject be submitted to the mayor by November 18, 2019. Should the city and county renegotiate the Middleton impact area boundary as shown on the comprehensive plan adopted by City Council on December 5, 2018? Should Middleton's comprehensive plan, and zoning and subdivision ordinances apply in the Middleton area of city impact?



FINDINGS, CONCLUSIONS, & ORDER

Findings

1. The property is currently zoned "R-1" (Single Family Residential). The zone was approved in 2008 (RZ2007-3).
2. Faisan Pointe Estates Subdivision contains 11 residential lots, tow common lots and one road lot (private road) on approximately 13.82 acres (Attachment A). The average residential lot size of 1.02 acres. The
3. The property is located within the Middleton City area of impact. Based on letter dated June 7, 2019 and testimony from the City of Middleton representatives on September 11, 2019, the City of Middleton opposes the requested subdivision.
4. The subject property is located within Black Canyon Irrigation District and has 13.86 miner inches of water available. The preliminary plat proposes pressurized irrigation to the 11 residential lot (Attachment A). Black Canyon Irrigation District requires improvements to the existing lateral prior to approval of the final plat. (Attachment E).
5. The development will be served by individual well and septic systems. The preliminary plat was reviewed Southwest District Health and DEQ.
6. The preliminary plat proposes drainage catchment and percolation by means of roadside swales, detention pond and lot grading. Common Lot 5 will be used for stormwater retention.
7. The subject property is located within the Canyon Highway District #4.
8. The development is not located within a mapped floodplain (Flood Zone X).
9. On July 18, 2019, the Planning and Zoning Commission recommend denial of the subdivision application. On September 11, 2019, the Board of County Commissioners tabled the item and directed the applicant to provide evidence that the subdivision can be served by domestic well, and meet Idaho Transportation Department, Middleton Fire District and Idaho Department of Water Resources requirements. On October 10, 2019, the Board of County Commissioners directed staff to submit and revised Findings of Facts, Conclusions of Law and Order approving the preliminary plat, irrigation plan and drainage plan.
10. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2018-0011.
11. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on August 19, 2019. Newspaper notice was completed on August 25, 2019. Property owners within 300' were notified by mail on August 19, 2019. The property was posted on or before September 3, 2019.
12. The proposed plat and irigation plan was reviewed for compliance with Idaho Code, Sections 67-6509 and 67-6513 (Subdivisions, Hearings, Decisions); Idaho Code, Sections 50-1301 through 50-1329 (Platting); Idaho Code, Section 31-3805 (Irrigation); Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and Canyon County Code, Chapter 9, Article 9 (Area of City Impact, Middleton)

Conclusions of Law

The Board has the authority to hear this case and approve, conditionally approve, modify or deny the plat. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and County ordinances.

Conditions of Approval


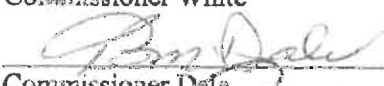
1. All subdivision improvements and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
2. The plat shall comply with comment letter provided by Keller Associates (Attachment B).

3. All improvements required by Black Canyon Irrigation District must be completed prior to the Board of County Commissioner's signature on the final plat (Attachment E).
4. Pressurized irrigation, as shown on the preliminary plat and construction plans, shall be installed prior to the Board of County Commissioner's signature on the final plat. A Water User's Maintenance Agreement for all lots within the development shall be recorded with the Canyon County Recorders' Office prior to the Board signing the Final Plat. The Water User's Maintenance Agreement with Instrument Number shall be included as a plat note on the Final Plat.
5. The development shall comply with all standards and improvements required by Canyon Highway District #4.
6. Prior to final plat approval, the applicant shall complete a Transportation Mitigation Agreement with ITD (Idaho Transportation Department) and pay their proportionate share into the construction of a westbound right turn lane on SH-44 and Emmett Road (Attachment D).
7. The applicant shall submit a recorded Road Users Maintenance Agreement related to the private road (Faisan Court) consistent with CCZO Section 07-10-03(1)B3. The Road Users Maintenance Agreement with Instrument Number shall be included as a plat note on the Final Plat prior to the Board of County Commissioner's signature on the final plat.
8. The private road (Faisan Court, Road Lot 1) shall be constructed in accordance with CCZO Section 07-10-03(3) for private roads that serve over 100 average daily trips. The private road sign shall be installed in accordance with CCZO Section 07-10-03(3)A5. Road construction shall be inspected and certified by the applicant's engineer constructed or road construction warranty prior to the Board of County Commissioner's signature on the final plat.
9. In accordance with Middleton Fire District (Attachment C), the following plat note shall be added: "Residential fire sprinklers in compliance with Middleton Fire District standards shall be installed in all residences unless alternative fire suppression methods are approved by the Fire District."
10. The applicant shall adhere to time limitation to submit a final plat pursuant to §07-17-13(7) Canyon County Zoning Ordinance.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2018-0011, the Board of County Commissioners approves the Preliminary Plat, Irrigation, and Drainage Plans for Faisan Pointe Estates Subdivision subject to the Conditions of Approval as enumerated herein.

APPROVED this 16 day of October, 2019.

	Yes	No	Did Not Vote
 Commissioner White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Dale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>unavailable for signature</u> Commissioner Van Beek	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: Chris Yamamoto, Clerk

By: 
Deputy

Date: 10-16-19

ATTACHMENT A

ATTACHMENT B



131 SW 5th Ave, Suite A
Meridian, ID 83642
(208) 288-1992

May 8, 2019

Mr. Dan Lister
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Falsan Pointe Estates Subdivision Preliminary Plat Application

Dear Mr. Lister:


Keller Associates, Inc. has reviewed the Preliminary Plat for the Falsan Pointe Estates Subdivision dated April 9, 2019. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company. It appears that work being done inside the Hartley Gulch may impact historical drainage patterns, please confirm.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Easements for sewer / water facilities will be required where placed outside of public right of way.
4. Plat shall comply with requirements of the local highway district.
5. Plat shall comply with irrigation district requirements.
6. Plat shall comply with Southwest District Health requirements.

We recommend that the preliminary plat be **APPROVED** with the conditions listed above. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,
KELLER ASSOCIATES, INC.


Ryan V. Morgan, P.E.
County Engineer

cc: File

213050-059/19-178

GROWING POSSIBILITIES

ATTACHMENT C



From the Office of Fire Chief Greg Timinsky

September 17, 2019

To: Canyon County Development Services/Dan Lister

Reference: Case # SD2018-0011

Location: Near the roundabout on Emmett Road and 9th Street Middleton ID 83644 (Faison Pointe)

From: Fire Chief Greg Timinsky

The Middleton Rural Fire District has reviewed and will approve the above referenced application for the development located near the roundabout on Emmett Road and 9th Street Middleton ID 83644. (Faison Pointe) With the conditions below.

Access roads shall be provided and maintained in accordance with Appendix D section and 503 of the 2015 IFC. This shall include adequate roadway widths, signage, turnarounds and min. turning radius for fire apparatus.

The min. inside turning radius for our fire apparatus is 28' with the outside radius of 48'. Insure that all radiuses for the street curves and intersections meet this requirement.

The min. fire flow and flow duration for one- and two-family dwellings shall be as specified in Appendix B and Section 507 of the 2015 IFC. As an option the Fire District will waive the water supply fire flow if the developer chooses to have residential fire sprinklers required in all homes in the development 130 system.

I have met with the developer and they have agreed to meet the conditions above.

Any questions please feel free to contact me, 208-229-9447

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Timinsky".

Greg Timinsky,
Fire District Chief

Middleton Rural Fire District
302 E. Main Street
Middleton, Idaho 83644

Station (208) 585-6650
Fax (208) 585-6340
www.middletonfire.org

ATTACHMENT D



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

October 4, 2019

Dan Lister
Canyon County Development Services
111 N. 11th Ave. Ste. 140
Caldwell, Idaho 83605

VIA EMAIL

Development Application	SD2018-0011
Project Name	FAISAN POINTE ESTATES SUBDIVISION
Project Location	West of Emmett Road and north of Greenwell Lane on the west leg of the Emmett School roundabout, north of SH-44 milepost 2.32
Project Description	Construct a subdivision consisting of 11 residential lots
Applicant	All-Terra Consulting
Representing	Pheasant Point Middleton LLC

The Idaho Transportation Department (ITD) reviewed the referenced preliminary plat and final plat application and has the following comments:

1. This project does not abut the State highway system.
2. ITD will not be requesting a traffic analysis for the full buildout of the Faisan Pointe Estates Subdivision. Mitigation for this development will be covered by contributing to a Transportation Mitigation Agreement that will address improvements for the westbound right turn lane on SH-44.
3. This development will add additional turning movements to the intersection of SH-44 and Emmett Road. This intersection currently has a non-standard right turn lane installed. No trip distribution information was provided; without trip distribution information ITD assumed the worst case scenario that all 11 trips will utilize the Emmett Road/ SH-44 intersection at PM peak hour. According to ITD's Traffic Study published February 2019, there are currently 80 westbound right turns in the PM peak time. Faisan Pointe Estates Subdivision is adding 2 trips to Emmett Road in the PM Peak at full buildout, which is approximately 2.5% percent of the existing number of trips turning on to Emmett Road.



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4. The reconstruction of the westbound right turn lane is estimated to cost \$192,325 (see attached). The applicant will only be responsible for contributing their proportionate share of 2.5% (\$4,808) in a Transportation Mitigation Agreement.
5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
6. The Idaho Administrative Procedures Act (IDAPA) 39.03.60 governs advertising along the State highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
7. ITD objects due to concerns regarding the substandard eastbound right turn lane as noted in item 3.
8. Once the development contributes their proportionate share in a Transportation Mitigation Agreement, ITD will withdraw any objection to the proposed application.

If you have any questions, you may contact Ken Couch at (208) 332-7190 or me at (208) 334-8338.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov

ATTACHMENT E



June 14, 2019

Canyon County Development Services Department
1115 Albany Street
Caldwell, Idaho 83605

RE: Faisan Pointe Estates Subdivision

Applicant: Fuhrman, Royal Pro-C, LLC / Jay Walker, AllTerra Consulting

Planner: Jennifer Almeida

Planning and Zoning Commissioners:

This letter is to inform the Canyon County Development Services Department that the above listed applicants have begun construction of the Faisan Pointe Estates Subdivision without satisfying the explicit requirements of the Black Canyon Irrigation District and their governing Board of Directors.

When the Developers appealed to the Board of Directors at our December 2018 Board Meeting it was made clear that the District would require the adjacent lateral be piped prior to development in order to alleviate the concerns of the District.

The District is requesting that the Developer either pipe the lateral in compliance with the District's standards, or in cooperation with Black Canyon Irrigation District, determine the cost to pipe the lateral and submit the costs in full to the District prior to continuing construction.

This requirement is standard practice and good stewardship, for Black Canyon Irrigation District and many other Irrigation Districts in the area, and in this case, the only means for adequate mitigation of impact to the lateral under this circumstance as determined by Black Canyon Irrigation District.

Black Canyon Irrigation District is requesting that the Canyon County Development Services postpone any further approval/progress concerning the above listed applicant at this location until Black Canyon Irrigation District's concerns have been resolved.

We greatly appreciate your cooperation regarding this matter and anxiously await your response.
If you have any questions, please contact me at 208-459-4141 Ext. 1.

Thank you,

Carl Hayes
Assistant Manager
Black Canyon Irrigation District

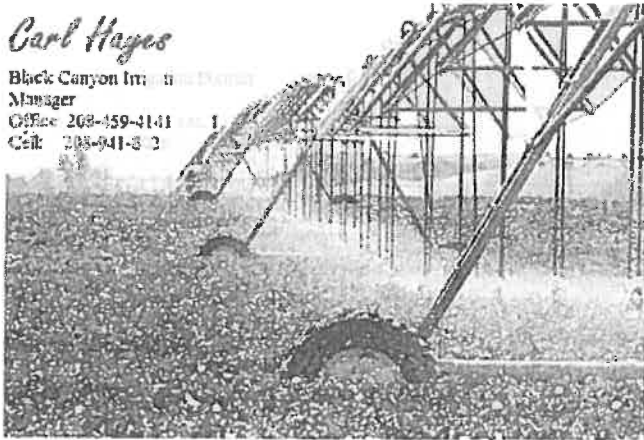
474 ELGIN ST. • P.O. Box 226 • NOTUS, ID 83656 • 208-459-4141 • FAX 208-459-3428

Black Canyon Irrigation is in agreement with the developer that the lateral along the development must and will be piped by the developer prior to final plat. Plans must be submitted and approved by the Bureau of Reclamation and Black Canyon Irrigation District prior to beginning construction. Plan Review Fees apply.

Thank you,

Carl Hayes

Black Canyon Irrigation
Manager
Office: 208-459-4141
Cell: 208-941-8102



Article 9

MIDDLETON

09-09-01: TITLE:

This article shall be known as the *MIDDLETON AREA OF CITY IMPACT (PLANS AND ORDINANCES) ORDINANCE*. (Ord. 01-006, 7-6-2001)

09-09-03: STRUCTURE, PURPOSE AND AUTHORITY:

- (1) Structure: Titles and subtitles of this article are only used for organization and structure and the language in each paragraph of this article should control with regard to determining the legislative intent and meaning of the board of county commissioners.
- (2) Purpose: The purpose of these provisions is to promote the public health, safety, general welfare, peace, good order, comfort and convenience of the county and the inhabitants thereof by establishing regulations for the Middleton area of city impact.
- (3) Authority: This article is authorized by Idaho Code 31-801, 31-828 and 67-6526. (Ord. 01-006, 7-6-2001)

09-09-05: REPEALER:

This article repeals the joint exercise of powers for the area of city impact between the city of Middleton and Canyon County (1-14-98), and all other ordinances, regulations, or parts thereof, in conflict herewith. (Ord. 01-006, 7-6-2001)

09-09-07: SAVINGS:

Any actions, civil, criminal or administrative, which are pending at the time of the enactment of this article, may be pursued as if this article had not been enacted. (Ord. 01-006, 7-6-2001)

09-09-09: ANNEXATION:

- (1) Annexation by the city of Middleton shall be limited to those lands lying within the Middleton area of city impact and being contiguous to the boundaries of the city of Middleton, except for those properties outside the Middleton area of city impact and being contiguous to the boundary of the city of Middleton where the owner has requested annexation as provided for in Idaho Code 50-222 et seq.

Exhibit B

- (2) Upon annexation, the provisions of this article shall no longer apply to the annexed area. The city of Middleton shall notify the county development services director in writing both when annexations are being considered and when annexations are completed. (Ord. 01-006, 7-6-2001)

09-09-11: APPLICABLE COMPREHENSIVE PLAN AND POLICIES:

- (1) Comprehensive Plan: Canyon County and the city of Middleton shall work cooperatively to develop a joint amendment to the county's comprehensive plan for the Middleton area of city impact. The county's comprehensive plan shall apply in the impact area.
- (2) Hearing Participation: The city may apply at any time to amend the county's comprehensive plan and/or zoning ordinance, as it deems necessary and appropriate, and shall fully participate in the hearing process. Such input will not be binding or controlling, but shall be treated as documentary evidence. The city shall have affected party status pursuant to Idaho Code 67-6521 of the local land use planning act.
- (3) Plan Amendment Proposals: All proposals for amendments to the county comprehensive plan which may appertain to the Middleton area of city impact but which do not originate from the city shall be referred to the city at least thirty (30) calendar days prior to any hearing on such matter and a recommendation may be made before or at said public hearing. If a recommendation is received it shall be given great weight by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no response is received the county may proceed without the recommendation of the city. A copy of the final decision issued by the county shall be forwarded to the city. If the city does not agree with the request, because it involves a major change in the county's comprehensive plan, the city may request renegotiation of this article as provided in Idaho Code 67-6526(d). A major change is one that is fundamental to the county's comprehensive plan, as determined by the parties.
- (4) Final Document Forwarding: After recommendations have been made and final action has been taken on amendments to the county's comprehensive plan and/or zoning ordinance, the county shall notify the city of said final action by forwarding a copy to the city of all final documents reflecting the action taken by the county. (Ord. 01-006, 7-6-2001)

09-09-13: APPLICABLE ORDINANCES:

The Canyon County zoning ordinance¹ and the Canyon County subdivision ordinance² shall apply in the Middleton area of city impact. (Ord. 01-006, 7-6-2001)

09-09-15: ZONING ORDINANCE AMENDMENT PROPOSALS:

All proposed county ordinance amendments to the text and/or map which may relate to the Middleton area of city impact shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article, except that recommendations received from the city by the county are nonbinding but any factually supported recommendations shall be seriously considered by the county. (Ord. 01-006, 7-6-2001)

09-09-17: APPLICATION PROCEDURES:

(1) Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact:

A. Land Use Applications: All land use applications submitted to the county including, but not limited to, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article.

B. Substandard Setup; Mobile/Manufactured Homes: Mobile/manufactured homes not set up pursuant to manufacturers' recommendations shall not be allowed in any zone in which the county's zoning ordinance excludes mobile/manufactured homes.

C. Temporary Residence; Mobile/Manufactured Home: The county shall receive input from the city on applications for county temporary mobile/manufactured homes. The city's comments shall be given great weight by the county's development services director and the planning and zoning commission, provided they are factually supported. Those comments shall not be binding on the county. The county appellate procedures apply. County approval of a temporary residence described above does not afford the permit holder any nonconforming use or structure grandfather rights status prior to or upon the city's annexation of the parcel.

D. Planned Unit Developments: A "planned unit development" shall be defined as it is defined in section 07-02-03 of this code, as amended. Such definition is incorporated by reference herein.

E. Subdivision Plat Applications: All subdivision plat applications shall first be directed to the county's development services director. The director shall make a determination whether the planned use conforms to the county's comprehensive plan, zoning designation, and zoning ordinances. If it does conform as an allowed use, the director shall send a letter to the city confirming the same, and for residential developments indicate a minimum lot size. The city shall then review the plat applications and shall render an opinion and recommendation to the county's development services director. Thereafter, the applications shall be reviewed for approval in accordance with the hearing procedures set forth in chapter 7, article 5 of this code in order to determine whether the applications comply with the requirements of the Canyon County subdivision ordinance³.

F. Nonconforming Uses: If the application does not conform to the county zoning designation as an "allowed use", the applicant may elect to pursue amendments to the county's comprehensive plan and/or zoning map or make application for a planned unit development, all in accordance with procedures outlined in subsection 09-09-11(3) of this article and applicable sections of the county zoning ordinance.

G. Subdivision Defined: All land divisions defined as "subdivisions" by county ordinances shall be considered subdivision for the purposes of this article.

(2) Planned Unit Developments: All planned unit development applications for development within the area of city impact shall be directed first to the county's development services director for consideration by the county's planning and zoning commission. It shall be referred to the city in the same manner as provided in subsection 09-09-11(3) of this article. When granting an application for a planned unit development/conditional use permit, the commission may attach conditions of approval which include, but are not limited to, the following:

A. The types and relative quantities of uses to be permitted;

B. The relative quantity and nature of all common areas to be provided as a condition of permit;

C. Minimum lot size, if applicable, as a condition of permit.

- (3) Referral Process: If the planned unit development/conditional use permit is approved, the application shall be forwarded to the city with approval documents indicating the conditions of approval enumerated above. The application shall then be processed as a subdivision plat application pursuant to the procedures outlined in subsection (1)E of this section. All planned unit developments in the city impact area shall be platted.
- (4) City Impact Area Representation: Recommendations for city impact area representation on the county planning and zoning commission may be made by the city to the board of county commissioners at any time and will be acted upon by said board as the need arises and as they deem appropriate.
- (5) City/County Internal Procedures: Each party to this referral process shall determine its own internal procedure as may be deemed appropriate and adequate for making recommendations to the other party on proposed actions and on its handling of proposed amendments to its own plan and/or ordinances. Appeals of decisions by each party shall be processed by the party responsible for the decision and in accordance with the internal procedures of that party. (Ord. 01-006, 7-6-2001)

09-09-19: AMENDMENT:

- (1) In accordance with Idaho Code 67-6526(d), the city of Middleton or the board of Canyon County commissioners may request, in writing, the renegotiation of any provision of this article at any time. Within thirty (30) days of receipt of such written request by either party, an initial meeting between the two (2) jurisdictions should occur. If the parties agree to amend this article, hearings to enact such amendments shall be scheduled before the parties' respective planning and zoning commissions with ultimate approval resting with the board of county commissioners and the city council. If the parties are unable to agree to amend this article, either party may elect to submit the issues to the committee of nine (9) persons pursuant to Idaho Code 67-6526(b).
- (2) While renegotiation is occurring, all provisions of this article shall remain in effect until this article is amended or a substitute ordinance is adopted by both Middleton and Canyon County, in accordance with the notice and hearing procedures provided in title 67, chapter 65 of Idaho Code, or until a declaratory judgment from district court is final.
- (3) Amendments to this article shall be processed using the notice and hearing requirements of Idaho Code 67-6509. (Ord. 01-006, 7-6-2001)

09-09-21: SEVERABILITY:

Should any action or provision of this article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or a part thereof other than the part declared to be unconstitutional or invalid. (Ord. 01-006, 7-6-2001)

09-09-23: IMPACT AREA MAP:

- (1) Title: This section shall be known as the *CANYON COUNTY ORDINANCE RE: CITY OF MIDDLETON IMPACT AREA MAP*.
- (2) Authority: This section is enacted pursuant to Idaho Code 67-6526, of the local planning act of 1975, Idaho Code 31-714, 31-801, and 31-828 and article 12, section 2 of the Idaho constitution, as amended or subsequently modified.
- (3) Purpose: The local planning act of 1975 requires that each county and each city in the state of Idaho shall identify by ordinance an area of city impact within the unincorporated area of the county and shall, in accordance with the notice and hearing procedures provided in Idaho Code 67-6509, adopt by ordinance a map identifying that area of city impact.
- (4) Repealer: The Middleton area of city impact map ordinance repeals the Middleton area of city impact map adopted in ordinance 05-010 and all other ordinances, regulations, or parts thereof in conflict herewith.
- (5) Savings: Any actions, civil, criminal, or administrative, which are pending at the time of the enactment hereof, may be pursued as if this section had not been enacted.
- (6) City Impact Area Map:
- A. Area Designated: The Middleton area of city impact is the area designated on the Middleton area of city impact boundary map (attached as exhibit A to the ordinance codified herein), hereby fully incorporated by reference, copies of which are available for inspection at the office of the clerk of the city of Middleton and at the Canyon County development services department.
 - B. Jurisdiction: In case a property under single ownership is divided by the boundary line of the Middleton area of city impact and any other area of city impact boundary, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.
 - C. Exception: In the case where a property under a single ownership is divided by the boundary line of the Middleton area of city impact only, the smaller portion of such property may, without the three hundred foot (300') limitation stated above, be included in the jurisdiction within which the larger portion of the property is located.
- (7) Severability: Should any action or provision of this section be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this section as a whole or a part thereof other than the part declared to be unconstitutional or invalid. (Ord. 06-010, 8-17-2006)

Footnote 1: See chapter 7 of this code.

Footnote 2: See chapter 7, article 17 of this code.

Footnote 3: See chapter 7, article 17 of this code.



CITY OF MIDDLETON

P.O. Box 487, 6 North Dewey, Middleton, ID 83644
208-585-3133 Fax (208) 585-9601
citmid@middletonidaho.us
www.middleton.id.gov

October 25, 2019

Canyon County Board of Commissioners
c/o Tricia Nilsson, Director Development Services Department
111 11th Avenue
Caldwell, Idaho 83605

Re: Amend Canyon County Code Title 9 Chapter 9
Middleton Area of City Impact Ordinance (Ord. 01-006, 7-6-2001)

Commissioners:

The City of Middleton requests to start discussions with Canyon County to determine if the City and County agree to renegotiate the Middleton area of city impact, plan, and ordinance requirements pursuant to Idaho Code 67-6526(d) for the following reasons.

1. County Ordinance 01-006 was adopted July 6, 2001 and since then there have been significant and material changes in city population, staff expertise, and demand for development in the impact area;
2. City processes, plans and ordinances have been focused and refined to implement duties placed on the city by and according to state law; and
3. The city is prepared and willing to accept more responsibilities under Idaho Code when implementing comprehensive plan policies, zoning and subdivisions ordinances in the impact area.

I.C. 67-6526(e) requires governing boards to submit questions to their respective planning and zoning commissions to make their recommendations to the governing board prior to renegotiation. "Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board" (I.C. 67-6526(e)) and "Renegotiations shall begin within thirty (30) days after written request by the city and shall follow the procedures for original negotiation" I.C. 67-6526(d).

Sincerely,

A handwritten signature in black ink that reads "Darin Taylor".

Mayor Darin Taylor
(208) 697-4354

Enc.: Canyon County Code Title 9 Article 9 and Idaho Code 67-6526

Copy: Chris Yorgason, Yorgason Law Offices PLLC, City Attorney
Bruce Bayne P.E., Public Works Director and Planning and Zoning Official

Exhibit C

4C



ADMINISTRATIVE REVIEW AND REPORT

Middleton Planning and Zoning Commission

Okamura Annexation

SUMMARY OF APPLICATION

A request by Paul and Janet Okamura to annex into Middleton City limits approximately 23.4 acres of vacant land and zone to City of Middleton C-3 (Heavy Commercial). The property is located on the North side of Main Street (State Hwy 44) West of and adjacent to Tractor Supply Co. with the West Boundary approximately 290' East of Emmett Road.

Applicant: Paul and Janet Okamura
1882 Horseshoe Canyon Drive
Middleton, Idaho 83644

Representative: Mason and Associates
924 3rd Street South
Nampa, ID 83651

1. **APPLICATION:** The application was accepted by the City on September 17, 2019.
2. **NOTICE OF PUBLIC HEARING:**
Published notice Idaho Press Tribune: September 24, 2019
Letters to 300' Property Owners: October 9, 2019
Letters to Agencies: October 9, 2019
Property Posted: October 17, 2019
3. **APPLICABLE CODES AND STANDARDS:**
Middleton City Code, Title 5, Chapter 1
Middleton City Code, Title 5, Chapter 4, Tables 1 and 2 in Section 5-4-1

4. CITY STAFF COMMENTS:

Land use and zoning for surrounding properties are:

South: Residential land use, zoned Agricultural, outside city limits (in Canyon County); and residential land use, zoned Commercial outside city limits (in Canyon County); Commercial land use, zoned commercial, outside city limits (in Canyon County)

East: Zoned C-2 Light Commercial (in City limits);

North: Vacant commercial land use, zoned Agricultural, outside city limits (in Canyon County); Agricultural land use, zoned agricultural, outside city limits (in Canyon County)

West: Vacant commercial land use, zoned Agricultural, outside city limits (in Canyon County).

The subject property is currently zoned Agricultural, is outside of city limits (in Canyon County) and is 23.4 acres. The applicant is requesting annexation into City of Middleton limits, with zoning to C-3 (Heavy Commercial).

The purpose of C-3 zoning is to accommodate commerce which is more intensive in character (noise, odor, light, vibration, dust, traffic, etc.) than in other commercial zones and which may be semi-industrial in character. Zoning the subject site to C-3 would allow zoning to remain consistent in this area on the far west end of the City and is consistent with the future land use.

The requested property is located along Main Street (State Highway 44) between Emmett Road and Hartley Lane, will invite commercial development that will provide employment opportunities for local residents, allow them to remain in the City for employment. This will also further expand the City's water and sewer systems along Main Street (Hwy 44) in an area suited for business development.

A neighborhood meeting was held at 23107 Hartley Lane in Middleton on September 9, 2019 from 6:00 to 6:30 p.m. According to the representative for the project, there was no opposition from those attending the neighborhood meeting.

5. WRITTEN AGENCY RESPONSES RECEIVED TO DATE: None.

6. ADJACENT PROPERTY OWNERS RESPONSES: None.

7. PLANNING AND ZONING RECOMMENDATIONS: City staff recommends that the Planning and Zoning Commission approves the request for annexation of 23.4 acres into city limits and zoning as requested to C-3 (Heavy Commercial).

Drafted by: Bruce Bayne
Date: October 31, 2019



CITY OF MIDDLETON

P O Box 487

1103 W MAIN ST, MIDDLETON, ID 83644

208-585-3133, Fax: 208-585-9601

WWW.MIDDLETON.ID.GOV

Planning and Zoning Department

Land Use Application

Rev: 1/24/2019

Fee Paid: \$ 575.00 Rec'd: 095614 grApplication Accepted by: BSDate Application Accepted: 09/17/19

Applicant:

Paul Okamura (208) 573-4548 craigstacy8@gmail.com
 Name Phone Email
1882 Horseshoe Canyon Drive Middleton ID 83644
 Mailing Address City, State Zip

Representative:

Mason and Associates, Inc (208) 454-0256 wmason@masonandassociates.us
 Name Phone Email
924 3rd Street South Nampa ID 83651
 Mailing Address City, State Zip Code

PUBLIC HEARINGS**

- ☒ Annexation and Zoning
☐ Rezone
☐ Vacate Right-of-Way
☐ Comprehensive Plan Map
 or Text Amendment

PUBLIC MEETINGS*

- ☐ Design Review
☐ Preliminary Plat
☐ Construction Plans ***
☐ Final Plat

PUBLIC HEARINGS**

- ☐ Development Agreement
☐ Ordinance Amendment
☐ Special Use Permit
☐ Variance

* **Public Meetings:** Individuals have a right to observe, not comment, at an open meeting at which the application is being considered by decision makers. Plats designed to city code and standards do not require a neighborhood meeting or public hearing.

** **Public Hearings:** a neighborhood meeting is required before filing an application, and individuals have a right to participate in the hearing by offering comments. Plats not designed to city code and standards require a neighborhood meeting and public hearing.

*** **Administratively:** reviewed and approved by the City Engineer and Zoning Official.

Subdivision or Project Name: Okamura annexation

Site Address: See attached deed for description Total Acres: 23.407

Crossroads: Highway 44 and Emmett Rd.

Existing Zoning: County-Ag Proposed Zoning: C-3

Floodplain Zone: X Hillside (grades exceeding 10%): NA

William J. Mason 9/17/2019
 Applicant's Printed Name Date

Representative

William J. Mason
 Applicant's Signature

Representative

LAND USE APPLICATION

PAGE 1 of 2



CITY OF MIDDLETON

P O Box 487

1103 W MAIN ST, MIDDLETON, ID 83644

208-585-3133, FAX: 208-585-9601

WWW.MIDDLETON.ID.GOV

Planning and Zoning Department

Land Use Application

Rev: 4/24/2019

Fee Paid: \$ _____

Application Accepted by: JS

Date Application Accepted: 09/12/19

Checklist - A complete Planning and Zoning Application must include the following.

- ☒ **Application Form**
- ☒ **Application Fee** (see Fee Schedule). Note: City Engineer and City Attorney expenses incurred by the city throughout the approval process that are related to relating to this Application are billed to the applicant in addition to the Application Fee. WJM Applicant Initial
- ☒ **Vicinity Map:** attach an 8 1/2" x 11" map showing the subject property in relation to land around it that includes the nearest public roads.
- ☒ **Narrative:** describe and explain your request, anticipated adverse impacts on neighbors, and other information helpful to decision-makers. Please attach the following if applicable.

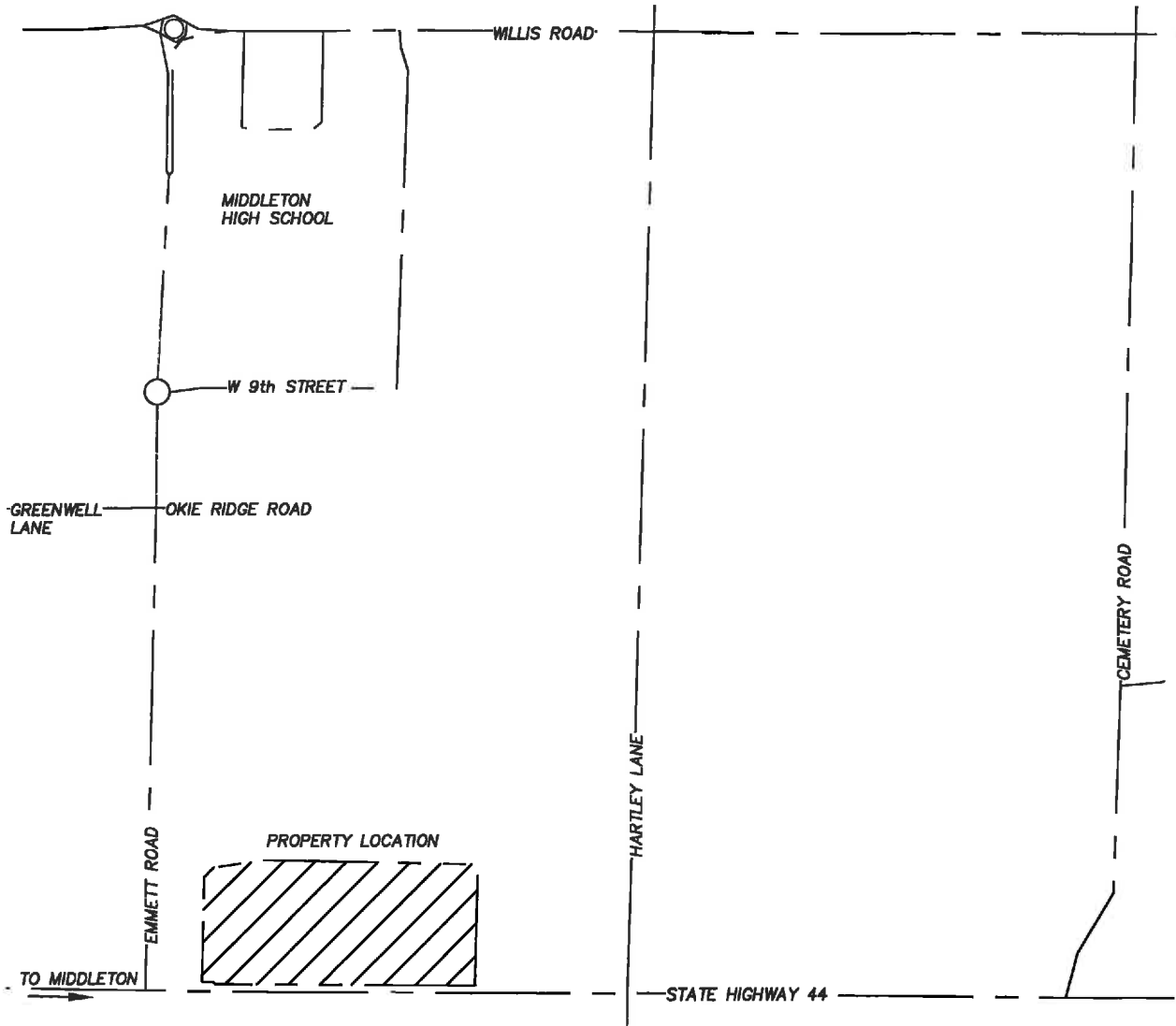
Applicable Not Applicable

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> Describe how request is consistent with comprehensive plan (for <u>annexation, zoning</u> comprehensive plan or ordinance amendments only) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Design review materials and information (design review application only) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Proposed preliminary plat, drainage calculations, traffic impact study |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Proposed construction drawings (construction plans application only) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Proposed final plat (for final plat application only) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Proposed development agreement |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Worksheet (for special use permit or variance only) |

- ☒ **Proof of Ownership or Owner's Consent:** attach a copy of landowner's deed and, if applicable, a letter from the landowner that authorizes the applicant to file an application. Affidavit of legal interest
- ☒ **Property Boundary Description** including reference to adjoining road and waterway names that is signed and stamped by a land surveyor registered in the State of Idaho. If more than one zoning designation is being requested, separate legal descriptions are required for each zoning designation.
- ☒ **Neighborhood Meeting:** If applicable, attach original sign-up sheet.
- ☒ **Mailing Labels:** Adhesive mailing labels containing the names and addresses of property owners within 300 feet of the external boundaries of the subject property (available at Canyon County Assessor's office or title companies). Two(2) sets if application requires a public hearing.
- ☒ **Complete Application (City use only: check box and initial if Application is complete):** BP

VICINITY MAP

A PART OF THE SW 1/4, SECTION 1, T. 4 N., R. 3 W., B.M.,
CANYON COUNTY, IDAHO
2019



OKAMURA ANNEXATION PARCEL

23107 HARTLEY LANE, MIDDLETON IDAHO

Mason & Associates

Professional Engineers,
Land Surveyors
& Planners

624 S. 8th St., Boise, ID 83725
(208) 333-8888 Fax (208) 333-4100

JOB NO. JY0319

DWG NO. VIC MAP

SCALE: 1"=1000'

REV.

FIELD BOOK NO.

DRAWN BY: DATE:

JH 8/17/19



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Ste B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130

NARRATIVE OKAMURA ANNEXATION

The owner is proposing an annexation and commercial (C3) zoning of the attached property description into the City of Middleton, located north of Highway 44 and East of Emmett Rd. This parcel is contiguous to the City of Middleton and also contiguous to the C3 requested commercial zoning.

The property is within the City of Middleton's impact area. The property is also in the City's Future Land Use Plan as commercial land for commercial use.

With the anticipated growth of the City of Middleton as well as this property fitting within the City's comprehensive plan we request the annexation into the City of Middleton with the commercial zoning of C3.

AFFIDAVIT OF LEGAL INTEREST

STATE OF IDAHO)

COUNTY OF CANYON)

I, Paul T O'Hanrahan 1882 Horse Shoe Canyon
(name) (address)
Middleton, Idaho 83648
(city) (state)

being first duly sworn upon, oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission to:

Mason and Associates Inc 924 3rd Street South, Nampa, ID 83651
(name) (address)

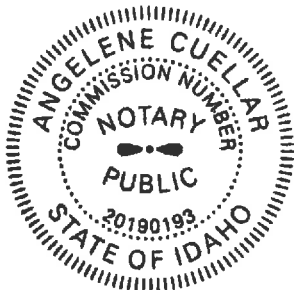
to submit the accompanying application(s) pertaining to that property.

2. I agree to indemnify, defend and hold the City of Middleton and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Middleton staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 12th day of September, 20 19

Paul T O'Hanrahan
(Signature)

SUBSCRIBED AND SWORN to before me the day and year first above written.



Angelene Cuellar
(Notary Public for Idaho)

Residing at: Middleton, Idaho

My Commission Expires: Jan 30 2025



610 S. Kimball Avenue
Caldwell, ID 83605

2019-041776

RECORDED

09/06/2019 11:36 AM



00463677201900417760030031

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=3 DLSTEPHENS

\$15.00

DEED

PAIII OKAMURA

QUITCLAIM DEED

For Value Received

Paul T. Okamura and Janet L. Okamura as co-trustees of The Paul and Janet Okamura Trust under trust agreement dated December 21, 2001, and their substitutes and successors as trustee thereunder do hereby convey, release, remise and forever quit claim unto

Paul T. Okamura and Janet L. Okamura as co-trustees of The Paul and Janet Okamura Trust under trust agreement dated December 21, 2001, and their substitutes and successors as trustee thereunder whose address is 1882 Horseshoe Canyon Dr Middleton, ID

88644

the following described premises, to-wit:

See Exhibit A attached

together with their appurtenances.

Dated: Sept 5, 2019

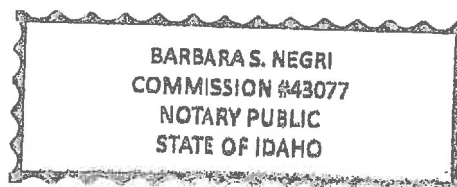
Paul T. Okamura
Paul. T. Okamura, as co-trustee

Janet L. Okamura
Janet L. Okamura, as co-trustee

State of Idaho, County of Canyon

This record was acknowledged before me on Sept 5, 2019 by Paul T. Okamura and Janet L. Okamura, as Co-Trustees of the Paul and Janet Okamura Trust.

Barbara S. Negri
Signature of notary public
Commission Expires: 10/13/2022
Barbara, et





Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651

Ph (208) 454-0256 Fax (208) 467-4130

e-mail: dholzhey@masonandassociates.us

FOR: Paul Okamura
JOB NO.: JY0319
DATE: August 13, 2019

PARCEL 2

A parcel of land being a portion of the S1/2 SW1/4 of Section 01, Township 4 North, Range 3 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at the northwest corner of the SW1/4, (W1/4 Corner)

Thence S 01° 00' 25" W a distance of 1327.22 feet along the west boundary of the N1/2 SW1/4 to the northwest corner of the S1/2 SW1/4;

Thence S 01° 00' 33" W a distance of 639.69 feet along the west boundary of the S1/2 SW1/4;

Thence S 88° 17' 56" E a distance of 315.02 feet to the **POINT OF BEGINNING**;

Thence along the approximate centerline of a drainage ditch the following courses and distances;

Thence S 88° 17' 56" E a distance of 30.16 feet;

Thence N 81° 48' 04" E a distance of 311.00 feet;

Thence S 88° 47' 56" E a distance of 1181.39 feet;

Thence leaving the approximate centerline of a drainage ditch S 01° 15' 10" W a distance of 667.24 feet to a point on the northerly right of way of Highway 44;

Thence along the northerly right of way of Highway 44 the following courses and distances;

Thence N 89° 40' 08" W a distance of 1448.03 feet;



Professional Engineers, Land Surveyors and Planners
Page 1 of 2

Thence N 00° 20' 36" E a distance of 11.30 feet;

Thence N 89° 39' 49" W a distance of 67.64 feet;

Thence N 01° 00' 33" E a distance of 628.42 feet to the **POINT OF BEGINNING**.

This parcel contains 23.407 acres, more or less.

Also, this parcel is subject to all easements and rights-of-way of record or implied.



Mason &
Associates Inc.

Professional Engineers, Land Surveyors and Planners
Page 2 of 2

SIGN IN SHEET

PROJECT NAME: Paul and Janet Okamura Trust Annexation

Date: 9/16/19

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>Lee Blue</u>	<u>23245 Hantley Ln</u>	<u>83644</u>	<u>208-880-10596</u>
2	<u>Donnie Blue</u>	<u>"</u>	<u>"</u>	<u>208-899-0360</u>
3	<u>Warren Sanderson</u>	<u>12749 Hwy 44</u>	<u>83644</u>	<u>208-880-7428</u>
4	<u>Karen + Kirk Couder</u>	<u>23164 Hantley</u>	<u>83644</u>	<u>208-365-8352</u>
5	<u>Jerry + Marta Loveland</u>	<u>"</u>	<u>83607</u>	<u>208-454-8849</u>
6	<u>Jan Arrasmith</u>	<u>Okie Ridge, Caldwell</u>	<u>83607</u>	<u>208 989-2425</u>
7	<u>Shay Bennett</u>	<u>9809 Hayden Way</u>	<u>83644</u>	<u>208 573-4548</u>
8	<u>Craig Bennett</u>	<u>" "</u>	<u>83644</u>	<u>208 573-4500</u>
9	<u>Paul Okamura</u>	<u>1808 Horseshoe Canyon</u>	<u>83644</u>	<u>208 880-2220</u>
10	<u>Janet Okamura</u>	<u>" "</u>	<u>"</u>	<u>208 880-2220</u>
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Jerry and Marta Loveland
13087 Hwy 44
Caldwell, ID 83607
9/16/19

0901

MR. OKAMURA

Dear Mr. Okamura,,

We received your invitation to attend your neighborhood meeting regarding the proposed annexation of your land on Sept. 16th. We cannot attend because of a previous commitment, but have no opposition to your annexation.

Warm regards,

Jerry Loveland

Marta Loveland

Jerry and Marta Loveland

LANDOWNERS

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 9/16/19 Number of Attendees: 12

Meeting Location: 23107 Hartley Ln, Shop, Middleton, ID

Description of Project Presented:

Stacy Bennett explained to those in attendance what property from platt map is asking for city annexation to zone C3.

Attendee's comments:

Is all property east of tractor supply annexed? Told yes
6.2 Acres bought by Rich Davis on east of Hartley behind
Tire store.

Is something going in? Right now for future planning zoning.
Mr. Sanderson said he is zoned commercial with county ~~on~~ south of
Hwy 44.

The Lovelands said they were in support of annexation.

I hereby certify that the above information is complete and correct to the best of my knowledge.

Stacy Bennett

Printed Name

Stacy Bennett

Signature

9/16/19

Date



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Suite B, Nampa, ID 83651
Ph (208) 454-0256 Fax (208) 467-4130

Dear Property Owner and Neighbor,

Mr. Okamura would like to invite you to a neighborhood meeting to be held from 6:00 p.m. to 6:30 p.m. on Monday, September 16, 2019. The meeting will be held at the white ASAP shop at 23107 Hartley Ln, Middleton, ID. Turn north on Hartley Ln from Hwy 44. The white shop will be located in the first driveway to the left.

This neighborhood meeting is regarding the proposed annexation of Mr. Okamura's land fronting Hwy 44 west of the Tractor Supply. Mr. Okamura would like to annex into the City of Middleton with a request to zone C3 (commercial). Commercial use is the City of Middleton's preferred future land use for this property.

If you have questions, the property owner or representatives will be present at the above date and time to discuss them.

Thank you,

William Mason, PE
Mason & Associates, Inc.



DMK Development
4927 E. Stariha Dr. B
Norton Shores, MI 49441

Anita Castello and Bill Nishioka
1703 Warm Springs Ave
Boise, ID 83712

44 Livestock and Pet Supply LLC
1663 W. Main Street
Middleton, ID 83644

Martin Okamura
23123 Hartley Ln
Middleton, ID 83644

Javier and Olga Guajardo
615 Trailside Dr.
Caldwell, ID 83607

Richard and Amy Davis
24239 El Paso Rd
Caldwell, ID 83607

Larry Grindstaff
12611 HWY 44
Middleton, ID 83644

Kirk and Karyn Courter
23164 Hartley Ln
Middleton, ID 83644

Warren and Anita Sanderson
12749 HWY 44
Middleton, ID 83644

Kelly Rupp
1400 W. Main
Middleton, ID 83644

David and Derrinda Wenderoth
12767 HWY 44
Middleton, ID 83644

AJP Farms Inc.
23546 Hartley Ln
Middleton, ID 83644

Erick Cowles
22930 21st Ave W
Middleton, ID 83644

James Newell
3508 E. Alexis Ct
Nampa, ID 83686

MH Yellow LLC
3503 S. 10th Ave
Caldwell, ID 83605

Florae Mickles
11 Howard Street
Petaluma, CA 94952

Jerry and Marta Loveland
13087 HWY 44
Caldwell, ID 83607

Shrack and Kristy Ricketts
23184 Hartley Ln
Middleton, ID 83644

Donna Gabica
PO Box 216
White Bird, ID 83554

4D



CITY OF MIDDLETON
1103 W. MAIN STREET, MIDDLETON, ID 83644
208-585-3133, 208-585-9601 FAX
WWW.MIDDLETONIDAHO.US

MEMORANDUM

MEMORANDUM

TO: Middleton Planning and Zoning Commission
FROM: Mayor Darin Taylor
DATE: November 1, 2019
SUBJECT: Comprehensive Plan Amendment 2019

Middleton City Council added capital improvement plans for city parks in 2016 and for city transportation in 2017, and the amended comprehensive plan adopted by Council on December 5, 2018 retained those capital improvement plans.

Unimproved land commonly referred to as River Park and Magic Park were acquired by the city since 2017. Construction costs city transportation and parks infrastructure raised dramatically in and since 2017. The Impact Fee Advisory Committee considered these two dynamics in its 2019 annual review of the city parks and transportation capital improvement plans. The Committee recommends increasing the city's impact fees so new development continues to pay for itself.

Middleton Rural Fire District and the Greater Middleton Parks and Recreation District provided the city capital improvement plans and requested the city collect impact fees for those districts. Idaho Code requires capital improvement plans to be adopted as part of the city's comprehensive plan before the city can collect impact fees.

The city is requesting the Middleton Planning and Zoning Commission recommend city council amend the comprehensive plan to include the updated city parks and transportation capital improvement plans, and plans from the fire district and Greater Middleton Parks and Recreation District. A copy of the four capital improvement plans is attached as Exhibit A.

This action will enable city council to increase the city's parks and transportation impact fee amounts, and to decide whether or not to collect impact fees for the districts and, if so, in what amounts.



CITY OF MIDDLETON

1103 W MAIN, MIDDLETON, ID 83644
208-585-3133, 208-585-9601 FAX
WWW.MIDDLETONIDAHO.US

Technical Memorandum



DATE: October 19, 2019

TO: Middleton Impact Fee Advisory Committee and City Council

FROM: Civil Dynamics, City Engineer
By: Amy Woodruff, PE

SUBJECT: June 17, 2014 Park and Pathway/Trail Capital Improvement Plan prepared by Keller Associates 2019 Update

IMPACT FEE ADVISORY COMMITTEE MEMBERS

Idaho Code 67-8205(1) and 67-8208(1)

Chris Yorgason, Chair	Tyler Ashton, (builder)
Doug Critchfield	Mike Graefe
Jim Taylor	Kelly Case
Brett Bishop (builder)	Pat Thompson

BACKGROUND

In June of 2014, the City of Middleton received a technical memorandum and capital improvement plan (CIP) prepared by Keller Associates, Justin Walker, PE, 12524 ID¹. The objective of the technical memorandum was to provide the City information about potential future revenue including impact fee eligible revenue and capital expenditures in order to make decisions regarding impact fee charges. The technical memorandum also included an inventory of existing and proposed infrastructure improvements, level of service calculation, and summary of available funding.

Attached herein is a 2019 update of the inventory of existing and proposed park infrastructure. Also included is an updated impact fee calculation based on the existing park infrastructure, both developed and undeveloped.

EXISTING PARK AND PATHWAY/TRAIL INFRASTRUCTURE

The City has both existing developed and undeveloped parks. Developed parks are landscaped, have irrigation and may have amenities like playground equipment, bathrooms, utilities, parking, etc.

¹ Attached herein.

Undeveloped parks are parcels the City owns, slated for future development, but not currently improved with the amenities noted above.

The City's developed parks include: Middleton Place Park (15 acres), Centennial Grove Park (0.7 acres), Roadside Park (1.7 acres), Davis Park (0.4 acres), Meadow Park (3 acres), and Piccadilly Park (5.45 acres) for a total of 26.25 acres. Unimproved parks include Meadow Park (3 acres), Magic Park (7 acres), and River Park (40 acres) for a total of 50 acres.

The table attached provides an inventory of the existing parks, the size of the park in acres, the market value of the property, and the approximate replacement value of the features and amenities.

The value of the park property, per acre, is based on values of vacant land in the Middleton area and based on knowledge of real estate transactions in the City.

The replacement value of the park amenities are based on actual cost of improvements, contractor bids, engineering opinion and industry experience.

Updated below is Table 3 from the 2014 Parks & Pathway / Trail Capital Improvement Plan. It contrasts park level of service and updates the maximum justifiable park and pathway impact fee that the City could assess to future residential development:

Table 3: Existing Parks and Pathway/Trails Level and Value of Service

Middleton Park and Pathway/Trails Impact Fee Study - Calculation Update

October 2019 Population Estimate	9710
October 2019 #Households	3467

Average Park Development Cost	\$ 250,950.82	ac		
Developed Parks			Acres	Value
Middleton Place Park			15.25	\$ 2,057,550.00
Roadside Park			1.7	\$ 857,338.00
Centennial Grove Park			1	\$ 156,043.00
Davis Park			0.4	\$ 40,396.00
Piccadilly Park			<u>5.5</u>	<u>\$ 2,873,850.00</u>
Total			23.85	\$ 5,985,177.00

Average Undeveloped Parks Cost	\$ 30,000.00	ac		
Undeveloped Parks			Acres	Value
Crane Creek Park			22	\$ 660,000.00
Meadow Park			2	\$ 60,000.00
Magic Park			7.2	\$ 216,000.00
River Park			<u>40</u>	<u>\$ 1,200,000.00</u>
Total			71.2	\$ 2,136,000.00

Level of Service

Developed Park	<u>23.85</u>	ac	6.9 ac per 1000 EDU*
	3467/1000		
Undeveloped Park	<u>71.2</u>	ac	20.5 ac per 1000 EDU*
	3467/1000		

Park/Trail Value per Household

Developed Park	\$5,985,177.00	\$ 1,726.33
	3467	
Undeveloped Park	\$2,136,000.00	\$ 616.09
	3467	

TOTAL PARK VALUE PER HOUSEHOLD/RECOMMENDED IMPACT FEE \$ 2,342.42

*7.9 acres per 1000 EDU in 2014

**3.4 acres per 1000 EDU in 2014

			Asset/Amenity	Quantity	Value \$
Middleton Place Park	AC	30000.0	Land	15.25	\$ 457,500
	EA	275000.00	Restrooms w/multi-purpose room and outdoor cov	1	\$ 275,000
	EA	750.00	Trees	71	\$ 53,250
	EA	20.00	Shrubbery/Flowers	45	\$ 900
	SF	0.20	Grass	435600	\$ 87,120
	LF	20.00	Pressurized Irrigation	600	\$ 12,000
	EA	105000.00	Playground Equipment/Swings	1	\$ 105,000
	SF	15.00	Tennis Courts	14520	\$ 217,800
	SF	3.00	Asphalt Basketball Courts	11160	\$ 33,480
	EA	2500.00	Hoops/Stand	4	\$ 10,000
	EA	1800.00	8 ft Hoops/Stand	2	\$ 3,600
	EA	20000.00	Baseball Diamond	1	\$ 20,000
	EA	60000.00	Pavillion (60x40)	1	\$ 60,000
	EA	1200.00	Picnic Tables	16	\$ 19,200
	EA	450.00	BBQ Grills	3	\$ 1,350
	EA	300.00	Pet waste stations	1	\$ 300
	EA	20000.00	Shelters (24x30)	2	\$ 40,000
	SF	12.00	Parking (120X332)	39840	\$ 478,080
	LF	30.00	Sidewalk	572	\$ 17,160
	LF	30.00	Chain link fence (south)	536	\$ 16,080
	EA	500.00	Bike Rack	1	\$ 500
	EA	5000.00	Electronic Security Cameras and System	4	\$ 20,000
	EA	1500.00	Trailhead Signs	2	\$ 3,000
	LF	18.00	Asphalt Trail	5260	\$ 94,680
	EA	10000.00	Hill	1	\$ 10,000
	EA	500.00	Benches	6	\$ 3,000
EA	7025.00	Park Signs	2	\$ 14,050	
EA	4500.00	Drinking Fountain	1	\$ 4,500	
SUBTOTAL					\$ 2,057,550
Roadside Park					
AC	30000.00	Land	1.7	\$ 51,000	
	EA	175000.00	Restrooms	1	\$ 175,000
	EA	55500.00	Playground Equipment/Bench swings	1	\$ 55,500
	EA	200.00	Horseshoe Pits	4	\$ 800
	EA	20000.00	Shelter (20x20)	1	\$ 20,000
	EA	5000.00	Elect. to Trees for Christmas Lights	1	\$ 5,000
	EA	1200.00	Picnic Tables	10	\$ 12,000
	EA	3000.00	Trees	21	\$ 63,000
	EA	8.00	Shrubbery/Flowers	20	\$ 160
	SF	0.30	Grass	42560	\$ 12,768
	LF	20.00	Pressurized Irrigation	1000	\$ 20,000
	SF	12.00	Parking (864x30)	25920	\$ 311,040
	EA	50000.00	Pedestrian Bridge	2	\$ 100,000
	EA	450.00	BBQ Grills	3	\$ 1,350
	EA	300.00	Pet waste stations	2	\$ 600
	EA	1025.00	Trailhead Signs	1	\$ 1,025
	EA	4695.00	Park Signs	1	\$ 4,695
	LF	18.00	Pathway (300x9)	300	\$ 5,400
	LF	30.00	Sidewalk	600	\$ 18,000
	SUBTOTAL				
Centennial Grove					
EA	30000.00	Land	1	\$ 30,000	
	EA	20000.00	Shelter (20x20)	1	\$ 20,000
	EA	1200.00	Tables	2	\$ 2,400
	EA	1000.00	Trees	39	\$ 39,000
	SF	0.30	Grass (1 acre)	43560	\$ 13,068
	LF	20.00	Pressurized Irrigation	1300	\$ 26,000
	SF	3.00	Parking (31x275)	8525	\$ 25,575
	SUBTOTAL				
Davis Park					
AC	30000.00	Land	0.4	\$ 30,000	
	EA	20000.00	Shelter (10x10)	1	\$ 20,000
	EA	1200.00	Tables	2	\$ 2,400
	EA	1000.00	Trees	5	\$ 5,000
	EA	8.00	Shrubbery/Flowers	5	\$ 40
	SF	0.30	Grass (.3 acre)	14520	\$ 4,356
	LF	20.00	Pressurized Irrigation	500	\$ 10,000
	SF	3000.00	Storage Shed	1	\$ 3,000
SUBTOTAL					\$ 74,739
Piccadilly Park					40396
AC	70000	Land	5.5	\$ 385,000	
	EA	500000	Skate Park	1	\$ 500,000
	EA	7750	Gazebo - donor recognition	1	\$ 7,750
	EA	4500	Drinking Fountain	1	\$ 4,500
	EA	35000	RTP Surfacing	1	\$ 35,000
	EA	20000	Rock Retaining Wall	1	\$ 20,000
	EA	5000	Security Cameras	1	\$ 5,000
	EA	10000	Electrical Utilites	1	\$ 10,000
	EA	800	Park and Rules Signs	2	\$ 1,600
	EA	400000	Splash Pad	1	\$ 400,000
	EA	275000	Restrooms	1	\$ 275,000
	EA	1200000	Parking Lot	1	\$ 1,200,000
		30000	Hill	1	\$ 30,000
SUBTOTAL					\$ 2,873,850
TOTAL PARKS DEVELOPED					\$ 5,985,177
Crane Creek Park	AC	\$ 30,000	Land	22	\$ 660,000
Meadow Park	AC	\$ 30,000	Land	2	\$ 60,000
Magic Park	AC	\$ 30,000	Land	7.2	\$ 216,000
River Park	AC	\$ 30,000	Land	40	\$ 1,200,000
TOTAL PARKS UNDEVELOPED					\$ 2,136,000
TOTAL ALL PARKS					\$ 8,121,177



KELLER
associates

Technical Memorandum

TO: Mayor Darin Taylor - City of Middleton
FROM: Justin Walker, P.E.
DATE: June 17, 2014
SUBJECT: 2014 Park and Pathway / Trail Capital Improvement Plan



BACKGROUND

This technical memorandum presents a capital improvement plan for the City of Middleton Parks and Pathway/Trail system. The primary objective of this report is to provide the City information about potential future revenue including impact fee eligible revenue and capital expenditures in order to make decisions regarding impact fee charges, annual park system budgeting, and timing for capital improvements to existing and proposed parks and pathways/trails. This scope of work does not include a park system facility planning study but rather an inventory of existing and proposed infrastructure improvements, development of the City's level of service, and summary of available funding sources for implementation of the capital improvement plan including impact fees. The list of capital improvements and associated cost estimates outlined in this report primarily come from previous studies and information furnished by the City.

SERVICE AREA

The City has elected to use the impact area boundary as the service area boundary for purposes of this capital improvement plan. Chart 1 illustrates the service area boundary which is generally described as the area bounded on the south by the Boise River, on the east by Ada/Canyon County line, on the north by Purple Sage Road, and on the west 1/4 mile west of Emmett Road.

Chart 1: Capital Improvement Plan Service Boundary



It should be noted that all the existing park and pathway/trail infrastructure is inside the City limits.

EXISTING PARK AND PATHWAY/TRAIL INFRASTRUCTURE

The City has both existing developed and undeveloped parks as illustrated in Chart 2. Developed parks are defined as parks with landscaping and other park amenities. Undeveloped parks are generally bare ground of which the City has ownership. The City's developed parks include Middleton City (14.95 acres), Heritage Memorial (1.7 acres), Grove (0.7 acres), and Davis (0.4 acres) parks which represent a total of 17.25 acres. The City's undeveloped parks include Meadow (2.0 acres) and Creekside (5.5 acres) parks for a total of 7.5 acres.

Chart 2: Parks and Trails/Pathway Master Plan

Chart 2: Parks and Trails/Pathway Master Plan

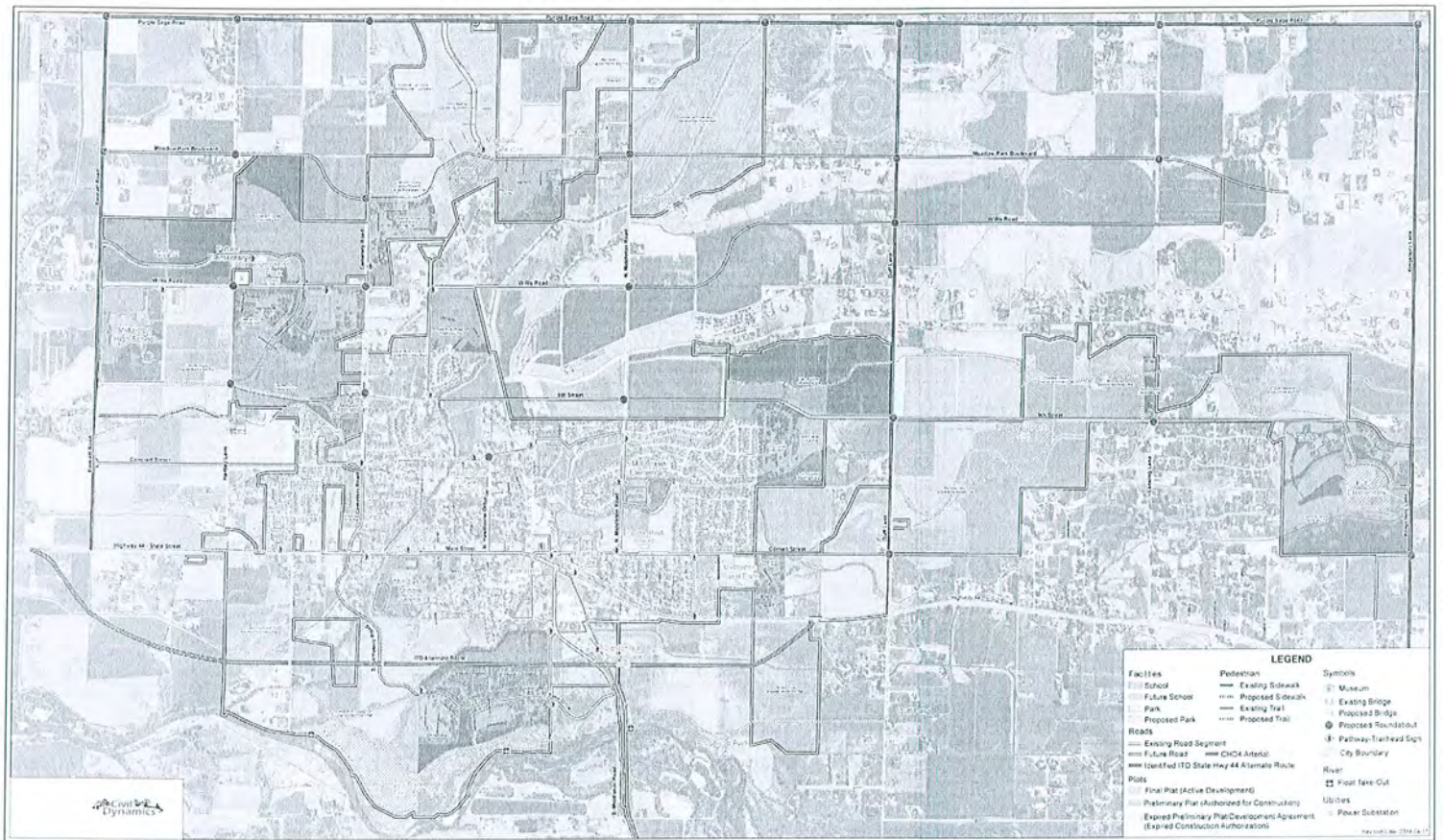


Table 1 provides an inventory of the features of each existing park, the market value of the property, and the replacement value of the park features and amenities. The market value of the property was determined based on two recent park property transactions in Middleton which resulted in a value of \$69,700 per acre for a 5.5 acre park property and value of \$66,500 per acre for another 2 acre park property. Consequently, a market value of \$70,000 per acre was used to establish the value of existing park property. The values of the features and amenities in Table 1 were developed based on quotes from suppliers, recent construction bids for materials, and other industry cost databases.

Table 1: Inventory and Value of Existing Park and Pathway/Trail Infrastructure

Amenity	Existing				
	Asset/Amenity	Unit	Value	Quantity	Value \$
PARKS					
Middleton Place Park					
(14.28 developed / .67 acres undeveloped)	Restrooms w/multi-purpose space	EA	\$ 175,000	1	\$ 175,000
	Trees	EA	\$ 750	67	\$ 50,250
	Shrubbery/Flowers	EA	\$ 20	45	\$ 900
	Grass	SF	\$ 0.20	435600	\$ 87,120
	Pressurized Irrigation	AC	\$ 5,000	14.95	\$ 74,750
	Playground Equipment	EA	\$ 80,000	1	\$ 80,000
	Shade Cloth	EA	\$ 8,000	1	\$ 8,000
	Tennis Courts	SF	\$ 15	14520	\$ 217,800
	Asphalt Basketball Courts	SF	\$ 3	11160	\$ 33,480
	Baseball Diamond	EA	\$ 20,000	1	\$ 20,000
	Skateboard Pad	EA	\$ 3,000	1	\$ 3,000
	Pavillion (60x40)	EA	\$ 60,000	1	\$ 60,000
	Picnic Tables	EA	\$ 1,200	12	\$ 14,400
	BBQ Grills	EA	\$ 450	3	\$ 1,350
	Pet waste stations	EA	\$ 300	1	\$ 300
	Shelters (24x30)	EA	\$ 20,000	2	\$ 40,000
	Parking (120X332) --no lighting	SF	\$ 3	39840	\$ 119,520
	Sidewalk	LF	\$ 20	572	\$ 11,440
	Chain link fence (south)	LF	\$ 20	536	\$ 10,720
	Bike Rack	EA	\$ 500	1	\$ 500
	Security Cameras	EA	\$ 5,000	1	\$ 5,000
	Undeveloped Land Value	AC	\$ 70,000	14.95	\$ 1,046,500
SUBTOTAL					\$ 2,060,030
Roadside Park					
Developed	Restrooms	EA	\$ 35,000	1	\$ 35,000
	Playground Equipment	EA	\$ 1	500	\$ 500
	Horseshoe Pits	EA	\$ 200	4	\$ 800
	Shelter (20x20)	EA	\$ 20,000	1	\$ 20,000
	Elect. to Trees for Christmas	EA	\$ 5,000	1	\$ 5,000
	Tables	EA	\$ 1,200	10	\$ 12,000
	Trees	EA	\$ 750	21	\$ 15,750
	Shrubbery/Flowers	EA	\$ 8	20	\$ 160
	Grass	SF	\$ 0.20	42560	\$ 8,512
	Pressurized Irrigation	AC	\$ 5,000	1.2	\$ 6,000
	Tank (Civic Art)		\$ 10,000	1	\$ 10,000
	Historic Memorabilia		\$ -	3	\$ -
	Parking (864x30)	SF	\$ 3.5	25920	\$ 90,720
	Pedestrian Bridge	EA	\$ 1	25000	\$ 25,000
	BBQ Grills	EA	\$ 450	3	\$ 1,350
	Pet waste stations	EA	\$ 300	2	\$ 600
	Pathway (300x9)	SF	\$ 3	2700	\$ 8,100
	Sidewalk	LF	\$ 20	600	\$ 12,000
	Undeveloped Land Value	AC	\$ 70,000	1.2	\$ 84,000
SUBTOTAL					\$ 335,492
Centennial Grove					
	Shelter (20x20)	EA	\$ 20,000	1	\$ 20,000
	Tables	EA	\$ 1,200	2	\$ 2,400
	Trees	EA	\$ 750	39	\$ 29,250
	Shrubbery/Flowers	EA	\$ 8	0	\$ -
	Grass (1 acre)	SF	\$ 0.20	43560	\$ 8,712
	Pressurized Irrigation	AC	\$ 5,000	0.7	\$ 3,500
	Parking (31x275)	SF	\$ 3	8525	\$ 25,575
	Undeveloped Land Value	AC	\$ 70,000	0.7	\$ 49,000
SUBTOTAL					\$ 138,437
Davis Park					
	Shelter (10x10)	EA	\$ 20,000	1	\$ 8,000
	Tables	EA	\$ 1,200	2	\$ 2,400
	Trees	EA	\$ 750	5	\$ 3,750
	Shrubbery/Flowers	EA	\$ 8	5	\$ 40
	Grass (.3 acre)	SF	\$ 0.20	14520	\$ 2,904
	Pressurized Irrigation	AC	\$ 5,000	0.4	\$ 2,000
	Storage Shed	SF	\$ 3,000	1	\$ 3,500
	Undeveloped Land Value	AC	\$ 70,000	0.4	\$ 28,000
SUBTOTAL					\$ 50,594

Amenity	Existing				
	Asset/Amenity	Unit	Value	Quantity	Value \$
Meadow Park					
	Undeveloped Land Value	AC	\$ 66,500	2	\$ 133,000
SUBTOTAL					\$ 133,000
Piccadilly Park					
	Undeveloped Land Value	AC	\$ 69,727	5.5	\$ 383,499
SUBTOTAL					\$ 383,499
TRAILS					
Highway 44 to Boise Street					
10' wide trail		SF	\$ 4	10208	\$ 40,832
Boise Street to River					
10' wide trail		SF	\$ 4	26400	\$ 105,600
SUBTOTAL					\$ 146,432
GRAND TOTAL					\$ 3,247,484

Table 2 compares raw park land market value and park development costs used for Middleton to other local communities.

Table 2: Comparison of Park Land and Development Costs

Park Component	Middleton-2014	Star-2012 ¹	Meridian-2006 ²
Raw Land Value (\$/ac)	\$70,000	\$25,000	\$110,000
Park Development Cost (\$/ac)	\$80,000	\$75,000	\$85,000
Total Value (\$/ac)	\$150,000	\$100,000	\$195,000

A summary of each of the developed and undeveloped parks are presented below.

Middleton Place Park

This developed park has been formerly known as Harmon Park and/or Park Place Park and is located east of Marjorie Street and north of State Highway 44. It is the City's largest developed park and provides the most features and amenities. The City has recently made substantial improvements to the park including new playground equipment and new pavilions. The City is also in the process of constructing new restroom facilities and an additional pavilion among other amenities. While the City has plans for improving the park amenities and maintaining the existing basketball and tennis courts, there are no documented deficiencies.

Roadside Park

This developed park is located adjacent to City Hall and houses the Trolley Station and old Army Tank. Recent substantial improvements have also been made to this park including horseshoe pits, pathway, pavilions, and expansion of grassy area

¹ [http://sterlingcodifiers.com/codebook/getBookData.php?section_id=46610&keywords=impact fee#s46610](http://sterlingcodifiers.com/codebook/getBookData.php?section_id=46610&keywords=impact%20fee#s46610)

² August 28, 2006 City of Meridian Impact Fee Study and Capital Improvement Plan Final Report

among other improvements. The deficiencies at this park include non-ADA compliance at the restrooms which are estimated to cost approximately \$100,000.

Centennial Grove

This developed park is located off South Middleton Road just north of the Boise River. This park primarily includes grass and shade trees with a paved pathway along the east edge. There are no documented deficiencies at this park-ADA Non-compliance.

Davis Park

This developed park is located on the southwest corner of the intersection of State Highway 44 and South Middleton Road across the street from Heritage Memorial Park. This park primarily includes grass, shade trees, and a picnic bench. There are no documented deficiencies at this park-ADA Non-compliance.

Meadow Park

This undeveloped park is part of The Crossings Subdivision located in the north part of the City across from a new school site planned to open in 2018. This park includes a City-owned municipal well house. The City purchased this property with the understanding that the City would facilitate construction of a segment of W Meadow Park Boulevard to provide public access to the park which has been estimated by the City to cost \$130,000. Park development is scheduled by the City in 2017.

Piccadilly Park

This 5.5 acre undeveloped park is located along State Highway 44 across the street from the Middleton Middle School. The property is zoned C2 and was purchased by the City for approximately \$383,500 or \$70,000 per gross acre. The City recently acquired this property and has many plans for improvements to this park to start in 2017. There are no documented deficiencies at this park.

Existing Deficiencies

The inventory of the existing park and pathway / trails have identified existing deficiencies summarized below that are estimated to cost \$100,000 to mitigate. It should be noted that revenues from impact fees cannot be used to correct existing deficiencies. A brief summary of each park is provided with a list of any deficiencies

FUNDING SOURCES

The primary sources of funding or mechanisms for completing parks and pathway/trail infrastructure improvements are summarized below. It is required that the City use mechanisms and funding sources other than impact fees to correct existing deficiencies.

Impact Fees

Idaho State code allows cities and counties to develop impact fees to equitably assess costs to new development for park and pathway/trail infrastructure improvements under the provisions of an impact fee ordinance. It is understood that the City is in the process of developing an impact fee ordinance in accordance with State Code and this capital improvement plan and analysis is part of the process.

Development Negotiations and Exactions

The City can work cooperatively with developers and property owners during the development process to complete improvements and expansions to the City's parks and pathway/trail program. This typically occurs during the platting, zoning, and building permit process.

Public-Private Partnerships

Often the City and Development can realize cost savings and other benefits when cooperating together to complete projects that are mutually beneficial. The City should continually seek these opportunities. The City can and should exercise similar partnerships with the Greater Middleton Parks and Recreation District (GMPRD). Coordination with the GMPRD who has a similar mission and performs similar work can prove mutually beneficial to both entities.

Development Application Fees

The City can choose to use revenue collected from development fees and charges (other than impact fees if/when they exist) to complete improvements to the parks and pathway/trail system. These expenditures must be budgeted and expended in accordance with City budgeting processes.

Property Tax Revenue (City General Fund)

The City can choose to use revenue collected from property tax revenue to complete improvements to the parks and pathway/trail system. These expenditures

must also be budgeted and expended in accordance with City budgeting processes. It is recognized that there are many and varied demands on the City's general fund revenue which makes use of these revenues challenging.

Grants and Donations

There are various federal, state, and private grant programs available for park and pathway/trail improvements. These programs are typically competitive and should be pursued when appropriate. Historically, the City has been the beneficiary of donations of property, materials and labor for park and pathway/trail improvements. Donations can and should continue to be an important part of the City's park implementation plan.

LEVEL AND VALUE OF EXISTING SERVICE (LOS)

The basis for establishing a park impact fee is determining the level of service the existing residents enjoy. The City has determined to use single-family residential unit/household (ERU) as the service unit that receives direct benefit for parks and pathways/trails and will be the basis for assessing and collecting impact fees for parks and pathways/trails. The City has established existing policies and procedures for quantifying multi-family units into ERUs which should be the basis for establishing an impact fee assessment. The existing estimated population and number of residential households/units in the City limits are 6,150 (per Community Planning Association of Idaho-COMPASS-statistics³) and 2,193 (City records) respectively. This correlates to an average household size of 2.8 people per household. Table 3 below presents the existing parks and pathway/trail level and value of service for City residents.

³ <http://www.compassidaho.org/documents/prodserv/demo/CityPop1890-2014.pdf>

Table 3: Existing Parks and Pathway/Trail Level and Value of Service



Middleton Park and Pathway/Trail Impact Fee Study

March 2014 Population Estimate = 6,150 * COMPASS data
 March 2014 # of Households = 2,193
 Household Size = $\frac{\text{Population}}{\text{\# of Households}} = \frac{6,150}{2,193} = 2.80$ persons per Household (ERU)

Average Park Development Costs:

Developed Parks/Trails = \$158,000 per acre
 Undeveloped Parks = \$70,000 per acre

Existing Developed Park Acreage and Trails:

	<u>Acreage</u>	<u>Value</u>
Middleton Place Park =	14.95 acres	\$2,060,000
Roadside Park =	1.2 acres	\$335,000
Centennial Grove =	.7 acres	\$138,000
Davis Park =	.4 acres	\$51,000
Existing Trails =	n/a	\$146,000
Totals =	17.25 acres	\$2,730,000

Existing Undeveloped Park Acreage:

	<u>Acreage</u>	<u>Value</u>
Meadow Park =	2.0 acres	\$140,000
Piccadilly Park =	5.5 acres	\$385,000
Totals =	7.5 acres	\$525,000

Level of Service:

Developed Park =	$\frac{17.25}{(2,193/1,000)} = 7.9$ acres per 1,000 ERU
Undeveloped Park =	$\frac{7.5}{(2,193/1,000)} = 3.4$ acres per 1,000 ERU

Park/Trail Value per Household:

Developed Park/Trail Value per Household =	$\frac{\$2,730,000}{2193} =$	\$1,246
Undeveloped Park Value per Household =	$\frac{\$525,000}{2193} =$	\$239
Total Park Value per Household =		\$1,485

The maximum justifiable park and pathway/trail impact fee that the City could assess to future residential development is \$1,485 per residential unit (single family dwelling unit). The impact fee committee and City Council can elect to charge a fee less than the maximum fee is they desire. Chart 3 compares the maximum justifiable Middleton park impact fee to the park impact fees for various communities in the Treasure Valley. The proposed fee of \$1,485 is consistent with most of the impact fees in other Treasure Valley communities.

Chart 3: Comparison of Park Impact Fees in the Treasure Valley ^{4 5 6 7 8 9}



CAPITAL IMPROVEMENTS

City staff has worked with elected official and the public over the last few years to identify priority park and pathway/trail improvements. In addition, the City has acquired park property through various measures and identified future park property to be acquired and developed. The City's plan is based on the land use assumptions illustrated in Chart 4.

Chart 4: Existing and Future Land Use Map

⁴ Boise Impact Fees for Parks, Fire & Police Publication

⁵ Meridian Building Services Residential Building Permit and Fee Calculator (Estimate Only)

⁶ Phone Call to City of Eagle

⁷ City of Caldwell Building Permit Fees Resolution No. 109-12

⁸ City of Nampa Revised Development Impact Fee Ordinances, February 15, 2010

⁹ http://sterlingcodifiers.com/codebook/getBookData.php?section_id=46610&keywords=impact fee#s46610

Chart 4: Existing and Future Land Use Map

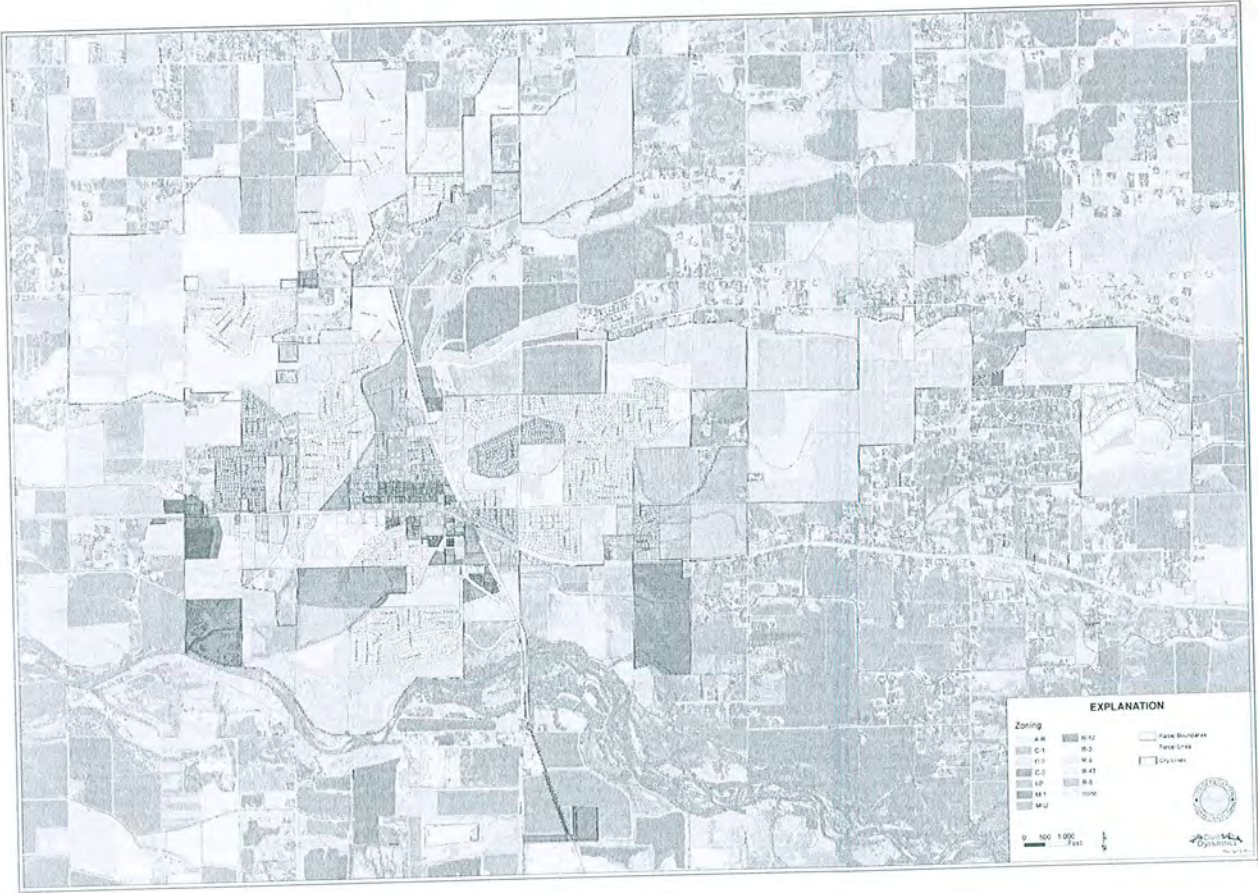


Table 4 illustrates the City's population for the last 24 years which results in an average growth rate of approximately 5%. Based on land use and this 5% annual growth rate, the City projects a 20-year population of 16,300 and number of residential households of 5,820 which reflects an additional approximate 10,150 people and 3,630 ERUs assuming the average household size of 2.8 remains constant over the next 20 years.

Table 4: Historical City of Middleton Populations ¹⁰

Year	Population
1990	1,851
2000	2,978
2010	5,524
2014	6,150
Average Annual Growth Rate	5%

This additional population will pose a significant demand on the City's parks and pathway/trail system and will require additional improvements and infrastructure to maintain the existing level of service presented earlier. An equivalent value of 28.7 acres of developed parks and 12.3 acres of undeveloped parks needs to be added over the next 20 years to maintain the existing level of service. Table 5 illustrates the recommended parks and pathway/trail capital improvements. These improvements represent a combination of expansion and upgrades to existing parks, development of park property already owned by the City, and acquisition and development of new parks and pathways/trails.

¹⁰ <http://www.compassidaho.org/documents/prodserv/demo/CityPop1890-2014.pdf>

Table 5: Parks and Pathways/Trails Capital Improvement Plan (CIP)

Amenity	Future				Value \$
	Asset/Amenity	Unit	Unit Value	Quantity	
PARKS					
Middleton Place Park					
(14.28 developed / .67 acres undeveloped)	Trailhead Signs	EA	\$ 600	3	\$ 1,800
	Asphalt Trail	SF	\$ 3	48,200	\$ 144,600
	Gazebo	EA	\$ 1	60,000	\$ 60,000
	Hill	EA	\$ 1	40,000	\$ 40,000
	Contemplation Garden	EA	\$ 1	10,000	\$ 10,000
	Historic Signs	EA	\$ 600	8	\$ 4,800
	Rope Bridge	EA	\$ 1	10,000	\$ 10,000
	Parking north with lighting	SF	\$ 3.5	10,000	\$ 35,000
	Entrance Sign	EA	\$ 1	5,000	\$ 5,000
	Dugouts	EA	\$ 2,500	2	\$ 5,000
	Bleachers	EA	\$ 2,500	2	\$ 5,000
	Bike Racks	EA	\$ 500	3	\$ 1,500
	Water Spigots	EA	\$ 500	6	\$ 3,000
	Electric Irrigation Control	EA	\$ 5,000	1	\$ 5,000
	Fence along East Boundary	LF	\$ 15	1,000	\$ 15,000
	Garbage Cans	EA	\$ 500	7	\$ 3,500
	Maintenance Shed	EA	\$ 5,500	1	\$ 5,500
	Benches	EA	\$ 1,200	20	\$ 24,000
	Splash Pad	EA	\$ 200,000	1	\$ 200,000
	Shelters (24x26)	EA	\$ 20,000	2	\$ 40,000
	Trees 2.5" caliper	EA	\$ 750	100	\$ 75,000
	Montgomery Cabin Replica	EA	\$ 15,000	1	\$ 15,000
SUBTOTAL					\$ 708,700
Roadside Park					
Developed	Trailhead Signs	EA	\$ 600	2	\$ 1,200
	Entrance Sign	EA	\$ 5,000	1	\$ 5,000
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500
	Security Cameras	EA	\$ 2,500	1	\$ 2,500
	Electric Irrigation Control	EA	\$ 2,500	1	\$ 2,500
	Bike Racks	EA	\$ 500	2	\$ 1,000
	Benches	EA	\$ 1,200	8	\$ 9,600
	Upgrade playground equipment	EA	\$ 25,000	2	\$ 50,000
	Gazebo	EA	\$ 30,000	1	\$ 30,000
	Asphalt Trail (ADA to amenities)	SF	\$ 4	3,442	\$ 13,768
SUBTOTAL					\$ 118,068
Centennial Grove					
				\$ -	
SUBTOTAL					\$ -
Davis Park					
				\$ -	
SUBTOTAL					\$ -

Amenity	Future				Value \$	
	Asset/Amenity	Unit	Unit Value	Quantity		
Meadow Park						
(2 acres undeveloped vacant land) (\$3,000 + road construction obligation \$130,000= \$133,000 / 2 = \$66,500) Note: Across from new school site; MSD plans to bond in 2016 open fall 2018 Park development scheduled 2017	Entrance Sign	EA	\$ 5,000	1	\$ 5,000	
	Trailhead Signs	EA	\$ 600	2	\$ 1,200	
	Restrooms (1 men, 1 woman no multi-purpose)	EA	\$ 100,000	1	\$ 100,000	
	Shelters (12x16)	EA	\$ 40,000	2	\$ 80,000	
	Utilities (Electricity, Water)	EA	\$ 5,000	1	\$ 5,000	
	Tables	EA	\$ 1,200	6	\$ 7,200	
	Trees	EA	\$ 500	40	\$ 20,000	
	New lawn (grass, topsoil, grading and irrigation)	SF	\$ 1	85,120	\$ 85,120	
	Shrubbery/Flowers	EA	\$ 20	150	\$ 3,000	
	Parking with lighting	SF	\$ 3.5	20,000	\$ 70,000	
	Asphalt Trail (3,442 sq ft per acre)	SF	\$ 4	8,000	\$ 32,000	
	Sidewalk	LF	\$ 20	100	\$ 2,000	
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500	
	Security Cameras	EA	\$ 2,500	1	\$ 2,500	
	Pergola	EA	\$ 15,000	4	\$ 60,000	
	Bike Racks	EA	\$ 500	2	\$ 1,000	
	Benches	EA	\$ 1,200	15	\$ 18,000	
	Pet Waste Station	EA	\$ 300	1	\$ 300	
	Natural Water Feature	EA	\$ 80,000	1	\$ 80,000	
SUBTOTAL					\$ 574,820	
Piccadilly Park						
(5.5 acres undeveloped vacant land) (\$383,500 / 5.5 = \$69,727/ gross acre) (zones C2) Begin development 2017	Entrance Sign	EA	\$ 5,000	1	\$ 5,000	
	Trailhead Signs	EA	\$ 600	3	\$ 1,800	
	Restrooms w/multi purpose and shelter	EA	\$ 175,000	1	\$ 175,000	
	Playground Equipment	EA	\$ 80,000	1	\$ 80,000	
	Shade Cloths	EA	\$ 8,000	2	\$ 16,000	
	Shelters (24x26)	EA	\$ 40,000	2	\$ 80,000	
	Pavilion	EA	\$ 60,000	1	\$ 60,000	
	Utilities	EA	\$ 10,000	1	\$ 10,000	
	Tables	EA	\$ 1,200	15	\$ 18,000	
	Trees	EA	\$ 500	150	\$ 75,000	
	Parking	SF	\$ 4	40000	\$ 160,000	
	Trail (3442 sq ft. per acre)	SF	\$ 4	17210	\$ 68,840	
	Sidewalk	LF	\$ 20	1200	\$ 24,000	
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500	
	Security Cameras	EA	\$ 5,000	1	\$ 5,000	
	Bike Racks	EA	\$ 500	5	\$ 2,500	
	Benches	EA	\$ 1,200	18	\$ 21,600	
	New lawn (grass, topsoil, grading and irrigation)	SF	\$ 1	174240	\$ 174,240	
	Shrubbery/Flowers	EA	\$ 15	300	\$ 4,500	
	Fence Wrought iron west	LF	\$ 60	700	\$ 42,000	
	ADDITIONAL AMENITIES					\$ -
	Skate Park	EA	\$ 350,000	1	\$ 350,000	
	Pyramid		\$ 210,000	1	\$ 210,000	
SUBTOTAL					\$ 1,585,980	

The proportionate share of CIP improvements eligible for impact fees justified by an additional 3,630 ERUs (using a \$1,485 impact fee assessment) would equal \$5.4 million of the total \$16.5 million (33%) 20-year CIP improvements. The City should identify other funds to supplement park impact fees for complete implementation of the CIP and correction of existing deficiencies. The City has developed a proposed implementation plan schedule. The capital improvement plan and schedule of implementation is a working document that should be reviewed and updated in accordance with State/City code regularly by the City and at a minimum every 5 years. Table 6 illustrates the proposed 6-year CIP implementation schedule. The schedule is subject to change in funding and City priorities.

Table 6: Parks and Pathways/Trails CIP Implementation Schedule

Amenity	Future					Scheduled Implementation						
	Asset/Amenity	Unit	Unit Value	Quantity	Value \$	2015	2016	2017	2018	2019	2020	2021
Meadow Park (2 acres undeveloped vacant land) (\$3,000 + road construction obligation \$130,000 = \$133,000 / 2 = \$66,500) Note: Across from new school site; MSD plans to bond in 2016 open fall 2018 Park development scheduled 2017	Entrance Sign	EA	\$ 5,000	1	\$ 5,000			\$ 5,000				
	Trailhead Signs	EA	\$ 600	2	\$ 1,200				\$ 1,200			
	Restrooms (1 men, 1 woman no multi-purpose)	EA	\$ 100,000	1	\$ 100,000				\$ 100,000			
	Shelters (12x16)	EA	\$ 40,000	2	\$ 80,000						\$ 40,000	\$ 40,000
	Utilities (Electricity, Water)	EA	\$ 5,000	1	\$ 5,000				\$ 5,000			
	Tables	EA	\$ 1,200	6	\$ 7,200						\$ 3,600	\$ 3,600
	Trees	EA	\$ 500	40	\$ 20,000			\$ 20,000				
	New lawn (grass, topsoil, grading and irrigation)	SF	\$ 1	85,120	\$ 85,120			\$ 85,120				
	Shrubbery/Flowers	EA	\$ 20	150	\$ 3,000			\$ 3,000				
	Parking with lighting	SF	\$ 3.5	20,000	\$ 70,000			\$ 70,000				
	Asphalt Trail (3,442 sq ft per acre)	SF	\$ 4	8,000	\$ 32,000				\$ 32,000			
	Sidewalk	LF	\$ 20	100	\$ 2,000			\$ 2,000				
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500				\$ 2,500			
	Security Cameras	EA	\$ 2,500	1	\$ 2,500				\$ 2,500			
	Pergola	EA	\$ 15,000	4	\$ 60,000				\$ 30,000	\$ 30,000		
	Bike Racks	EA	\$ 500	2	\$ 1,000				500	500		
	Benches	EA	\$ 1,200	15	\$ 18,000				\$ 6,000	\$ 6,000	\$ 6,000	
	Pet Waste Station	EA	\$ 300	1	\$ 300				500			
	Natural Water Feature	EA	\$ 80,000	1	\$ 80,000			\$ 80,000				
SUBTOTAL					\$ 574,820	0	0	265,120	180,200	36,500	49,600	43,600
Piccadilly Park (5.5 acres undeveloped vacant land) (\$363,500 / 5.5 = \$69,727/ gross acre) (zones C2) Begin development 2017	Entrance Sign	EA	\$ 5,000	1	\$ 5,000	\$ 5,000						
	Trailhead Signs	EA	\$ 600	3	\$ 1,800							
	Restrooms w/multi purpose and shelter	EA	\$ 175,000	1	\$ 175,000			\$ 175,000				
	Playground Equipment	EA	\$ 80,000	1	\$ 80,000							
	Shade Cloths	EA	\$ 8,000	2	\$ 16,000							
	Shelters (24x26)	EA	\$ 40,000	2	\$ 80,000							
	Pavilion	EA	\$ 60,000	1	\$ 60,000							
	Utilities	EA	\$ 10,000	1	\$ 10,000							
	Tables	EA	\$ 1,200	15	\$ 18,000							
	Trees	EA	\$ 500	150	\$ 75,000							
	Parking	SF	\$ 4	40000	\$ 160,000		120000					
	Trail (3442 sq ft. per acre)	SF	\$ 4	17210	\$ 68,840							
	Sidewalk	LF	\$ 20	1200	\$ 24,000		36000					
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500							
	Security Cameras	EA	\$ 5,000	1	\$ 5,000							
	Bike Racks	EA	\$ 500	5	\$ 2,500							
	Benches	EA	\$ 1,200	18	\$ 21,600							
	New lawn (grass, topsoil, grading and irrigation)	SF	\$ 1	174240	\$ 174,240	174240						
	Shrubbery/Flowers	EA	\$ 15	300	\$ 4,500							
	Fence Wrought Iron west	LF	\$ 60	700	\$ 42,000							
	ADDITIONAL AMENITIES				\$ -							
	Skate Park	EA	\$ 350,000	1	\$ 350,000		350000					
	Pyramid		\$ 210,000	1	\$ 210,000							
SUBTOTAL					\$ 1,585,980	179,240	506,000	175,000	0	0	0	0
PROPOSED PARKS												
West Highlands												
7.5 Acres vacant undeveloped land	Estimated development (similar to Middleton City Park)	AC	\$ 138,000	7.5	\$ 1,035,000							
Peels												
42 acres vacant	Estimated development	AC	\$ 60,000	42	\$ 2,520,000							
Watkins												
Est. 42 acres	Estimated development	AC	\$ 60,000	42	\$ 2,520,000							
Barclay												
45 acres vacant	Estimated development	AC	\$ 60,000	45	\$ 2,700,000							
Paradise Valley												
10 acres	Estimated development (similar to Middleton City Park)	AC	\$ 138,000	10	\$ 1,380,000							
SUBTOTAL					\$ 10,155,000							
TRAILS												
Highway 44 to Boise Street												
10' wide trail	Roadside trails per Connects map 8 ft asphalt	SF	\$ 4	634624	\$ 2,538,496							
Boise Street to River												
10' wide trail	End-to-end trail (ditch bank) 8' asphalt	SF	\$ 4	189912	\$ 759,648							
SUBTOTAL					\$ 3,298,144							
GRAND TOTAL					\$ 16,440,712							

Amenity	Future					Scheduled Implementation						
	Asset/Amenity	Unit	Unit Value	Quantity	Value \$	2015	2016	2017	2018	2019	2020	2021
PARKS												
Middleton Place Park												
(14.28 developed / 67 acres undeveloped)												
	Trailhead Signs	EA	\$ 600	3	\$ 1,800	\$ 1,800						
	Asphalt Trail	SF	\$ 3	48,200	\$ 144,600	\$ 144,600						
	Gazebo	EA	\$ 1	60,000	\$ 60,000	\$ 60,000						
	Hill	EA	\$ 1	40,000	\$ 40,000		\$ 40,000					
	Contemplation Garden	EA	\$ 1	10,000	\$ 10,000			\$ 10,000				
	Historic Signs	EA	\$ 600	8	\$ 4,800	\$ 4,800						
	Rope Bridge	EA	\$ 1	10,000	\$ 10,000		\$ 10,000					
	Parking north with lighting	SF	\$ 3.5	10,000	\$ 35,000			\$ 35,000				
	Entrance Sign	EA	\$ 1	5,000	\$ 5,000	\$ 5,000						
	Dugouts	EA	\$ 2,500	2	\$ 5,000		\$ 5,000					
	Bleachers	EA	\$ 2,500	2	\$ 5,000		\$ 5,000					
	Bike Racks	EA	\$ 500	3	\$ 1,500	\$ 1,500						
	Water Spigots	EA	\$ 500	6	\$ 3,000	\$ 3,000						
	Electric Irrigation Control	EA	\$ 5,000	1	\$ 5,000	\$ 5,000						
	Fence along East Boundary	LF	\$ 15	1,000	\$ 15,000			\$ 15,000				
	Garbage Cans	EA	\$ 500	7	\$ 3,500	\$ 1,750	\$ 1,750					
	Maintenance Shed	EA	\$ 5,500	1	\$ 5,500	\$ 5,500						
	Benches	EA	\$ 1,200	20	\$ 24,000	\$ 4,800	\$ 10,800	\$ 4,800	\$ 2,400			
	Splash Pad	EA	\$ 200,000	1	\$ 200,000				\$ 200,000			
	Shelters (24x26)	EA	\$ 20,000	2	\$ 40,000		\$ 20,000	\$ 20,000				
	Trees 2.5" caliper	EA	\$ 750	100	\$ 75,000	\$ 10,714	\$ 10,714	\$ 10,714	\$ 10,714	\$ 10,714	\$ 10,714.29	\$ 10,714.29
	Montgomery Cabin Replica	EA	\$ 15,000	1	\$ 15,000		\$ 15,000					
SUBTOTAL					\$ 708,700	248464.286	118264.29	95514.2857	213114.286	10714.286	10714.28571	10714.28571
Roadside Park												
Developed												
	Trailhead Signs	EA	\$ 600	2	\$ 1,200	\$ 1,200						
	Entrance Sign	EA	\$ 5,000	1	\$ 5,000	\$ 5,000						
	Drinking Fountain	EA	\$ 2,500	1	\$ 2,500							
	Security Cameras	EA	\$ 2,500	1	\$ 2,500	\$ 2,500						
	Electric Irrigation Control	EA	\$ 2,500	1	\$ 2,500							
	Bike Racks	EA	\$ 500	2	\$ 1,000	\$ 500	\$ 500					
	Benches	EA	\$ 1,200	8	\$ 9,600	\$ 3,200	\$ 3,200	\$ 3,200				
	Upgrade playground equipment	EA	\$ 25,000	2	\$ 50,000	\$ 25,000		\$ 25,000				
	Gazebo	EA	\$ 30,000	1	\$ 30,000		\$ 30,000					
	Asphalt Trail (ADA to amenities)	SF	\$ 4	3,442	\$ 13,768		\$ 13,768					
SUBTOTAL					\$ 118,068	39900	47468	28200	0	0	0	0
Centennial Grove												
SUBTOTAL					\$ -	0	0	0	0	0	0	0
Davis Park												
SUBTOTAL					\$ -	0	0	0	0	0	0	0

CONCLUSIONS

We offer the following conclusions from the findings of the study.

1. The City should pursue all sources of funding for implementation of the parks and pathway/trail capital improvement plan.
2. If the City elects to use park impact fees, a maximum fee of \$1,485 per single family residential dwelling unit (ER) is justified by the existing level of service which is comparable to other park impact fees
3. The level of service (LOS) and existing and future capital improvement plan should be updated every year but not less frequently than every five years.



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Technical Memorandum

DATE: October 16, 2019

TO: Middleton Impact Fee Advisory Committee and City Council

FROM: Civil Dynamics, City Engineer
By: Amy Woodruff, PE

SUBJECT: Transportation Study and Capital Improvement Plan (CIP) 2019 Update



IMPACT FEE ADVISORY COMMITTEE MEMBERS

Idaho Code 67-8205(1) and 67-8208(1)

Chris Yorgason, Chair

Doug Critchfield

Jim Taylor

Brett Bishop (builder)

Tyler Ashton

Kassa Hartley

BACKGROUND

This technical memorandum and capital improvement plan (CIP) updates the capital improvement plan section of the city's Transportation Plan 2018 Update. This plan intends to satisfy requirements of Idaho Code Title 67 Chapter 82 so the City can update the ordinance and analysis of the transportation impact fee collected as one of the funding sources the city uses for capital improvements. This technical memorandum and CIP updates the 2016 analysis¹ of existing and future roads, sidewalks and pathways that are, or are anticipated to become, part of the city's transportation system by 2040.

SERVICE AREA

The "area of city impact" negotiated and agreed to between Canyon County and the City of Middleton on July 6, 2001 is the service area boundary for purposes of this capital improvement plan (CIP). It is shown on Map 1. The service area boundary is generally described as the area bounded on the north by Purple Sage Road, on the east by Can-Ada Road, on the south by Lincoln Road and the Boise River, and on the west by Interstate 84.

¹ Technical Memorandum April 28, 2017

Technical Memorandum - Middleton

Transportation Study and Capital Improvement Plan 2019 Update

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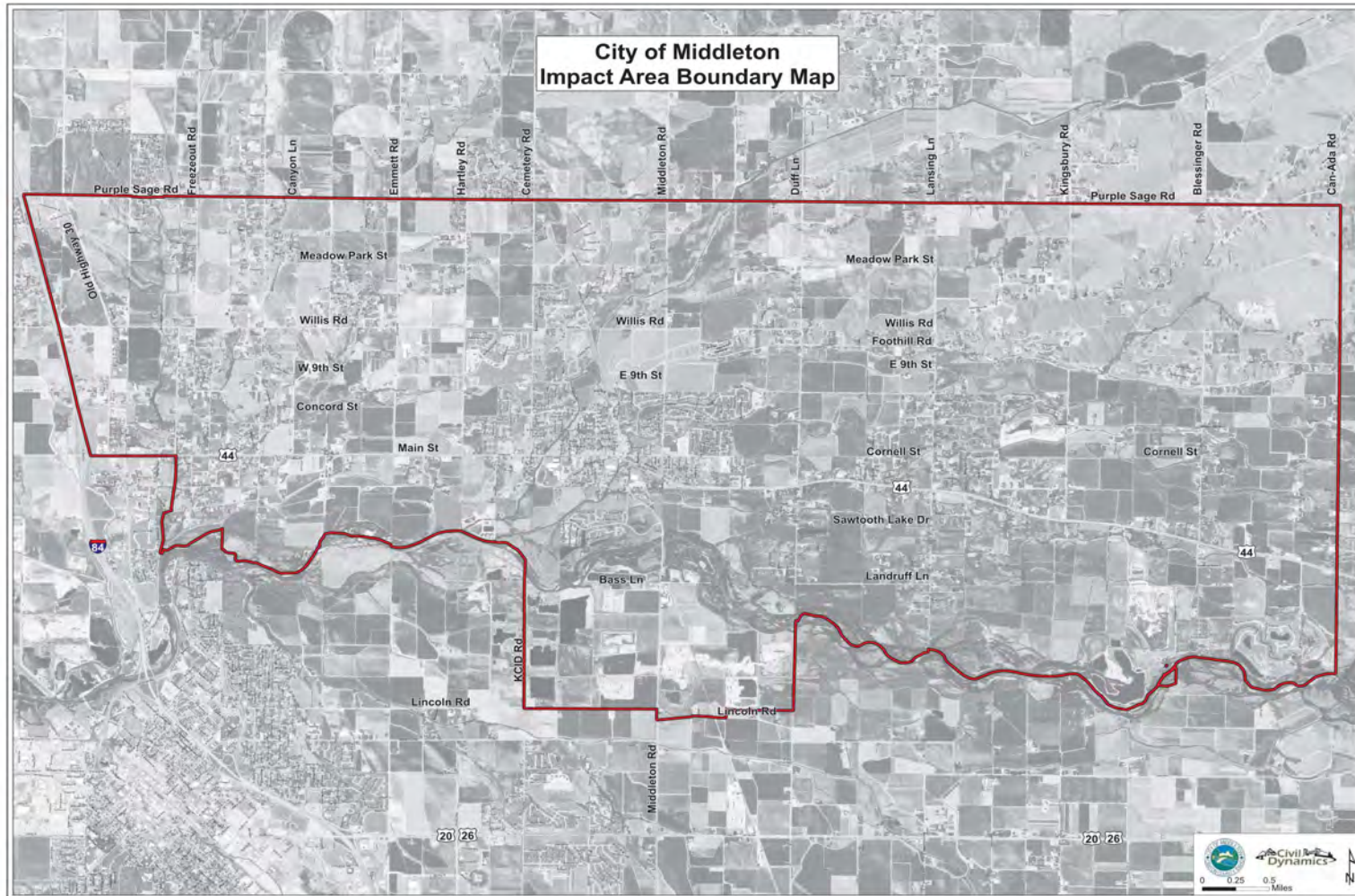


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Map 1: Capital Improvement Plan Service Boundary





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EXISTING TRANSPORTATION FACILITIES

Idaho Code 67-8208(1a)

The service area boundary covers approximately 32 square miles containing about 117 miles of roadway, 32 miles of sidewalks, and 3.7 miles of paved pathways.

The maintenance, operation, and capacity expansion of local transportation systems in the service boundary is the responsibility of Canyon Highway District No.4 and the City of Middleton. Two types of roadways exist in the service area: public roadways that are owned and maintained by Canyon Highway District 4 or the City, and private roadways that are privately owned and maintained.

The City of Middleton performs all public road responsibilities within city limits. Canyon Highway District No.4 performs all public road responsibilities within its jurisdictional boundaries including in the area of city impact / CIP service area.

The following table shows the mileage by transportation type for each entity having road jurisdiction in the CIP service area.²

<u>Jurisdiction</u>	<u>Paved</u>	<u>Improved Gravel</u>	<u>Total Miles</u>	<u>Sidewalks</u>	<u>Pathways</u>
City of Middleton	48.47	0.36	48.83 ³	30	3.7
CHD4	63.72	0.39	64.11	0	0
ITD	7.83	0	7.83	2	0

CURED TRANSPORTATION SYSTEM DEFICIENCIES

Idaho Code 67-8208(1a)

Idaho Code 67-8208(1b)

Using real property tax revenue and other local funding, the city has undertaken improvement projects and sought to cure many existing deficiencies in city roads and streets including:

Minot Street was constructed to City standards, including pedestrian facilities and pavement (2012),

S Highland and Willow Creek Circle were both reconstructed full depth, including storm drain facilities reconstructed (2013),

Concord Street was realigned, widened and reconstructed full depth, including utility relocations and storm water management system (2014),

² 2017 data

³ Approximately 98 lane miles



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Canyon Villa Subdivision (**Harmon Way, Villa Drive, Skyline Drive, and Canyon Drive**) were reconstructed full depth, including storm water management system (2015),

Marjorie Avenue was reconstructed full depth, including storm water management system (2016),

The city graded and paved several roads totaling about 2,000 linear feet that had formerly been gravel surfaced: **Whiffin Lane, N 2nd Ave W, E 4th St., E 5th St., E 6th St., N 2nd Ave E., and the driveway to ATLAS High School, and**

Several **missing segments of sidewalks** were installed leading to schools:

- 225 feet on the west side of Middleton Rd. between Valley and Triumph streets,
- 82 feet on the north side of State Highway 44 between Cemetery Road and Wellstone Business Park,
- 72 feet along a bridge over Willow Creek on the south side of State Highway 44 at the northwest corner of Middleton Middle School.

EXISTING TRANSPORTATION SYSTEM DEFICIENCIES

Idaho Code 67-8208(1a)

Idaho Code 67-8208(1b)

Even though the city has invested millions of dollars to upgrade local roads, intersections, sidewalks, pathways, and equipment, the following deficiencies remain.

Project	Funding Year	Estimated Total Cost	Estimated City Cost
Harmon Way full-depth reconstruction – east of Middleton Rd	TBD	\$535,000	\$435,000
S Campbell full-depth reconstruction east of Middleton Rd	TBD	\$475,000	\$375,000
Wanda Way/Willis	TBD	\$10,000	\$10,000
Duncan full-depth reconstruction	TBD	\$500,000	\$400,000
Brice, Borup and Hudson full-depth reconstruction	TBD	\$965,000	\$865,000

The city is committed to budgeting real property tax revenue, grants, development agreements, and other available sources of revenue other than impact fees to cure existing deficiencies.



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Total Existing Roads Capacity and Use by Existing Residents / Level and Value of Service

Idaho Code 67-8208(1c)

Roads in the service area are assumed to function as a Level of Service (LOS) B in the PM peak period⁴ with some exceptions. The roads category also includes traffic signal(s), bridges and culverts.

There are at least five (5) intersections in the City that operate below Level of Service B⁵ in 2017:

1. Willis/Hartley (LOS C)
2. Willis/Cemetery(LOS C)
3. SH44/Hartley (LOS D)
4. SH44/Emmett (LOS D)
5. SH44/Cemetery (LOS C)

The existing roads serve 9710⁶ residents living in City limits and 3467⁷ homes, respectively. The non-residential use includes commercial, industrial, agricultural, and institutions (schools, churches, etc.)

Many local roadways in Canyon County were initially developed for residential traffic and farm equipment. These roads are now experiencing the stresses of increased loads from population growth, concrete and gravel trucks, and heavier machinery. Substandard pavement conditions, narrow roads, limited rights-of-way, uncontrolled intersections and poor intersection geometry result in an existing system that will not meet future travel needs.

In determining the level of service and total capacity of existing roads it must also be determined the level of road use by land use type. To calculate this type of distribution, trip generation figures from the Trip Generation Manual⁸, to estimate the number of p.m. peak hour trips generated by a particular land use. Peak hour trips are used for the calculus because traffic impact is evaluated for the peak hour condition, and infrastructure is sized and constructed for the expected peak.

Traffic Count Data

Traffic volumes on key roads were collected in 2015. Class counters were used to collect the traffic volume data, then group vehicles into different classes based on the number of axles and vehicle configuration. This allows for a more accurate traffic count, especially on roads with a significant amount of truck traffic.

⁴ Transportation Plan Amendment - TO Engineers

⁵ W Highland Subdivision TIS - 6 Mile Engineering

⁶ per Community Planning Association of Idaho-COMPASS-2019 statistics

⁷ Analysis assumes 2.8 people per dwelling in Middleton

⁸ Institute of Transportation Engineers *Trip Generation Manual*, 8th Edition



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The goal of the traffic volume data collection is to determine Average Daily Traffic (ADT) volumes at key locations in the study area. The traffic counters recorded information for different lengths of time at different locations. This data was used to evaluate the existing transportation system within the study area. Traffic volumes are also used to understand travel behavior and patterns, providing information for decision-makers for current and future planning of the transportation system. See Appendix A for a map showing roadway use by ADT.

Table 3 below shows the traffic volumes at several locations along with the projected traffic counts, based on the five percent population growth¹, over the next 20 years within the City of Middleton.

<u>Street Name</u>	<u>Location</u>	<u>ADT2015</u>	<u>Existing LOS</u>	<u>ADT 2035</u>	<u>% Trucks</u>
Cemetery Rd.	Between Main St. & Concord St.	2,804	>C	7,439	1.8
Concord St.	Between Cemetery Rd. & Hawthorn Dr.	131	>C	347	5.7
Hawthorne Dr.	Between Main St. & Minot St.	1,623	>C	4,306	1.6
N Middleton Rd	Between Main St. & Valley St.	653	>C	1,732	Unknown
S Middleton Rd.	Between Idaho St. & Boise St.	10,185	>C	27,023	4.2

As noted, the roads in the City of Middleton are assumed to function at a Level of Service (LOS) B in the PM peak period.⁹

In determining the existing level of service and total capacity of existing roads it must also be determined the percentage of roads and streets utilized by the individual land use type (residential/commercial/industrial/other). To calculate this type of percentage of use distribution, trip generation figures from the Trip Generation Manual¹⁰, have been used to estimate the number of p.m. peak hour trips generated by a particular land use. Peak hour trips are used for the calculus because traffic impact is evaluated for the peak hour condition, and accordingly, infrastructure is sized and constructed for the expected peak.

⁹ Transportation Plan Amendment - TO Engineers

¹⁰ Institute of Transportation Engineers *Trip Generation Manual*, 8th Edition
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Using the trip generation figures above and the current land use distribution from tables in the following land use section, total current trips can be attributed to each land use. For non-residential, trips will be distributed based on a percentage basis of area or acreage basis.

LAND USE ASSUMPTIONS

Idaho Code 67-8208(1d)

In 2012, the city sent a letter to every household in town inviting individuals to submit ideas and comments on the city's long-term plan for roads, parks, schools, etc. Annually, a survey is included in residents' utility bills that explain City related issues and what the city is doing to address the issues. Residents are asked if they support the direction the city is going. Also annually, the city hosts a public meeting where residents can vote anonymously about many projects and priorities the city is considering.

The city established and last updated in December 2018 a Comprehensive Plan, Future Land Use Map, and Transportation, Schools, and Recreation Map. The maps are updated and typically capture resident participation in meetings and responses to surveys. The maps display the current and future land use, parks/recreation, schools, and transportation planning as adopted by the City of Middleton pursuant to Idaho Code 65-6709. The Comprehensive Plan text and maps reflect the residents' priorities and values, and the city relies on these maps when identifying, prioritizing, funding, designing, and constructing capital improvement projects.

Land use assumptions used in the Comprehensive Plan 2018 Update include the following.

- Assumption 1. Middleton is a semi-rural suburb of urban Canyon and Ada county cities, especially Caldwell, Nampa, Meridian and Boise.
- Assumption 2. Middleton does not have and is unlikely to have an airport or railroad in or near city limits.
- Assumption 3. Existing and future industrial land uses are primarily south of the Boise river. Commercial land uses are expected to continue along State Highway 44, and the city encourages commercial land use at the SH44/Emmett Road and SH44/Duff Lane intersections where suitable transportation, potable water, and sanitary sewer improvements can be constructed to meet the increased demand resulting from the future commercial investment and development. See Map 2.



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- Assumption 4. The population of Ada and Canyon County is approximately 936,730¹¹ in 2019, and is forecasted to exceed one million by 2040 and two million at build out. The Treasure Valley is studying high-capacity public transportation, and Middleton has adopted inter-city and intra-city routes with planned transit station sites at destinations such as River Park and future commercial areas. Stops are also planned at the high school where track, basketball, and other state-wide tournaments are held. See Maps 2 and 3.
- Assumption 5. The majority of Middleton land is and, in the future, will be used for residential purposes, and the city encourages residential development on higher ground. The cost of building, cost of development and flood hazard insurance expense may be higher on land south of Foothill Road that is now, or in the future may be, in flood hazard areas and/or high groundwater areas. See Map 2.
- Assumption 6. Individuals will walk one-half mile to recreate at a city park, so city parks are planned within one-half mile walking distance of each residence, and walking paths or sidewalks connect subdivisions to schools, parks and downtown.
- Assumption 7. The greenbelt to be constructed along the Boise River will be the primary amenity used by Middleton residents, as has been the greenbelt in Boise.
- Assumption 8. Residents desire a small-town feel, which is most quickly compromised by traffic congestion, so the city encourages roundabouts at intersections to allow traffic to yield and proceed without stopping if the way is clear.
- Assumption 9. The City will keep pace with population growth by providing athletic fields for growth in team sports and competition.
- Assumption 10. Cost of labor and materials will continue to increase.
- Assumption 11. Traffic signals will be constructed on SH44 at section and ¼ section road intersections.
- Assumption 12. Existing roads and pathways will be constructed per the typical section(s) adopted by the City of Middleton.

¹¹ COMPASS of Idaho current statistic

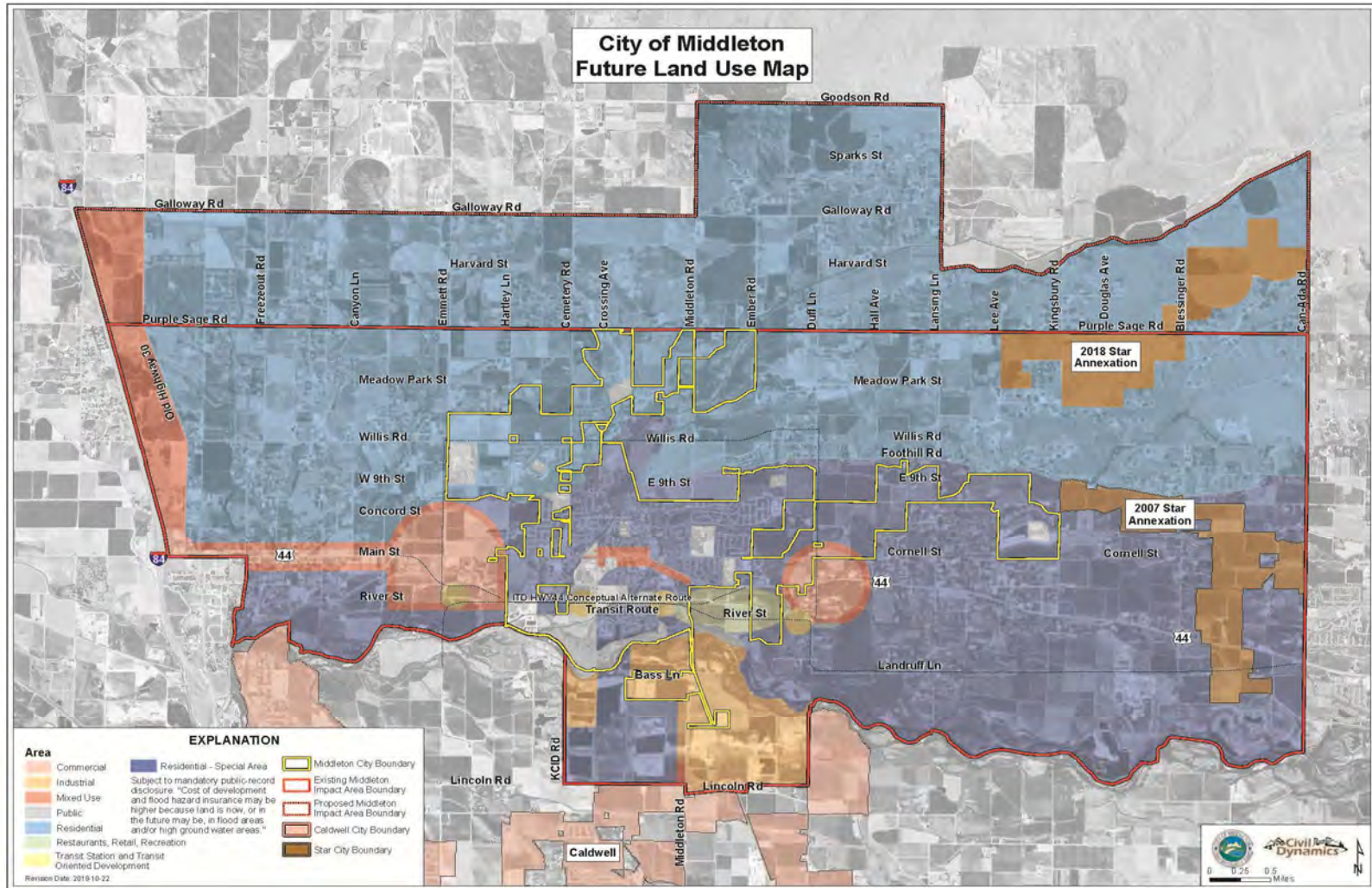


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MAP 2 COMPREHENSIVE PLAN Future Land Use Map





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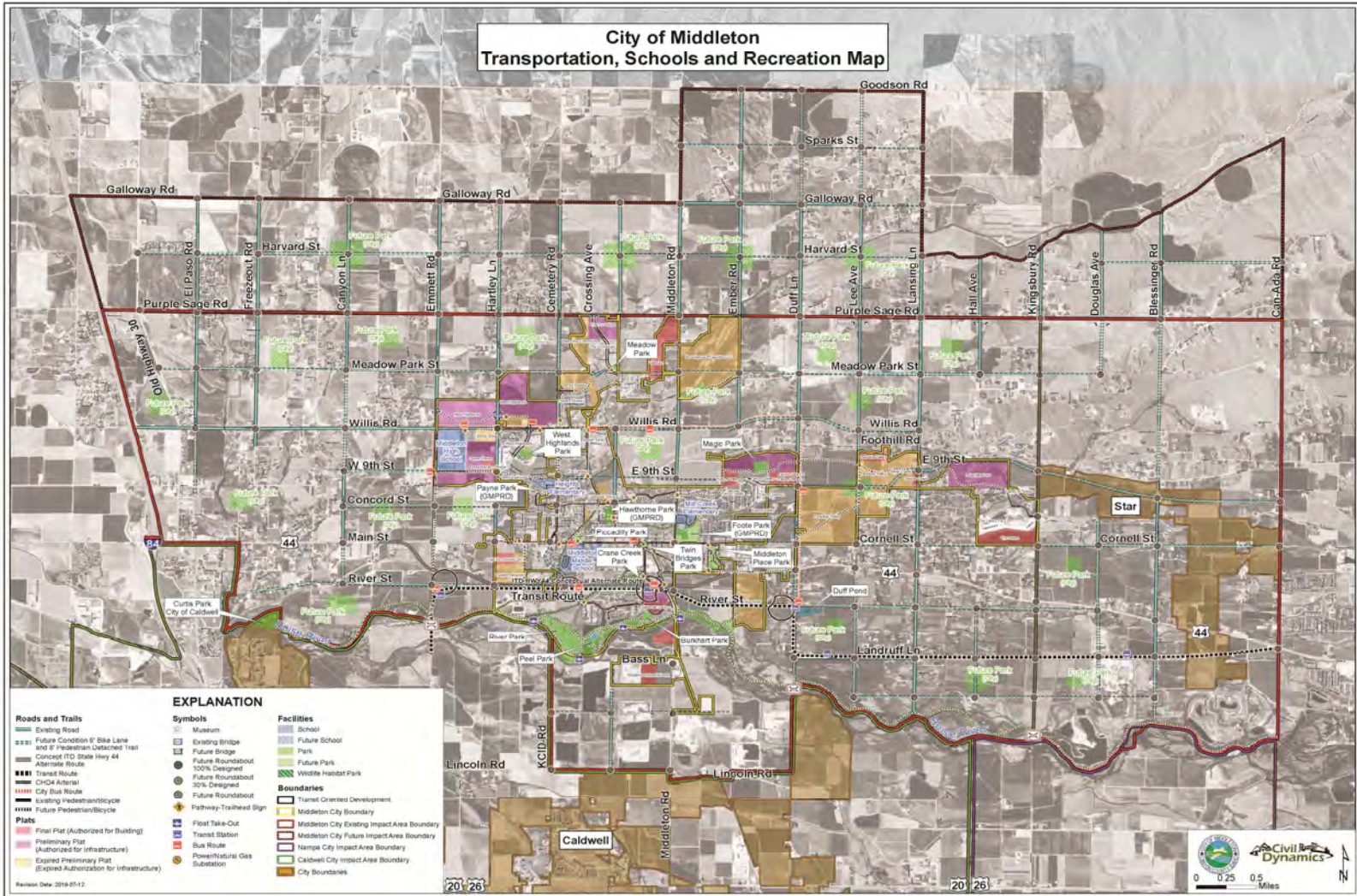
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Map 3: COMPREHENSIVE PLAN - Transportation, Schools, and Recreation Map



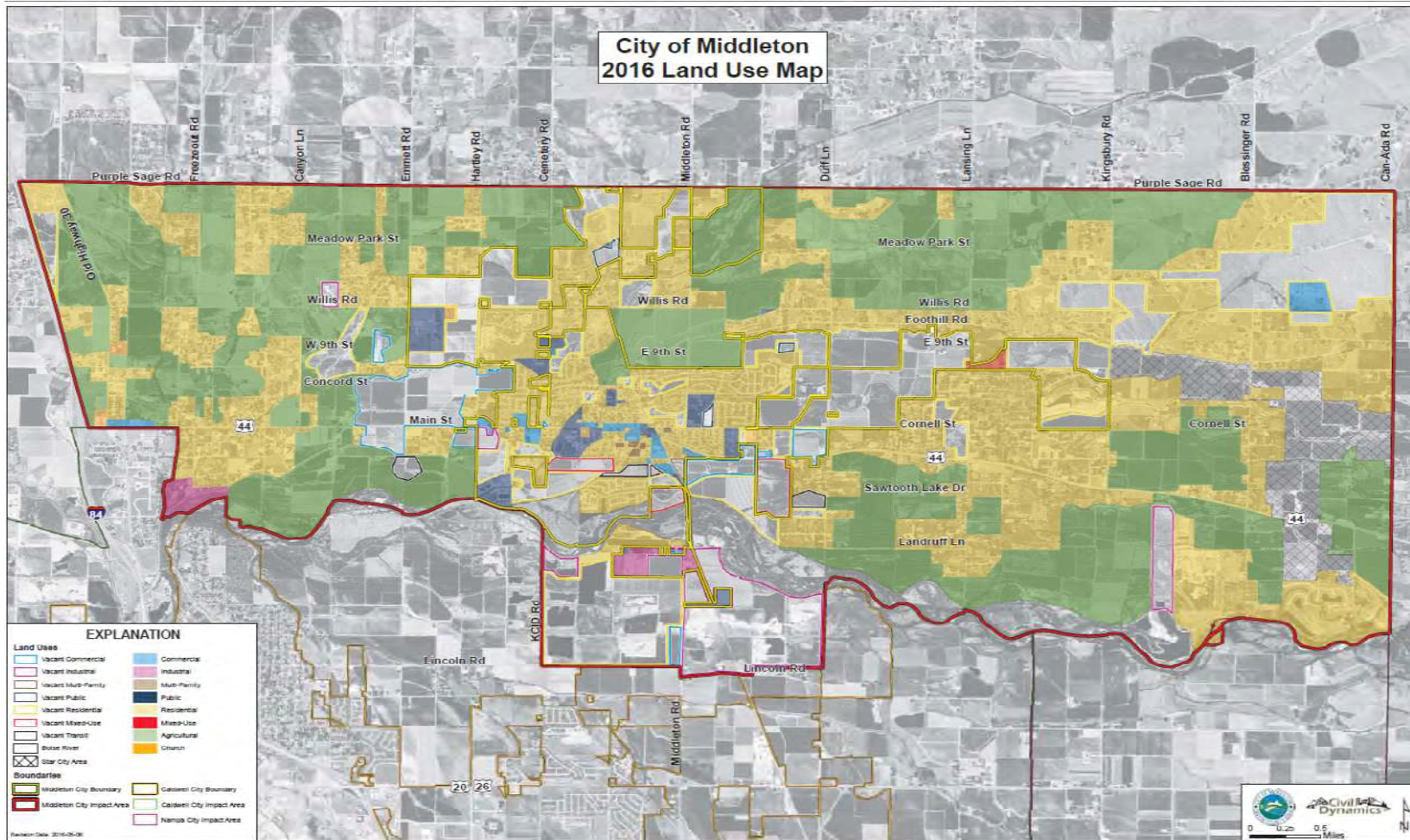


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Map 4: COMPREHENSIVE PLAN 2016 Land Use map. Existing land use in the service area.





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Table 4: 2018 Summary of Land Uses in City Limits¹²

	Acres	% of Total
Agriculture	218	6%
Boise River	127	4%
Church	24	1%
Commercial	65	2%
Industrial	80	2%
Mixed-Use	21	0.6%
Multi-Family	9	0.3%
Public	395	11%
Private School	10	0.3%
Residential (low density)	1254	36%
Vacant Commercial	65	2%
Vacant Industrial	10	0.3%
Vacant Mixed-Use	104	3%
Vacant Public	106	3.1%
Vacant Residential	1,043	30.2%
Vacant Transit	53	1%
Total Acres within City Limits	3,457	100%

*Total percentage may not equal 100 due to rounding.

Residential land uses are scattered throughout the city, making up most of the far reaches of City land to the north, east and south, as well as many other portions of the city. It is the most predominant land use category (36%) in the City of Middleton. Large portions of vacant residential (30%) exist throughout the City and will allow ample room for residential infill growth in the near future. Much of the vacant residential land is located near the far reaches of town, including large portions around what is currently West Highlands Ranch, Middleton Lakes, the Lakes at Talega, as well as large areas between Duff Lane and Lansing Lane, between Foothill Road and Cornell Street.

Residential (low density) land uses occupy approximately one-third (33%) of the land area within the impact areas. The percentage of vacant residential is significantly higher in the city limits (35%) than in

¹² City of Middleton Comprehensive Plan, Dec. 5, 2018
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the impact area (11%). This can partly be explained by the high percentage of agriculture land use in the impact area (42.2%). Large portions of land outside of city limits the City and in the impact area are used for agriculture, whereas in the city much of the areas are vacant residential also described as zoned residential but not developed into housing units.

Quantity of Use for System Improvements and Ratio of Service Unit to Land Use Type (Existing Transportation) Idaho Code 67-8208(1e)

Based on the City's comprehensive plan and other documents, we determine that 67% of the City's area is used for residential purposes, 4% for commercial, 2% for industrial and 27 percent for all others.

CURRENT LAND USE DISTRIBUTION BY TYPE AND AREA

Trip Generation

		<u>2018</u>	<u>% by Type</u>	<u>Factor*</u>
Residential	ac	2306	67%	1.01
Commercial	ac	130	4%	1.69
Industrial**	ac	90	3%	4.71
Public/Institutional/Other	ac	<u>931</u>	<u>27%</u>	1.59
		3457	100%	

*ITE Trip Generation Manual 8th Edition

**Trip Generation Factor assumes equal % of heavy industrial and light industrial

When evaluating specific level or quantity of use and uses served by the City roads and streets, the street usage by each land type can be calculated and evaluated. Using trip generation figures from ITE Manual and existing land uses in the City of Middleton, the total current trips can be allocated to each land use. Trips can then be distributed on a percentage basis to residential and other land uses.



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CURRENT LAND USE TRIP GENERATION BY TYPE			Trip Generation	Weighted	Percent
		2019	Factor**	Trips	Distribution
Residential	/unit	3467	1.01	3502	56%
Commercial *	per 1000 ft2	479,764	1.69	811	13%
Industrial	ac	102	4.71	480	8%
Other	ac	931	1.59	1480	24%
				6273	100%
*Existing Commercial from 2009 data is 437,609 ft2 for 126.7 acres extrapolated to the future condition using 3454 ft2/acre					
**ITE Trip Generation Manual 8th Edition					
***Industrial trip generation factor assumes equal % light and heavy industrial					

From the data above, 57% of the current trips in Middleton can be attributed to residential land use and the remaining 46% are attributed to other, nonresidential land uses.

The City of Middleton also utilizes extensive assets to maintain the existing level of service. Assets include 49 miles (98 lane miles), 5 bridges, 28 culverts, and various equipment and facilities. The calculated replacement value for the City's existing assets allocated to roads and streets is \$69,000,000.¹³ The asset investment by the existing residents has been significant and can roughly be calculated at \$11344/per dwelling unit (\$69Mx0.54/2896 DU). The current investment per unit may function as a comparable baseline for the new impact fee. The existing assets will not be included in the impact fee calculation. See Appendix B for a complete listing of assets and replacement value.

Total Capacity and Level of Use (Inventory/Value of Future Transportation Necessitated by New Development) Idaho Code 67-8208(1f)

The City has undertaken extensive transportation planning and has included transportation planning and the Capital Improvement Plan in the Comprehensive Plan update. Not all of the projects and capital costs in the CIP are associated with growth. Some capital costs are for repair and replacement or betterment of facilities. The cost for expansion or construction of facilities to accommodate new growth and new development and to maintain the existing level of service are impact fee eligible and are identified in the CIP table inserted at the end of this memorandum (folded 11"x17").

¹³ City of Middleton 2017 Transportation Assets List
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WEIGHTED TRIPS AND DISTRIBUTION ATTRIBUTED TO NEW DEVELOPMENT AND GROWTH

Idaho Code 67-8208(1G)

and

PROJECTED DEMAND IN 21 YEARS FOR SYSTEM IMPROVEMENTS

Idaho Code 67-8208(1h)

The City of Middleton has \$16.8 million dollars in infrastructure identified in the Capital Improvement Plan and planned for construction over the next 12 years. \$13.7 million or about 82% of the costs in the CIP are impact fee eligible.

Using the distribution of existing land use and future land use and the roads and street trips each use generates, the future infrastructure costs and proportional share will be assigned to the respective land use and the applicable impact fee calculated.

Current and Future Land Use		Trip Generation				Weighted	%
		2019	2040	Delta	Factor	Trips	Distribution
Residential	/dwelling	3467	8896	5429	1.01	5483	43%
Commercial*	/1000 ft2	479764	2448638	1968874	1.69	3327	26%
Industrial**	ac	102	930	828	4.71	3900	31%
Other	ac	658	658	0	1.59	0	0%
						12711	100%
*Existing Commercial from 2009 data is 437609 for 126.7 acres							
extrapolated future using 3454 ft2/acre							
**Future Land Use Map							
***Industrial trip generation factor assumes equal % light and heavy industrial							

Over the last 27 years, the City's population average annual growth rate has been approximately four to five percent (4%-5%) per year. Based on land use and an assumed five percent (5%) average annual growth rate, the City projects a population of 24,910 and 8,896 residential units by the year 2040. This reflected projection adds 16,15,200 people and 5429 residential units to the existing condition, and assumes the average household size of 2.8 remains constant over the next 21 years.

The additional population, coupled with other services and development needed to serve the new residents, will pose a significant demand on the City's roads and streets system. The increased demand will require additional roads be constructed, including intersection improvements and lanes added to existing roads, in order to maintain the existing level of service.

Both the current and future conditions are contemplated in the impact fee formula because the trip distribution for the current land use (2019) varies significantly from the trip distribution for the future



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land use (2040). The 24% percent of 2019 trips attributed to "other" including agriculture, public, and institutional, are assumed to be equally redistributed to residential, commercial and industrial for the purposes of this analysis.

The impact fee is calculated by first determining the impact fee eligible infrastructure costs for each land use type - residential, commercial and industrial. The proportion of infrastructure cost is then divided by the projected number of residential uses (per dwelling unit) and non-residential uses (per square foot or acre) developed over the next 21 years.



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	Current 2019	Future 2040
Value for Future Infrastructure Impact Fee Eligible	\$ 21,923,000	\$ 21,923,000

Land Use - Percentage of Weighted Trips Allocated by Existing Land Use (2018) and Future

Land Use (2040)	2018 ^A	2040
Residential	64%	43%
Commercial / 1000 ft ²	21%	26%
Industrial ac	16%	31%
Other ** ac	0%	0%

Future Allocated Value by Land Use Category

Residential	\$ 13,961,748	\$ 9,457,498
Commercial /1000 ft ²	\$ 4,557,920	\$ 5,739,046
Industrial ac	\$ 3,403,331	\$ 6,726,456

Future Growth to 2040

Residential	units	5429
Commercial	ft ²	1968874
Industrial	ac	828
Other	ac	0

Impact Fee Calculated by Land Use

Residential /dwelling	\$ 2,572	\$ 1,742
Commercial /1000 ft ²	\$ 2,315	\$ 2,915
Industrial ac	\$ 4,110	\$ 8,124

-

^A "Other" land use distributed equally to catagories

**Analysis assumes all land use is allocated on Future Land Use map

"Other": 2040 growth allocation is attributed to conversion of existing "other" land use to residential/commercial/industrial.



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SOURCES AND LEVELS OF FUNDING

Idaho Code 67-8208(1)(i)

Project Funding Opportunities¹⁴

There are several funding possibilities available from the state and federal government. There are possible funds available through agencies such as the Idaho Commerce and Labor Department and Economic Development, ITD, LHTAC and Idaho Parks & Recreation. Most funding agencies require the City to identify projects and list them in the CIP to be eligible.

Most of these funding agencies also require the City to provide a percentage of local funds to match the total funding. The matching funds for capital improvement projects may be funded through local tax revenues and development fees. Following is a list of funding programs that provide funds for transportation systems:

- Local Highway Safety Improvement Program
- Surface Transportation Program - Urban (STP-U)
- Surface Transportation Grant Block Program (STGB) formerly Surface Transportation Program Safety
- Transportation Alternatives Program (TAP) formerly Safe Routes to Schools

Federal-aid for capital improvements is available to arterials (principle and minor) and major collectors by City application to the State. Federal-aid funds are not available for local streets, so the street classification is an important element in planning and funding construction projects. Below is the available funding by year and source of the funding for the City of Middleton.

A brief description of each funding program is included below. The information provided is a summary of the information provided by the managing government agency. For more information, please contact the managing government agency. Some of these programs are prioritized by COMPASS and the City of Middleton will need to coordinate and participate with COMPASS in order to be eligible for the funds.

Long and short term planning is critical for growing communities like Middleton. State and federal funds, matched with local funds, will aid the City in meeting their transportation needs.

It is recommended that the City adopt a plan to procure local funds annually to match state and federal funds for local projects. It is also recommended that the City start planning toward construction of projects listed on the Capital Improvement Plan. The funds listed below are available from the State and Federal government.

¹⁴ Reference Middleton Transportation Plan
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Local Highway Safety Improvement Program (LHSIP)

LHSIP is a federally funded program aimed at reducing fatal and serious injury (Type A) crashes on the local roadway system. Local Highway Technical Assistance Council LHTAC receives approximately \$3.7M of the state of Idaho's Highway Safety Improvement Program funds. LHTAC determines eligibility for LHSIP based on the number of fatal and serious injury crashes per jurisdiction using five years of crash data. Each local highway jurisdiction with a minimum of three fatal and/or serious injury crashes qualify to apply. Qualifying jurisdictions are identified by LHTAC and notified in the fall to begin the application process. This federally funded program usually requires a local match of 7.34%.

Surface Transportation Block Grant Program (STBG)

The Fixing America's Surface Transportation (FAST) Act converts the long-standing Surface Transportation Program (STP) into the Surface Transportation Block Grant Program (STBG).

This program has the most flexible eligibilities among all Federal-aid highway programs and aligning the program's name with how the Federal Highway Administration (FHWA) has historically administered it. The STBG promotes flexibility in State and local transportation decisions and provides flexible funding to best address State and local transportation needs (FAST Act § 1109(a)).

STBG funding is allocated for projects in urban areas with populations greater than 5,000 people, as determined by the U.S. Census Bureau. These funds may be used for new construction, reconstruction, or rehabilitation of roadways functionally classified by Federal Highway Administration (FHWA) as collectors or arterials. The local matching requirement for these funds is 7.34%.

The FHWA program dedicates funds to urban areas throughout the State of Idaho. The Traffic Management Area, Northern Ada County, has dedicated funds since the population is over 200,000. The other urban fund allocation, for urban areas between 5,000 and 200,000, is divided using population data between the five metropolitan planning organizations (MPO's) and all other urban areas. These funds are balanced throughout the state by the Urban Balancing Committee which consist of the 5 MPO's, and LHTAC, representing the smaller urban areas between 5,000 and 50,000 in population not within a MPO. STBG projects may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except- For a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location).

Examples of STBG projects include, installation of safety barriers and nets on bridges, bicycle transportation projects, and intersections having disproportionately high accident rates and levels of congestion. For more information on eligibilities and requirements please visit the Federal-aid Programs under U.S. Department of Transportation Federal Highway Administration.

Transportation Alternatives Program (TAP)

The purpose of the Transportation Alternatives Program is to provide for a variety of alternative transportation projects and to advance ITD's strategic goals for mobility, safety and economic opportunity while maximizing the use of federal funds. All TAP projects are determined by ITD board.



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Examples of TAP projects include:

- Off road trail facilities for pedestrians,
- Bicyclists and non-motorized forms of transportation,
- Sidewalks, and
- Pedestrian signals and lighting, and other safety related infrastructure.

TAP projects shall be limited to a maximum of \$500,000 in Federal transportation funding. Non-infrastructure projects shall be limited to a maximum of \$60,000 in Federal funding. The minimum local match required for either project is 7.34%. For more information on eligibilities and requirements can be found in ITD 2016 Transportation Alternatives Program Manual.

ADA Curb Ramp Program

The Idaho Americans with Disabilities Act (ADA) Curb Ramp Program is a state-administered program that provides funding for projects to address curb ramps on the state highway system. The goal of the program is to provide accessible facilities for pedestrians with disabilities while allowing local jurisdiction flexibility in meeting the required standards. The Idaho Transportation Department (ITD) is allocating \$500,000 of state funds annually for this program. Applicants can qualify for up to \$60,000 in state funding to construct new, or alter existing curb ramps on the state highway system to meet the requirements of the ADA. Funds can only be used for construction purposes. This program provides local communities more control over the design of pedestrian facilities in their communities and makes better economical use of dollars through the use of state funds while addressing accessibility on the state highway system. Applicants applying in 2016 should be prepared to begin construction in May 2017.

Congestion Mitigation Air Quality (CMAQ)

The FAST Act continued the CMAQ program to provide a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former nonattainment areas that are now in compliance (maintenance areas).

These funds are available statewide through a competitive program, which provides federal transportation funding for air quality projects, planning and programs. Projects under this program fall into two categories: construction and non-construction. These funds are available for projects which provide significant air quality benefits, and projects directed toward solving a transportation related air quality problem. The local match requirement is 7.34%. Projects such as dust control and prevention (sweeper/flusher trucks, unpaved road stabilization, and deicing equipment/supplies), special studies for air quality monitoring, alternative transportation education etc., are eligible under this program. For more information on eligibilities and requirements visit the Federal-aid Programs under U.S. Department of Transportation Federal Highway Administration.



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Local Improvement Districts

Local improvement districts are another way to fund projects. Under this option, a district of property owners that benefit from the proposal improvements is created by the City. The project costs are divided between each of the property owners in the district based on lot front footage, area of lot, benefits derived, or a combination thereof. Bonds are sold up to 20 years for payback of the project. The sources and levels of funding for city-owned roads and streets are identified below.

Public-Private Partnerships

Cost savings and other benefits can be realized when business owners, foundations, landowners, or others and the city cooperate to complete a project that is mutually beneficial. This occurs infrequently in Middleton so is not a good source of funds, but it is helpful when it does occur with projects that are small or large.

Impact Fees

Idaho Code allows cities and counties to adopt impact fees to equitably assess costs to new development for roads and related improvements. Middleton does not have an existing transportation impact fee, but seeks to adopt one charged at the time building permits are issued for new residential construction and for commercial or industrial construction, including schools.

SCHEDULE OF ESTIMATED CONSTRUCTION

Idaho Code 67-8208(1k)

The city has developed a proposed implementation schedule. The capital improvement plan and schedule of implementation is dynamic and should be reviewed annually and updated at least every five (5) years according to Idaho Code State 67-6509. The implementation schedule is subject to change based on project-ready design, funding availability, and city priorities. See the CIP at the end of this memo (folded 11"x17").

RECOMMENDATIONS

The maximum justifiable transportation impact fee that the city could assess to future purchasers of certain new construction residential and non-residential building permits is _____ per residential unit (each single-family dwelling and each apartment or condominium unit), _____ per 1000 ft² non-residential space, and _____ per acre of industrial development. The impact fee advisory committee can comment, and the city council can change a fee as long as it is less than the maximum justifiable fee.



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Table 6: Road Impact Fee Comparison in the Treasure Valley as of April 2017

CITY OF NAMPA	IMPACT FEE
Single Family/Townhouse/Mobile Home	\$2841
Multifamily	\$1648
Retail	\$6850/1000 ft ²
Office	\$4240/1000 ft ²
Industrial	\$1520/1000 ft ²

Ada County Highway District - see attached.

City of Caldwell - see attached.

**EXHIBIT A - Traffic Impact Fee Schedule
FY2020 Fee Table**

Service Area:

Ada County

Ordinance #231A

Service Area Adjustment Factors	Average Trip Length	Network	VTM Cost
Service Area	5.66	0.445	\$2,521
	0.90		
Land Use Trip Length	0.75		
Adjustment Factors	0.50		
	0.25		

ITE - 10th Edition		ADJUSTMENT FACTORS										
Land Use	ITE Code	PM Peak Hour	x	New Trip (Pass-By Only)	x	Average Trip Length	x	Network	x	VTM Cost	=	Traffic Impact Fee
(rounded)												

RESIDENTIAL		Per Dwelling Unit							
Single Family	210	0.495	1.00	5.66	0.445	\$2,521	\$3,143		
Multifamily Housing, Low-Rise (1 to 2 Floors)	220	0.265	1.00	5.66	0.445	\$2,521	\$1,683		
Multifamily Housing, Mid-Rise (3 to 10 Floors)	221	0.220	1.00	5.66	0.445	\$2,521	\$1,397		
Mobile Home	240	0.295	1.00	4.25	0.445	\$2,521	\$1,407		
Accessory Dwelling Unit	ACHD 4	0.155	1.00	5.66	0.445	\$2,521	\$984		
Senior Adult Housing - Attached	252	0.130	1.00	5.66	0.445	\$2,521	\$825		
Senior Adult Housing - Detached	251	0.150	1.00	5.66	0.445	\$2,521	\$952		
		Per Bed							
Assisted Living	254	0.13	1.00	5.66	0.445	\$2,521	\$825		

		Per Room							
Hotel	310	0.300	1.00	5.66	0.445	\$2,521	\$1,905		
Motel	320	0.190	1.00	5.66	0.445	\$2,521	\$1,206		

		Per 1,000 SF							
Automobile Care Center/Repair	942	1.555	0.72	2.83	0.445	\$2,521	\$3,555		
Automobile Parts Sales	843	2.455	0.57	2.83	0.445	\$2,521	\$4,443		
Bank (No Drive-Thru)	911	6.065	0.65	1.42	0.445	\$2,521	\$6,280		
Bank (With Drive-Thru)	912	10.225	0.65	1.42	0.445	\$2,521	\$10,588		
Building Materials and Lumber	812	1.030	0.74	5.66	0.445	\$2,521	\$4,840		
Church	560	0.245	1.00	2.83	0.445	\$2,521	\$778		
Coffee / Donut Shop No Drive-Thru	936	18.155	0.50	1.42	0.445	\$2,521	\$14,461		
Coffee / Donut Shop with Drive-Thru	937	21.690	0.35	1.42	0.445	\$2,521	\$12,093		
Coffee Shop with Drive-Thru No Indoor Seats	938	41.665	0.11	1.42	0.445	\$2,521	\$7,301		
Convenience Market (24hrs, No Gas)	851	24.555	0.49	1.42	0.445	\$2,521	\$19,167		
Day Care	565	5.560	0.56	1.42	0.445	\$2,521	\$4,960		
Discount Club	857	2.090	0.63	5.66	0.445	\$2,521	\$8,361		
High-Cube Transload and Short-Term Storage Warehouse	154	0.050	1.00	5.66	0.445	\$2,521	\$317		
Drinking Place/Bar	925	5.680	0.57	2.83	0.445	\$2,521	\$10,279		
Free-standing Discount Store	815	2.415	0.77	5.66	0.445	\$2,521	\$11,807		
Free-standing Discount Superstore	813	2.165	0.73	5.66	0.445	\$2,521	\$10,035		
Furniture Store	890	0.260	0.47	5.66	0.445	\$2,521	\$776		
Hardware/Paint Store	816	1.340	0.74	5.66	0.445	\$2,521	\$6,296		
Home Improvement Superstore	862	1.165	0.58	5.66	0.445	\$2,521	\$4,290		
Hospital	610	0.485	1.00	5.66	0.445	\$2,521	\$3,080		
Light Industrial	110	0.315	1.00	5.66	0.445	\$2,521	\$2,000		
Manufacturing	140	0.335	1.00	5.66	0.445	\$2,521	\$2,127		
Mini-Warehouse (Self Storage)	ACHD 6	0.052	1.00	3.52	0.549	\$2,521	\$253		
Automobile Sales, New	840	1.215	0.72	4.25	0.445	\$2,521	\$4,171		
Automobile Sales, Used	841	1.875	0.72	4.25	0.445	\$2,521	\$6,437		
Pharmacy/Drug store (No Drive-Thru)	880	4.255	0.47	1.42	0.445	\$2,521	\$3,186		
Pharmacy/Drug store (With Drive-Thru)	881	5.145	0.51	1.42	0.445	\$2,521	\$4,180		
Restaurant - Fast Food (No Drive-Thru)	933	14.170	0.50	1.42	0.445	\$2,521	\$11,287		
Restaurant - Fast Food (With Drive-Thru)	934	16.335	0.50	1.42	0.445	\$2,521	\$13,011		
Restaurant - High Turnover	932	4.885	0.57	2.83	0.445	\$2,521	\$8,840		
Shopping Center	820	1.905	0.66	5.09	0.445	\$2,521	\$7,179		
Supermarket (Free Standing)	850	4.620	0.64	1.42	0.445	\$2,521	\$4,710		
Tire Store	848	1.990	0.72	5.66	0.445	\$2,521	\$9,098		
Variety Store (Dollar Store)	814	3.420	0.66	5.09	0.445	\$2,521	\$12,889		
Warehousing	150	0.095	1.00	5.66	0.445	\$2,521	\$603		

OFFICE DEVELOPMENTS		Per 1,000 SF							
Dental/Vision	ACHD 1	1.315	1.00	4.25	0.445	\$2,521	\$6,270		
General Office	710	0.575	1.00	5.66	0.445	\$2,521	\$3,651		
Medical	720	1.730	1.00	5.66	0.445	\$2,521	\$10,985		

		Per Indicated Unit							
Gas Station with Conv Mkt (Fueling Position)	945	6.995	0.44	1.42	0.445	\$2,521	\$4,903		
Gas Station (Fueling Position)	944	7.015	0.58	1.42	0.445	\$2,521	\$6,482		
Golf Course (Hole)	430	1.455	1.00	5.66	0.445	\$2,521	\$9,239		
Movie Theater (Seat)	444	0.035	1.00	4.25	0.445	\$2,521	\$167		
Public Park (Acre)	411	0.055	1.00	2.83	0.445	\$2,521	\$175		
Quick Lubrication (Servicing Positions)	941	2.425	0.58	1.42	0.445	\$2,521	\$2,241		
Self-Service Car Wash (Stall)	947	2.770	0.58	1.42	0.445	\$2,521	\$2,559		
Sup Conv Mkt/Gas Station >3,000 sf and >10 FP (Fueling Position)	960	11.480	0.44	1.42	0.445	\$2,521	\$8,018		



CITY OF MIDDLETON

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MEMO

City of Caldwell - Fee calculus

Traffic Impact Study and Mitigation Explanation

We require a 75% deposit from the developer for a mutually reviewed scope of work and we hold the clientship. Once complete, we invoice for the balance and then pay the consultant.

Consultants must obtain letters of recommendation from local highway agencies for this type of work.

Traffic signal mitigation is not based on an impact fee as we have not passed such in our impact fee ordinance. Instead a preference for construction of improvements is express with an allowance for contribution of monies in lieu of construction at the developers option.

Signal mitigation is based on the idea of consumed capacity rather than assuming a facility is good until development causes it to fail and thereby punishing the developer that is the "lucky 1,000,000th Customer."

A conservative (in favor of the developer) estimate of the capacity of an average intersection (the buildout intersection of a 3 lane Collector and 5 lane Arterial) is assumed to be 5080 veh/hr. This varies widely with turning movements but is a high estimate of capacity for this type of an intersection.

COMPASS was queried about the average trip length in Canyon County at the time this estimate was formed and provided 7.3 mi as the overall average trip length.

Caldwell formulates the obligation for traffic signal mitigation as follows:

{ Generator PM Peak Hour trips [veh/hr] * 7.3 mi/trip * **1/2 ends/trip** * 2 Ave Int/mi } / 5080 veh/hr

-The average trip length is divided by 2 since each end of a trip is a generator.

-Caldwell has a network of Arterials generally on miles/section lines and has collectors on interior 1/4 section lines – on this basis we presume signalization or roundabout intersection control on any given path at buildout will be 2/mile.

The capacity of the average intersection is given to be 5080 veh/hr.

The { } in the numerator represent the capacity required in aggregate for a developments pm generated traffic to be accommodated on any chosen trip path.

Mitigation should be performed near the development and definitely within the 7.3mi/2trip ends radius of a development.

Recommendations in the traffic study are required if they are on land or right of way adjacent to land in the developers control. If they are not in the developers control as described, they will be required if possible without requiring the developer to acquire right-of-way.

If improvements are recommended but not required based on the development, construction of such improvements can be credited against the traffic mitigation costs.

Caldwell takes to total cost to complete a traffic signal to be \$425K including design for the average intersection.

City of Middleton
Capital Improvement Plan FY-20
Date: October 16, 2019

Project	Estimated Funding Year	Cost Per Unit	Quantity	Units	Estimated Total Cost	City Estimated Total Cost	Impact Fee Eligible	2020	2021	2022	2023	2024	PD
SH-44-Hartley Intersection Control (design and construct)	2020	\$ 1,000,000	1	1	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000					
Middleton Rd - Cornell St Roundabout (100% Design)	2020	\$ 35,000	1	LS	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000					
Sawtooth Lake Drive connection to S Cemetery Road (culvert design)	2020	\$ 85,000	1	LS	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000					
Middleton Rd - Cornell St Roundabout (New construction)	2021	\$ 303,000	1	LS	\$ 303,000	\$ 303,000	\$ 303,000		\$ 303,000				
Sawtooth Lake Drive connection to S Cemetery Road (culvert const)	2021	\$ 500,000	1	1	\$ 500,000	\$ 500,000	\$ 500,000		\$ 500,000				
S Cemetery Road - SH44 to Willow Creek (grant match 7.34%)	2021	\$ 250,000	1	LS	\$ 250,000	\$ 250,000	\$ 250,000		\$ 250,000				
Sawtooth Lake Dr connection to S Cemetery Rd (100% Design)	2021	\$ 100,000	1	LS	\$ 100,000	\$ 100,000	\$ 100,000		\$ 100,000				
Sawtooth Lake Dr connection to S Cemetery Rd (construct)	2022	\$ 450,000	1	LS	\$ 450,000	\$ 450,000	\$ 450,000			\$ 450,000			
SH-44-Cemetery Intersection Control (design and construct)	2023	\$ 1,500,000	1	LS	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000				\$ 1,500,000		
SH-44-Middleton Rd. Intersection Control (design and construct)	2024	\$ 1,500,000	1	LS	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000					\$ 1,500,000	
Middleton Rd Alignment Phase 1 (SH44 to River St. RAB)	2025	\$ 1,500,000	1	MI	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000						\$ 1,500,000
Middleton Rd - River St Roundabout Phase 2	2026	\$ 1,500,000	1	LS	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000						\$ 1,500,000
Middleton Road Alignment Phase 3 (River St. RAB to Boise River)	2027	\$ 1,500,000	1	MI	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000						\$ 1,500,000
Middleton Rd - Bass Ln Roundabout (100% Design)	2028	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Middleton Rd - Bass Ln Roundabout (New construction)	2029	\$ 1,500,000	1	LS	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000						\$ 1,500,000
Middleton Rd - Lincoln Rd (100% Design)	2030	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Middleton Rd - Lincoln Rd (Construction)	2031	\$ 1,500,000	1	LS	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000						\$ 1,500,000
Willis Rd - Hartley Roundabout (100% Design)	2039	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Willis Rd - Hartley Roundabout (New construction)	2040	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000						\$ 1,250,000
Cemetery Rd - Willis Rd Roundabout (100% Design)	2039	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Cemetery Rd - Willis Rd Roundabout (New construction)	2040	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000						\$ 1,250,000
Cemetery Rd - W 9th St Roundabout (100% Design)	2034	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Cemetery Rd - W 9th St Roundabout (New Construction)	2034	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000						\$ 1,250,000
Hartley & W 9th St Roundabout (100% Design)	2035	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Hartley & W 9th St Roundabout (New construction)	2036	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000						\$ 1,250,000
9th & Duff Ln Roundabout (100% Design)	2037	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
9th & Duff Ln Roundabout (New Construction)	2038	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000						\$ 1,250,000
Kingsbury Rd - Cornell St Roundabout (100 % Design)	2039	\$ 150,000	1	LS	\$ 150,000	\$ 150,000	\$ 150,000						\$ 150,000
Kingsbury Rd - Cornell St Roundabout (New Construction)	2040	\$ 1,250,000	1	LS	\$ 1,250,000	\$ 1,250,000	\$ 950,000						\$ 1,250,000
Total Est. Cost					\$ 21,923,000	\$ 21,923,000	\$ 21,623,000	\$ 1,120,000	\$ 1,153,000	\$ 450,000	\$ 1,500,000	\$ 1,500,000	\$ 16,200,000

FINAL REPORT – May 2018
AMENDED – January 2019

Middleton Rural Fire District
Impact Fee Study and
Capital Improvement Plan

Prepared By

Galena Consulting
Anne Wescott
1925 North Montclair Drive
Boise, ID 83702



Section I. Introduction

This report regarding impact fees for the Middleton Rural Fire District is organized into the following sections:

- An overview of the report's background and objectives;
- A definition of impact fees and a discussion of their appropriate use;
- An overview of land use and demographics;
- A step-by-step calculation of impact fees under the Capital Improvement Plan (CIP) approach;
- A list of implementation recommendations; and
- A brief summary of conclusions.

Background and Objectives

The Middleton Rural Fire District hired Galena Consulting to calculate impact fees.

This document presents impact fees based on the District's demographic data and infrastructure costs before credit adjustment; calculates the District's monetary participation; examines the likely cash flow produced by the recommended fee amount; and outlines specific fee implementation recommendations. Credits can be granted on a case-by-case basis; these credits are assessed when each individual building permit is pulled.

Definition of Impact Fees

Impact fees are one-time assessments established by local governments to assist with the provision of Capital Improvements necessitated by new growth and development. Impact fees are governed by principles established in Title 67, Chapter 82, Idaho Code, known as the Idaho Development Impact Fee Act (Impact Fee Act). The Idaho Code defines an impact fee as "... a payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development."¹

Purpose of impact fees. The Impact Fee Act includes the legislative finding that "... an equitable program for planning and financing public facilities needed to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety and general welfare of the citizens of the state of Idaho."²

Idaho fee restrictions and requirements. The Impact Fee Act places numerous restrictions on the calculation and use of impact fees, all of which help ensure that local governments adopt impact fees that are consistent with federal law.³ Some of those restrictions include:

- Impact fees shall not be used for any purpose other than to defray system improvement costs incurred to provide additional public facilities to serve new growth;⁴
- Impact fees must be expended within 8 years from the date they are collected. Fees may be held in certain circumstances beyond the 8-year time limit if the governmental entity can provide reasonable cause;⁵
- Impact fees must not exceed the proportionate share of the cost of capital improvements needed to serve new growth and development;⁶
- Impact fees must be maintained in one or more interest-bearing accounts within the capital projects fund.⁷

In addition, the Impact Fee Act requires the following:

- Establishment of and consultation with a development impact fee advisory committee (Advisory Committee);⁸
- Identification of all existing public facilities;
- Determination of a standardized measure (or service unit) of consumption of public facilities;
- Identification of the current level of service that existing public facilities provide;
- Identification of the deficiencies in the existing public facilities;
- Forecast of residential and nonresidential growth;⁹
- Identification of the growth-related portion of the District's Capital Improvement Plan;¹⁰
- Analysis of cash flow stemming from impact fees and other capital improvement funding sources;¹¹
- Implementation of recommendations such as impact fee credits, how impact fee revenues should be accounted for, and how the impact fees should be updated over time;¹²
- Preparation and adoption of a Capital Improvement Plan pursuant to state law and public hearings regarding the same;¹³ and
- Preparation and adoption of a resolution authorizing impact fees pursuant to state law and public hearings regarding the same.¹⁴

How should fees be calculated? State law requires the District to implement the Capital Improvement Plan methodology to calculate impact fees. The District can implement fees of any amount not to exceed the fees as calculated by the CIP approach. This methodology requires the District to describe its service areas, forecast the land uses, densities and population that are expected to occur in those service areas over the 10-year CIP time horizon, and identify the capital improvements that will be needed to serve the forecasted growth at the planned levels of service, assuming the planned levels of service do not exceed the current levels of service.¹⁵ Only those items identified as growth-related on the CIP are eligible to be funded by impact fees.

The governmental entity intending to adopt an impact fee must first prepare a capital improvements plan.¹⁷ Once the essential capital planning has taken place, impact fees can be calculated. The Impact Fee Act places many restrictions on the way impact fees are calculated and spent, particularly via the principal that local governments cannot charge new development more than a “proportionate share” of the cost of public facilities to serve that new growth. “Proportionate share” is defined as “. . . that portion of the cost of system improvements . . . which reasonably relates to the service demands and needs of the project.”¹⁹ Practically, this concept requires the District to carefully project future growth and estimate capital improvement costs so that it prepares reasonable and defensible impact fee schedules.

The proportionate share concept is designed to ensure that impact fees are calculated by measuring the needs created for capital improvements by development being charged the impact fee; do not exceed the cost of such improvements; and are “earmarked” to fund growth-related capital improvements to benefit those that pay the impact fees.

There are various approaches to calculating impact fees and to crediting new development for past and future contributions made toward system improvements. The Impact Fee Act does not specify a single type of fee calculation, but it does specify that the formula be “reasonable and fair.” Impact fees should take into account the following:

- Any appropriate credit, offset or contribution of money, dedication of land, or construction of system improvements;
- 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;
- That portion of general tax and other revenues allocated by the District to growth-related system improvements; and
- All other available sources of funding such system improvements.²⁰

Through data analysis and interviews with the District, Galena Consulting identified the share of each capital improvement needed to serve growth. The total projected capital improvements needed to serve growth are then allocated to residential and nonresidential development with the resulting amounts divided by the appropriate growth projections from 2018 to 2028. This is consistent with the Impact Fee Act.²¹ Among the advantages of the CIP approach is its establishment of a spending plan to give developers and new residents more certainty about the use of the particular impact fee revenues.

Other fee calculation considerations. The basic CIP methodology used in the fee calculations is presented above. However, implementing this methodology requires a number of decisions. The considerations accounted for in the fee calculations include the following:

- Allocation of costs is made using a service unit which is “a standard measure of consumption, use, generation or discharge attributable to an individual unit²² of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvement.”²³ The service units chosen by the study team for every fee calculation in this study are linked directly to residential dwelling units and nonresidential development square feet.²⁴
- A second consideration involves refinement of cost allocations to different land uses. According to Idaho Code, the CIP must include a “conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural and industrial.”²⁵ In this analysis, the study team has chosen to use the highest level of detail supportable by available data and, as a result, in this study, the fee is allocated between aggregated residential (i.e., all forms of residential housing) and nonresidential development (all nonresidential uses including retail, office, agricultural and industrial).

Current Assets and Capital Improvement Plans

The CIP approach estimates future capital improvement investments required to serve growth over a fixed period of time. The Impact Fee Act calls for the CIP to “. . . project demand for system improvements required by new service units . . . over a reasonable period of time not to exceed 20 years.”²⁶ The impact fee study team recommends a 10-year time period based on the District’s best available capital planning data.

The types of costs eligible for inclusion in this calculation include any land purchases, construction of new facilities and expansion of existing facilities to serve growth over the next 10 years at planned and/or adopted service levels.²⁷ Equipment and vehicles with a useful life of 10 years or more are also impact fee eligible under the Impact Fee Act.²⁸ The total cost of improvements over the 10 years is referred to as the “CIP Value” throughout this report. The cost of this impact fee study is also impact fee eligible for all impact fee categories.

The forward-looking 10-year CIP for the District include some facilities that are only partially necessitated by growth (e.g., facility expansion). The study team met with the District to determine a defensible metric for including a portion of these facilities in the impact fee calculations. A general methodology used to determine this metric is discussed below. In some cases, a more specific metric was used to identify the growth-related portion of such improvements. In these cases, notations were made in the applicable section.

Fee Calculation

In accordance with the CIP approach described above, we calculated fees for the district by answering the following seven questions:

1. **Who is currently served by the District?** This includes the number of residents as well as residential and nonresidential land uses.
2. **What is the current level of service provided by the District?** Since an important purpose of impact fees is to help the District achieve its planned level of service²⁹, it is necessary to know the levels of service it is currently providing to the community.
3. **What current assets allow the District to provide this level of service?** This provides a current inventory of assets used by the District, such as facilities, land and equipment. In addition, each asset's replacement value was calculated and summed to determine the total value of the District's current assets.
4. **What is the current investment per residential and nonresidential land use?** In other words, how much of the District's current assets' total value is needed to serve current residential households and nonresidential square feet?
5. **What future growth is expected in the District?** How many new residential households and nonresidential square footage will the District serve over the CIP period?
6. **What new infrastructure is required to serve future growth?** For example, how many stations will be needed by the Middleton Rural Fire District within the next ten years to achieve the planned level of service of the District?³⁰
7. **What impact fee is required to pay for the new infrastructure?** We calculated an apportionment of new infrastructure costs to future residential and nonresidential land-uses for the District. Then, using this distribution, the impact fees were determined.

Addressing these seven questions, in order, provides the most effective and logical way to calculate impact fees for District. In addition, these seven steps satisfy and follow the regulations set forth earlier in this section.

"GRUM" Analysis

In the District, not all capital costs are associated with growth. Some capital costs are for repair and replacement of facilities e.g., standard periodic investment in existing facilities such as roofing. These costs *are not* impact fee eligible. Some capital costs are for betterment of facilities, or implementation of new services (e.g., development of an expanded training facility). These costs *are generally not entirely* impact fee eligible. Some costs are for expansion of facilities to accommodate new development at the current level of service (e.g., purchase of new fire station to accommodate expanding population). These costs *are* impact fee eligible.

Because there are different reasons why each District invests in capital projects, the study team conducted a "GRUM" analysis on all projects listed in each CIP:

- **Growth.** The “G” in GRUM stands for growth. To determine if a project is solely related to growth, we ask “Is this project designed to maintain the current level of service as growth occurs?” and “Would the District still need this capital project if it weren’t growing at all?” “G” projects are only necessary to maintain the District’s current level of service as growth occurs. It is thus appropriate to include 100 percent of their cost in the impact fee calculations.
- **Repair & Replacement.** The “R” in GRUM stands for repair and replacement. We ask, “Is this project related only to fixing existing infrastructure?” and “Would the District still need it if it weren’t growing at all?” “R” projects have nothing to do with growth. It is thus not appropriate to include any of their cost in the impact fee calculations.
- **Upgrade.** The “U” in GRUM stands for upgrade. We ask, “Would this project improve the District’s current level of service?” and “Would the District still do it even if it weren’t growing at all?” “U” projects have nothing to do with growth. It is thus not appropriate to include any of their cost in the impact fee calculations.
- **Mixed.** The “M” in GRUM stands for mixed. It is reserved for capital projects that have some combination of G, R and U. “M” projects by their very definition are partially necessitated by growth, but also include an element of repair, replacement and/or upgrade. In this instance, a cost amount between 0 and 100 percent should be included in the fee calculations. Although the need for these projects is triggered by new development, they will also benefit existing residents.

Projects that are 100 percent growth-related were determined by our study to be necessitated solely by growth. Alternatively, some projects can be determined to be “mixed,” with some aspects of growth and others aspects of repair and replacement. In these situations, only a portion of the total cost of each project is included in the final impact fee calculation.

It should be understood that growth is expected to pay only the portion of the cost of capital improvements that are growth-related. The District will need to plan to fund the pro rata share of these partially growth-related capital improvements with revenue sources other than impact fees within the time frame that impact fees must be spent. These values will be calculated and discussed in Section IV of this report.

Exhibits found in Section III of this report detail all capital improvements planned for purchase over the next ten years by the District.

¹ See Section 67-8203(9), Idaho Code. “System improvements” are capital improvements (i.e., improvements with a useful life of 10 years or more) that, in addition to a long life, increase the service capacity of a public facility. Public facilities include fire, emergency medical and rescue facilities. See Sections 67-8203(3), (24) and (28), Idaho Code.

² See Section 67-8202, Idaho Code.

³ As explained further in this study, proportionality is the foundation of a defensible impact fee. To meet substantive due process requirements, an impact fee must provide a rational relationship (or nexus) between the impact fee assessed against new development and the actual need for additional capital improvements. An impact fee must substantially advance legitimate local government interests. This relationship must be of “rough proportionality.” Adequate consideration of the factors outlined in Section 67-8207(2) ensure that rough proportionality is reached. See *Banbury Development Corp. v. South Jordan*, 631 P.2d 899 (1981); *Dolan v. District of Tigard*, 512 U.S. 374 (1994).

⁴

⁵ See Sections 67-8202(4) and 67-8203(29), Idaho Code.

⁶ See Section 67-8210(4), Idaho Code.

⁷ See Sections 67-8204(1) and 67-8207, Idaho Code.

⁸ See Section 67-8210(1), Idaho Code.

⁹ See Section 67-8205, Idaho Code.

¹⁰ See Section 67-8206(2), Idaho Code.

¹¹ See Section 67-8208, Idaho Code.

¹² See Section 67-8207, Idaho Code.

¹³ See Sections 67-8209 and 67-8210, Idaho Code.

¹⁴ See Section 67-8208, Idaho Code.

¹⁵ See Sections 67-8204 and 67-8206, Idaho Code.

¹⁶ As a comparison and benchmark for the impact fees calculated under the Capital Improvement Plan approach, Galena Consulting also calculated the District's current level of service by quantifying the District's current investment in capital improvements, allocating a portion of these assets to residential and nonresidential development, and dividing the resulting amount by current housing units (residential fees) or current square footage (nonresidential fees). By using current assets to denote the current service standard, this methodology guards against using fees to correct existing deficiencies.

¹⁷ See Section 67-8208, Idaho Code.

¹⁸ See Section 67-8203(23), Idaho Code.

¹⁹ See Section 67-8207, Idaho Code.

²⁰ The impact fee that can be charged to each service unit (in this study, residential dwelling units and nonresidential square feet) cannot exceed the amount determined by dividing the cost of capital improvements attributable to new development (in order to provide an adopted service level) by the total number of service units attributable to new development. See Sections 67-8204(16), 67-8208(1)(f) and 67-8208(1)(g), Idaho Code.

²¹ See Section 67-8203(27), Idaho Code.

²² See Section 67-8203(27), Idaho Code.

²³ The construction of detached garages alongside residential units does not typically trigger the payment of additional impact fees unless that structure will be the site of a home-based business with significant outside employment.

²⁴ See Section 67-8208(1)(e), Idaho Code.

²⁵ See Section 67-8208(1)(h).

²⁶ This assumes the planned levels of service do not exceed the current levels of service.

²⁷ The Impact Fee Act allows a broad range of improvements to be considered as "capital" improvements, so long as the improvements have useful life of at least 10 years and also increase the service capacity of public facilities. See Sections 67-8203(28) and 50-1703, Idaho Code.

²⁸ This assumes that the planned level of service does not exceed the current level of service.

²⁹ This assumes the planned level of service does not exceed the current level of service.

Section II. Land Uses

As noted in Section I, it is necessary to allocate capital improvement plan (CIP) costs to both residential and nonresidential development when calculating impact fees. The study team performed this allocation based on the number of projected new households and nonresidential square footage projected to be added from 2018 through 2028 for the District. These projections were based on the most recent growth estimates from COMPASS, data provided by the City of Middleton, regional real estate market reports, interviews with developers and recommendations from District Staff and the Impact Fee Advisory Committee.

Demographic and land-use projections are some of the most variable and potentially debatable components of an impact fee study, and in all likelihood the projections used in our study will not prove to be 100 percent correct. The purpose of the Advisory Committee's annual review is to account for these inconsistencies. As the CIP is tied to the District's land use growth, the CIP and resulting fees can be revised based on actual growth as it occurs.

The District serves the population of the City of Middleton, as well as portions of unincorporated Canyon County. The following Exhibit II-1 presents the current and estimated future population for the Middleton Rural Fire District.

Exhibit II-1.

Current and Future Population within the boundaries of the Middleton Rural Fire District

	2018	2028	Net Increase	Percent Increase
Population	20,000	32,000	12,000	60%

The Middleton Rural Fire District currently has approximately 18,900 persons residing within their service boundaries. Current and future population estimates were derived by isolating the population within each Transportation Analysis Zone (TAZ) within the District's boundaries according to current COMPASS data. This data was compared to current population estimates from the City of Middleton, which is within the Fire District's boundaries, as well as 2017 permit activity and the number of permits recently approved for future residential and non-residential construction.

Over the next ten years, COMPASS models indicate the Middleton Rural Fire District will grow by approximately 12,000 people, or at an annual growth rate of six percent. Based on this population, the following Exhibit II-2 presents the current and future number of residential units and nonresidential square feet for the Middleton Rural Fire District.

Exhibit II-2.
Current and Future Land Uses, Middleton Rural Fire District

	2018	2028	Net Growth	Net Increase in Square Feet	Percent of Total Growth
Population	20,000	32,000	12,000		
Residential (in units)	6,300	10,667	4,367	8,733,333	93%
Nonresidential (in square feet)	630,000	1,333,333	703,333	703,333	7%
Total				9,436,667	100%

As shown above, the Middleton Rural Fire District is expected to grow by approximately 4,367 residential units and 703,000 nonresidential square feet over the next ten years. Ninety-three percent of this growth is attributable to residential land uses, while the remaining seven percent is attributable to nonresidential growth. These growth projections will be used in the following sections to calculate the appropriate impact fees for the District.

Section III.

Middleton Rural Fire District

Impact Fee Calculation

In this section, we calculate impact fees for the Middleton Rural Fire District according to the seven-question method outlined in Section I of this report.

1. Who is currently served by the Middleton Rural Fire District?

As shown in Exhibit II-2, the District currently serves 6,300 residential units and approximately 630,000 square feet of nonresidential land use.

2. What is the current level of service provided by the Middleton Rural Fire District?

The Middleton Rural Fire District provides a level of service of an 85 percent fractile response time of 4 minutes. As the population of the District grows, additional infrastructure and equipment will be needed to sustain this level of service. Based on conversations with District staff, it is our understanding that the planned level of service is equal to the current level of service.

3. What current assets allow the Middleton Rural Fire District to provide this level of service?

The following Exhibit III-1 displays the current assets of the Middleton Rural Fire District.

Exhibit III-1. Current Assets – Middleton Rural Fire District

Type of Capital Asset	Replacement Value
Facilities	
Middleton Fire Station #1 - Highway 44 (2002)	\$ 4,320,000
Middleton Fire Station #2 Harvey Road (2000)	\$ 980,000
Apparatus/Vehicles	
Engine #1 2002 Pierce Enforcer	\$500,000
Engine #2 2000 BME Penetrator	\$500,000
Ladder Truck 1988 Pierce Quint	\$1,000,000
Water Tender 2000 Kenworth T800	\$375,000
Brush Truck 1995 International 4800	\$275,000
Brush Truck 1996 International 4800	\$275,000
Brush Truck 2005 International 7400	\$275,000
2003 Ford F450	\$40,000
2006 GMC Sierra	\$40,000
2005 Ford F250	\$40,000
2001 Support Trailer	\$5,000
Equipment	
27 SCBA Units	\$175,500
12 Cardiac Monitors/AEDs	\$22,800
3 Thermal Imagers	\$24,800
2 Generators	\$100,000
2 Extrication Equipment Units	\$45,600
Total Assets	\$ 3,993,500
Plus Cost of Fee-Related Research	
Impact Fee Study	\$ 4,000
Grand Total	\$ 8,997,500

As shown above, the District currently owns approximately \$8.9 million of eligible current assets. These assets are used to provide the District's current level of service.

4. What is the current investment per residential unit and nonresidential square foot?

The Middleton Rural Fire District District has already invested \$1,360 per existing residential unit and \$0.68 per existing nonresidential square foot in the capital necessary to provide the current level of service. This figure is derived by allocating the value of the District's current assets between the current number of residential units and nonresidential square feet.

We will compare our final impact fee calculations with these figures to determine if the two results will be similar; this represents a "check" to see if future District residents will be paying for infrastructure at a level commensurate with what existing District residents have invested in infrastructure.

5. What future growth is expected in the Middleton Rural Fire District?

As shown in Exhibit II-2, the Middleton Rural Fire District is expected to grow by approximately 4,367 residential units and 703,000 square feet of nonresidential land use over the next ten years.

6. What new infrastructure is required to serve future growth?

The following Exhibit III-2 displays the capital improvements planned for purchase by the Middleton Rural Fire District over the next ten years.

**Exhibit III-2.
Middleton Rural Fire District CIP 2018 to 2027**

Type of Capital Infrastructure	CIP Value	Growth Portion <i>times</i>	Demand 2018-2027 <i>times</i>	Amount to Include in Fees <i>equals</i>	Amount from Other Sources or post 2028
Facilities					
Middleton Station - North	\$ 3,500,000	100%	80%	\$2,800,000	\$700,000
Vehicles					
Additional Engine for new station	\$ 600,000	100%	80%	\$480,000	\$120,000
Additional tender for new station	\$ 375,000	100%	80%	\$300,000	\$75,000
Additional brush truck	\$ 275,000	100%	80%	\$220,000	\$55,000
Additional command vehicles - 2	\$ 80,000	100%	80%	\$64,000	\$16,000
Replace 2 engines	\$ 1,200,000	0%	-	\$0	\$1,200,000
Replace command vehicles	\$ 120,000	0%	-	\$0	\$120,000
Replace brush trucks	\$ 825,000	0%	-	\$0	\$825,000
Replace ladder truck	\$ 1,000,000	0%	-	\$0	\$1,000,000
Equipment					
Replace SCBA	\$ 175,500	0%	-	\$0	\$175,500
Additional Extrication Unit	\$ 22,800	100%	80%	\$18,240	\$4,560
Replace 3 Thermal Imagers	\$ 24,600	0%	-	\$0	\$24,600
Additional SCBA Units	\$ 78,000	100%	80%	\$62,400	\$15,600
Additional Thermal Imager	\$ 18,000	100%	80%	\$14,400	\$3,600
Additional Generator	\$ 50,000	100%	80%	\$40,000	\$10,000
3 Additional Cardiac Monitors/AEDs	\$ 5,700	100%	80%	\$4,560	\$1,140
Total Infrastructure	\$ 6,349,600			\$4,003,600	\$4,346,000
Plus Cost of Fee-Related Research					
Impact Fee Study	\$ 4,000	100%		\$4,000	\$0
Grand Total	\$ 8,353,600	\$ 5,008,600		\$4,007,600	\$4,346,000

As shown above, the District plans to purchase approximately \$8.4 million in capital improvements over the next ten years, \$5.0 million of which is necessitated by growth. Of this \$5.0 million, \$4.0 million is necessitated by growth through 2028. These new assets will allow the District to achieve its planned level of service in the future. The commencement and completion dates for the District's growth-related capital infrastructure depend on the timing and pace of the projected growth.

Of the remaining \$4.3 million, \$1.0 million will need to be collected by projected growth from 2029-2031. The remaining \$3.3 million is the price for the District to replace existing apparatus, vehicles and other equipment. Replacement of existing capital is not eligible for inclusion in the impact fee calculations. The District will therefore have to use other sources of revenue including all of those listed in Idaho Code 67- 8207(iv)(2)(h).

7. What impact fee is required to pay for the new capital improvements?

The following Exhibit III-3 takes the projected future growth from Exhibits II-2 and the growth-related CIP from Exhibit III-2 to calculate impact fees for the Middleton Rural Fire District.

Exhibit III-3.**DRAFT Impact Fee Calculation, Middleton Rural Fire District**

Amount to Include in Impact Fee Calculation		\$4,007,600
Percentage of Future Growth		
Residential		93%
Non Residential		7%
Amount Attributable to Future Growth		
Residential		\$ 3,708,906
Non Residential		\$ 298,694
Future Growth 2017-2026		
Residential (per unit)		4,367
Non Residential (per square foot)		703,333
Impact Fee		
Residential (per unit)	\$	849
Non Residential (per square foot)	\$	0.42

As shown above, we have calculated impact fees for the Middleton Rural Fire District at \$849 per residential unit and \$0.42 per nonresidential square foot. In comparison, as indicated in question #4 above, property taxpayers within the District have already invested \$1,360 per residential unit and \$0.68 per nonresidential square foot in the capital inventory necessary to provide today's level of service. The difference between the current investment and the impact fee per unit indicates current taxpayers have already built in some capacity for future development.

The District cannot assess fees greater than the amounts shown above. The District may assess fees lower than these amounts, but would then experience a decline in service levels unless the District used other revenues to make up the difference.

It should be noted that the \$3.3 million associated with purely non-growth improvements is discretionary. The District can choose not to fund these capital improvements (although this could result in a decrease in the level of service if the deferred repairs or replacements were urgent).

Section IV.

Fee Analysis and Administrative Recommendations

A comparison of the calculated Fire impact fee to similar fees being assessed by the Kuna Rural Fire District, Star Fire District, North Ada County Fire and Rescue District, City of Meridian, City of Nampa and City of Boise; as well as being considered by the Wilder Rural Fire District, Marsing Rural Fire District, City of Caldwell/Caldwell Rural Fire District and Eagle Fire District is provided in Exhibit IV-1:

Exhibit IV-1.

DRAFT Impact Fee Comparison - Fire

FOR DISCUSSION PURPOSES ONLY	Middleton Rural Fire District	City of Caldwell/Caldwell Rural Fire	City of Nampa/Nampa Rural Fire	Wilder Fire District	Marsing Fire District	City of Boise/ ACHD	City of Meridian/ ACHD	City of Eagle/ Fire District/ ACHD	City of Star/ Fire District/ ACHD	City of Kuna/ Fire District/ ACHD	North Ada Fire and Rescue ACHD
	draft	draft		draft	draft		being updated				
per Residential Unit	\$ 842	\$ 720	\$ 560	\$ 608	\$ 1,285	\$ 526	\$ 881	\$ 828	\$ 809	\$ 701	\$ 647
per Non-Residential sf	\$ 0.42	\$ 0.36	\$ 0.28	\$ 0.30	\$ 0.64	\$ 0.15	\$ 0.35	\$ 0.33	\$ 0.33	\$ 0.35	\$ 0.32

The calculated impact fee for the Middleton Rural Fire District is very close in range to the Star and Eagle Fire Protection Districts, to which it is most similar development-wise. The calculated impact fee is higher than those fees currently being assessed by some municipal fire departments in the valley for several reasons. First, these fire departments have created capacity in their capital facilities and other assets with which to provide service to new growth. Second, growth in these areas has begun to become more dense and urban, which does not necessitate new stations being built to serve new growth as there are stations already appropriately located to serve this growth.

Some communities express concern that impact fees will stifle growth. Empirical data indicates impact fees are not a primary reason for a decision to build or not build in a particular area. Factors including the price of land and construction, market demand, the availability of skilled workers, access to major transportation modes, amenities for quality of life, etc. all weigh more heavily in decisions to construct new homes or businesses, as well for business relocation. Ultimately the impact fee, which is paid at the time of building permit, is passed along to the buyer in the purchase price or wrapped into a lease rate. Therefore, in a market with a high demand for development, an impact fee higher than other jurisdictions is unlikely to slow growth.

An impact fee program will enable the District to plan for growth without decreasing its service levels (response time and recreation amenities), which can decrease buyer satisfaction and cause property insurance premiums to increase. It will also allow the District to collect a proportionate share of the cost of capital improvements from growth instead of funding all future capital through property taxes assessed to existing residents and businesses.

As the District Commission evaluates whether or not to adopt the Capital Improvement Plan and impact fees presented in this report, we also offer the following information regarding District participation in funding, and implementation recommendations for your consideration.

Implementation Recommendations

The following implementation recommendations should be considered:

Intergovernmental Agreements. The Middleton Rural Fire District is enabled under Idaho Code as a governmental entity to adopt impact fees. However, because impact fees are paid upon building permit, and the District does not participate in this process, they need another governmental entity to collect these fees on their behalf. Idaho Code 67-8204(a) authorizes the District to enter into an intergovernmental agreement with a city or county which can collect fees on their behalf. In the case of these District, which includes one municipality and one county¹, two intergovernmental agreements for the collection of impact fees would have to be developed and adopted by the corresponding bodies.

Impact fees would be assessed on new developments by the appropriate building department and then distributed to the District on an agreed-upon schedule. It is customary for the District to pay a small administrative fee to the collecting entity for this service.

Canyon County does not currently collect impact fees for any jurisdiction within its boundaries. No cities in Canyon County currently collect fire impact fees for any fire district.

Pursuant to an ongoing effort to educate elected officials on the impacts of growth to various jurisdictions, fire chiefs around the valley have determined that the Canyon County Commission and various municipalities may be prepared to consider collecting on the behalf of growth-related fire capital needs. If the Middleton Rural Fire District chose to pursue fire impact fees, the Chief and Director would join Galena Consulting and other fire agencies in a broad discussion with Canyon County about how to execute the required intergovernmental agreements.

Capital Improvements Plan. Should the Advisory Committee recommend this study to the District Commission and should the Commission adopt the study, the District should also formally adopt this Capital Improvement Plan. While not subject to the procedures of the Local Land Use Planning Act (LLUPA), the adoption of the Capital Improvement Plan would comply with the Act's requirements of other governmental entities to adopt capital improvement plans into a Comprehensive Plan as part of the adoption of impact fees.

Impact Fee Ordinance. Following adoption of the Capital Improvement Plan, the collecting jurisdiction (City of Middleton or Canyon County) should review the proposed Impact Fee Ordinance for adoption via resolution as reviewed and recommended by the Advisory Committee and legal counsel.

Advisory Committee. The Advisory Committee is in a unique position to work with and advise Commission and District staff to ensure that the capital improvement plans and impact fees are routinely reviewed and modified as appropriate.

Impact fee service area. Some municipalities have fee differentials for various zones under the assumption that some areas utilize more or less current and future capital improvements. The study team, however, does not recommend the District assess different fees by dividing the areas into zones. The capital improvements identified in this report inherently serve a system-wide function.

Specialized assessments. If permit applicants are concerned they would be paying more than

¹ The Middleton Fire District also serves a very small part of Gem County. There is no intention at this time to execute a collection agreement with Gem County.

their fair share of future infrastructure purchases, the applicant can request an individualized assessment to ensure they will only be paying their proportional share. The applicant would be required to prepare and pay for all costs related to such an assessment.

Donations. If a District receives donations for capital improvements listed on the CIP, they must account for the donation in one of two ways. If the donation is for a non- or partially growth-related improvement, the donation can contribute to the District's General Fund participation along with more traditional forms, such as revenue transfers from the General Fund. If, however, the donation is for a growth-related project in the CIP, the donor's impact fees should be reduced dollar for dollar. This means that the District will either credit the donor or reimburse the donor for that portion of the impact fee.

Credit/reimbursement. If a developer constructs or contributes all or part of a growth-related project that would otherwise be financed with impact fees, that developer must receive a credit against the fees owed for this category or, at the developer's choice, be reimbursed from impact fees collected in the future.³⁷ This prevents "double dipping" by the District.

The presumption would be that builders/developers owe the entirety of the impact fee amount until they make the District aware of the construction or contribution. If credit or reimbursement is due, the governmental entity must enter into an agreement with the fee payer that specifies the amount of the credit or the amount, time and form of reimbursement.³⁸

Impact fee accounting. The District should maintain Impact Fee Funds separate and apart from the General Fund. All current and future impact fee revenue should be immediately deposited into this account and withdrawn only to pay for growth-related capital improvements of the same category. General Funds should be reserved solely for the receipt of tax revenues, grants, user fees and associated interest earnings, and ongoing operational expenses including the repair and replacement of existing capital improvements not related to growth.

Spending policy. The District should establish and adhere to a policy governing their expenditure of monies from the Impact Fee Fund. The Fund should be prohibited from paying for any operational expenses and the repair and replacement or upgrade of existing infrastructure not necessitated by growth. In cases when *growth-related capital improvements are constructed*, impact fees are an allowable revenue source as long as only new growth is served. In cases when new capital improvements are expected to *partially replace existing capacity and to partially serve new growth*, cost sharing between the General Fund or other sources of revenue listed in Idaho Code 67-8207(I)(iv), (2)(h) and Impact Fee Fund should be allowed on a pro rata basis.

Update procedures. The District are expected to grow rapidly over the 10-year span of the CIPs. Therefore, the fees calculated in this study should be updated annually as the District invest in additional infrastructure beyond what is listed in this report, and/or as the District' projected development changes significantly. Fees can be updated on an annual basis using an inflation factor for building material from a reputable source such as McGraw Hill's Engineering News Record. As described in Idaho Code 67-8205(3)(c)(d)(e), the Advisory Committee will play an important role in these updates and reviews.

³⁷ See Section 67-8209(3), Idaho Code.

³⁸ See Section 67-8209(4), Idaho Code

FINAL REPORT

May 14, 2018

**Middleton Parks and Recreation District
Impact Fee Study and
Capital Improvement Plan**

Prepared By

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Section I.

Introduction

This report regarding impact fees for the Middleton Parks and Recreation District is organized into the following sections:

- An overview of the report's background and objectives;
- A definition of impact fees and a discussion of their appropriate use;
- An overview of land use and demographics;
- A step-by-step calculation of impact fees under the Capital Improvement Plan (CIP) approach;
- A list of implementation recommendations; and
- A brief summary of conclusions.

Background and Objectives

The Middleton Parks and Recreation District hired Galena Consulting to calculate impact fees.

This document presents impact fees based on the District's demographic data and infrastructure costs before credit adjustment; calculates the District's monetary participation; examines the likely cash flow produced by the recommended fee amount; and outlines specific fee implementation recommendations. Credits can be granted on a case-by-case basis; these credits are assessed when each individual building permit is pulled.

Definition of Impact Fees

Impact fees are one-time assessments established by local governments to assist with the provision of Capital Improvements necessitated by new growth and development. Impact fees are governed by principles established in Title 67, Chapter 82, Idaho Code, known as the Idaho Development Impact Fee Act (Impact Fee Act). The Idaho Code defines an impact fee as "... a payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development."¹

Purpose of impact fees. The Impact Fee Act includes the legislative finding that "... an equitable program for planning and financing public facilities needed to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety and general welfare of the citizens of the state of Idaho."²

Idaho fee restrictions and requirements. The Impact Fee Act places numerous restrictions on the calculation and use of impact fees, all of which help ensure that local governments adopt impact fees that are consistent with federal law.³ Some of those restrictions include:

- Impact fees shall not be used for any purpose other than to defray system improvement costs incurred to provide additional public facilities to serve new growth;⁴
- Impact fees must be expended within 8 years from the date they are collected. Fees may be held in certain circumstances beyond the 8-year time limit if the governmental entity can provide reasonable cause;⁵
- Impact fees must not exceed the proportionate share of the cost of capital improvements needed to serve new growth and development;⁶
- Impact fees must be maintained in one or more interest-bearing accounts within the capital projects fund.⁷

In addition, the Impact Fee Act requires the following:

- Establishment of and consultation with a development impact fee advisory committee (Advisory Committee);⁸
- Identification of all existing public facilities;
- Determination of a standardized measure (or service unit) of consumption of public facilities;
- Identification of the current level of service that existing public facilities provide;
- Identification of the deficiencies in the existing public facilities;
- Forecast of residential and nonresidential growth;⁹
- Identification of the growth-related portion of the District's Capital Improvement Plan;¹⁰
- Analysis of cash flow stemming from impact fees and other capital improvement funding sources;¹¹
- Implementation of recommendations such as impact fee credits, how impact fee revenues should be accounted for, and how the impact fees should be updated over time;¹²
- Preparation and adoption of a Capital Improvement Plan pursuant to state law and public hearings regarding the same;¹³ and
- Preparation and adoption of a resolution authorizing impact fees pursuant to state law and public hearings regarding the same.¹⁴

How should fees be calculated? State law requires the District to implement the Capital Improvement Plan methodology to calculate impact fees. The District can implement fees of any amount not to exceed the fees as calculated by the CIP approach. This methodology requires the District to describe its service areas, forecast the land uses, densities and population that are expected to occur in those service areas over the 10-year CIP time horizon, and identify the capital improvements that will be needed to serve the forecasted growth at the planned levels of service, assuming the planned levels of service do not exceed the current levels of service.¹⁵ Only those items identified as growth-related on the CIP are eligible to be funded by impact fees.

The governmental entity intending to adopt an impact fee must first prepare a capital improvements plan.¹⁷ Once the essential capital planning has taken place, impact fees can be calculated. The Impact Fee Act places many restrictions on the way impact fees are calculated and spent, particularly via the principal that local governments cannot charge new development more than a “proportionate share” of the cost of public facilities to serve that new growth. “Proportionate share” is defined as “. . . that portion of the cost of system improvements . . . which reasonably relates to the service demands and needs of the project.”¹⁹ Practically, this concept requires the District to carefully project future growth and estimate capital improvement costs so that it prepares reasonable and defensible impact fee schedules.

The proportionate share concept is designed to ensure that impact fees are calculated by measuring the needs created for capital improvements by development being charged the impact fee; do not exceed the cost of such improvements; and are “earmarked” to fund growth-related capital improvements to benefit those that pay the impact fees.

There are various approaches to calculating impact fees and to crediting new development for past and future contributions made toward system improvements. The Impact Fee Act does not specify a single type of fee calculation, but it does specify that the formula be “reasonable and fair.” Impact fees should take into account the following:

- Any appropriate credit, offset or contribution of money, dedication of land, or construction of system improvements;
- 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;
- That portion of general tax and other revenues allocated by the District to growth-related system improvements; and
- All other available sources of funding such system improvements.²⁰

Through data analysis and interviews with the District, Galena Consulting identified the share of each capital improvement needed to serve growth. The total projected capital improvements needed to serve growth are then allocated to residential and nonresidential development with the resulting amounts divided by the appropriate growth projections from 2017 to 2027. This is consistent with the Impact Fee Act.²¹ Among the advantages of the CIP approach is its establishment of a spending plan to give developers and new residents more certainty about the use of the particular impact fee revenues.

Other fee calculation considerations. The basic CIP methodology used in the fee calculations is presented above. However, implementing this methodology requires a number of decisions. The considerations accounted for in the fee calculations include the following:

- Allocation of costs is made using a service unit which is “a standard measure of consumption, use, generation or discharge attributable to an individual unit²² of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvement.”²³ The service units chosen by the study team for every fee calculation in this study are linked directly to residential dwelling units and nonresidential development square feet.²⁴
- A second consideration involves refinement of cost allocations to different land uses. According to Idaho Code, the CIP must include a “conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural and industrial.”²⁵ In this analysis, the study team has chosen to use the highest level of detail supportable by available data and, as a result, in this study, the fee is allocated between aggregated residential (i.e., all forms of residential housing) and nonresidential development (all nonresidential uses including retail, office, agricultural and industrial).

Current Assets and Capital Improvement Plans

The CIP approach estimates future capital improvement investments required to serve growth over a fixed period of time. The Impact Fee Act calls for the CIP to “. . . project demand for system improvements required by new service units . . . over a reasonable period of time not to exceed 20 years.”²⁶ The impact fee study team recommends a 10-year time period based on the District’s best available capital planning data.

The types of costs eligible for inclusion in this calculation include any land purchases, construction of new facilities and expansion of existing facilities to serve growth over the next 10 years at planned and/or adopted service levels.²⁷ Equipment and vehicles with a useful life of 10 years or more are also impact fee eligible under the Impact Fee Act.²⁸ The total cost of improvements over the 10 years is referred to as the “CIP Value” throughout this report. The cost of this impact fee study is also impact fee eligible for all impact fee categories.

The forward-looking 10-year CIP for the District include some facilities that are only partially necessitated by growth (e.g., facility expansion). The study team met with the District to determine a defensible metric for including a portion of these facilities in the impact fee calculations. A general methodology used to determine this metric is discussed below. In some cases, a more specific metric was used to identify the growth-related portion of such improvements. In these cases, notations were made in the applicable section.

Fee Calculation

In accordance with the CIP approach described above, we calculated fees for each district by answering the following seven questions:

1. **Who is currently served by the District?** This includes the number of residents as well as the number of residential units.
2. **What is the current level of service provided by the District?** Since an important purpose of impact fees is to help the District achieve its planned level of service²⁹, it is necessary to know the levels of service it is currently providing to the community.
3. **What current assets allow the District to provide this level of service?** This provides a current inventory of assets used by the District, such as facilities, land and equipment. In addition, each asset's replacement value was calculated and summed to determine the total value of the District's current assets.
4. **What is the current investment per residential and nonresidential land use?** In other words, how much of the District's current assets' total value is needed to serve current residential households?
5. **What future growth is expected in the District?** How many new residential households will the District serve over the CIP period?
6. **What new infrastructure is required to serve future growth?** For example, how many additional parks will be needed by the Middleton Parks and Recreation District within the next ten years to achieve the planned level of service of the District?³⁰
7. **What impact fee is required to pay for the new infrastructure?** We calculated an apportionment of new infrastructure costs to future residential land-uses for the District. Then, using this distribution, the impact fees were determined.

Addressing these seven questions, in order, provides the most effective and logical way to calculate impact fees for the District. In addition, these seven steps satisfy and follow the regulations set forth earlier in this section.

Projects that are 100 percent growth-related were determined by our study to be necessitated solely by growth. Alternatively, some projects can be determined to be "mixed," with some aspects of growth and others aspects of repair and replacement. In these situations, only a portion of the total cost of each project is included in the final impact fee calculation.

It should be understood that growth is expected to pay only the portion of the cost of capital improvements that are growth-related. The District will need to plan to fund the pro rata share of these partially growth-related capital improvements with revenue sources other than impact fees within the time frame that impact fees must be spent. These values will be calculated and discussed in Section IV of this report.

Exhibits found in Section III of this report detail all capital improvements planned for purchase over the next ten years by the District.

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- ¹ See Section 67-8203(9), Idaho Code. "System improvements" are capital improvements (i.e., improvements with a useful life of 10 years or more) that, in addition to a long life, increase the service capacity of a public facility. Public facilities include fire, emergency medical and rescue facilities. See Sections 67-8203(3), (24) and (28), Idaho Code.
- ² See Section 67-8202, Idaho Code.
- ³ As explained further in this study, proportionality is the foundation of a defensible impact fee. To meet substantive due process requirements, an impact fee must provide a rational relationship (or nexus) between the impact fee assessed against new development and the actual need for additional capital improvements. An impact fee must substantially advance legitimate local government interests. This relationship must be of "rough proportionality." Adequate consideration of the factors outlined in Section 67-8207(2) ensure that rough proportionality is reached. See *Banbury Development Corp. v. South Jordan*, 631 P.2d 899 (1981); *Dolan v. District of Tigard*, 512 U.S. 374 (1994).
- ⁴ See Sections 67-8202(4) and 67-8203(29), Idaho Code.
- ⁵ See Section 67-8210(4), Idaho Code.
- ⁶ See Sections 67-8204(1) and 67-8207, Idaho Code.
- ⁷ See Section 67-8210(1), Idaho Code.
- ⁸ See Section 67-8205, Idaho Code.
- ⁹ See Section 67-8206(2), Idaho Code.
- ¹⁰ See Section 67-8208, Idaho Code.
- ¹¹ See Section 67-8207, Idaho Code.
- ¹² See Sections 67-8209 and 67-8210, Idaho Code.
- ¹³ See Section 67-8208, Idaho Code.
- ¹⁴ See Sections 67-8204 and 67-8206, Idaho Code.
- ¹⁵ As a comparison and benchmark for the impact fees calculated under the Capital Improvement Plan approach, Galena Consulting also calculated the District's current level of service by quantifying the District's current investment in capital improvements, allocating a portion of these assets to residential and nonresidential development, and dividing the resulting amount by current housing units (residential fees) or current square footage (nonresidential fees). By using current assets to denote the current service standard, this methodology guards against using fees to correct existing deficiencies.
- ¹⁷ See Section 67-8208, Idaho Code.
- ¹⁹ See Section 67-8203(23), Idaho Code.
- ²⁰ See Section 67-8207, Idaho Code.
- ²¹ The impact fee that can be charged to each service unit (in this study, residential dwelling units and nonresidential square feet) cannot exceed the amount determined by dividing the cost of capital improvements attributable to new development (in order to provide an adopted service level) by the total number of service units attributable to new development. See Sections 67-8204(16), 67-8208(1)(f) and 67-8208(1)(g), Idaho Code.
- ²² See Section 67-8203(27), Idaho Code.
- ²³ See Section 67-8203(27), Idaho Code.
- ²⁴ The construction of detached garages alongside residential units does not typically trigger the payment of additional impact fees unless that structure will be the site of a home-based business with significant outside employment.
- ²⁵ See Section 67-8208(1)(e), Idaho Code.
- ²⁶ See Section 67-8208(1)(h).
- ²⁷ This assumes the planned levels of service do not exceed the current levels of service.
- ²⁸ The Impact Fee Act allows a broad range of improvements to be considered as "capital" improvements, so long as the improvements have useful life of at least 10 years and also increase the service capacity of public facilities. See Sections 67-8203(28) and 50-1703, Idaho Code.
- ²⁹ This assumes that the planned level of service does not exceed the current level of service.
- ³⁰ This assumes the planned level of service does not exceed the current level of service.
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Section II. Land Uses

As noted in Section I, it is necessary to allocate capital improvement plan (CIP) costs to both residential and nonresidential development when calculating impact fees. The study team performed this allocation based on the number of projected new households projected to be added from 2017 through 2027 for the District. These projections were based on the most recent growth estimates from COMPASS, data provided by the City of Middleton, regional real estate market reports, interviews with developers and recommendations from District Staff and the Impact Fee Advisory Committee.

Demographic and land-use projections are some of the most variable and potentially debatable components of an impact fee study, and in all likelihood the projections used in our study will not prove to be 100 percent correct. The purpose of the Advisory Committee's annual review is to account for these inconsistencies. As each CIP is tied to the District's land use growth, the CIP and resulting fees can be revised based on actual growth as it occurs.

The District serves the population of the City of Middleton, as well as portions of unincorporated Canyon County. The following Exhibit II-1 presents the current and estimated future population for the Middleton Parks and Recreation District.

Exhibit II-1.

Current and Future Population within the boundaries of the Middleton Parks and Recreation District

	2017	2027	Net Increase	Percent Increase
Population	18,900	34,500	15,600	84%

The Middleton Parks and Recreation District currently has approximately 18,900 persons residing within their service boundaries. Current and future population estimates were derived by isolating the population within each Transportation Analysis Zone (TAZ) within the District's boundaries according to current COMPASS data. This data was compared to current population estimates from the City of Middleton, which is within the Parks District's boundaries, as well as 2017 permit activity and the number of permits recently approved for future residential and non-residential construction.

Over the next ten years, COMPASS models indicate the Middleton Parks and Recreation District will grow by approximately 15,600 people, or at an annual growth rate of 8.4 percent. These growth projections are higher than those predicted for the Middleton Rural Fire District due to the recent annexation of the Willowbrook development into the City of Star. This development is anticipated to have 3,000 new homes and will be located primarily in the Canyon County portion of the City of Star, which is within the Middleton Parks and Recreation District boundaries. These homes will primarily be within the boundaries of the Star Rural Fire Protection District, and not the Middleton Rural Fire District.

Based on this population, the following Exhibit II-2 presents the current and future number of residential units for the Middleton Parks and Recreation District.

Exhibit II-2.**Current and Future Land Uses, Middleton Parks and Recreation District**

	2017	2027	Net Growth	Net Increase in Square Feet	Percent of Total Growth
Population	18,900	34,500	15,600		
Residential (in units)	6,300	11,500	5,200	10,400,000	83%

As shown above, the Middleton Parks and Recreation District is expected to grow by approximately 5,200 residential units over the next ten years. As parks impact fees are only collected from residential uses, there are no projected non-residential square feet included in these calculations.

These growth projections will be used in the following sections to calculate the appropriate impact fees for the District.

Section III.

Middleton Parks and Recreation District

Impact Fee Calculation

In this section, we calculate impact fees for the Middleton Parks and Recreation District according to the seven-question method outlined in Section I of this report.

1. Who is currently served by the Middleton Parks and Recreation District?

As shown in Exhibit II-2, the District currently serves 6,300 residential units.

2. What is the current level of service provided by the Middleton Parks and Recreation District?

The Middleton Parks and Recreation District provides a level of service of 1.2 acres per 1,000 population. More importantly, the District provides numerous recreational fields for sports, as well as restrooms and recreational programming. As the population of the District grows, additional infrastructure and equipment will be needed to sustain this level of service. Based on conversations with District staff, it is our understanding that the planned level of service is equal to the current level of service.

3. What current assets allow the Middleton Parks and Recreation District to provide this level of service?

The following Exhibit III-1 displays the current assets of the Middleton Parks and Recreation District.

Exhibit III-1.
Current Assets – Middleton Parks and Recreation District

Type of Capital Asset	Acres Developed	Acres Undeveloped	Replacement Value
Facilities			
Payne Park - 1 baseball and 1 soccer field	3.7		\$ 370,000
Hawthorne Park - 6 baseball fields, 1 soccer field	7.0		\$ 700,000
Footie Park - soccer/baseball fields, volleyball, restrooms/concessions	5.0		\$ 500,000
Footie Park - undeveloped		18.0	\$ 990,000
Minot - undeveloped (land for shop)		1.0	\$ 55,000
Community Center Improvements			\$ 250,000
Office		1.0	\$ 377,483
Equipment over \$25k and 10 year life			\$ 496,620
Total Assets	15.7	20.0	\$ 3,739,103
Plus Cost of Fee-Related Research			
Impact Fee Study			\$ 4,000
Grand Total			\$ 3,743,103

As shown above, the District currently owns approximately \$3.7 million of eligible current assets. These assets are used to provide the District's current level of service.

4. What is the current investment per residential unit?

The Middleton Parks and Recreation District has already invested \$594 per existing residential unit in capital necessary to provide the current level of service. This figure is derived by allocating the value of the District's current assets between the current number of residential units. As Parks and Recreation services are generally provided to residential uses, non-residential units are not considered in this portion of the analysis.

We will compare our final impact fee calculations with these figures to determine if the two results will be similar; this represents a "check" to see if future District residents will be paying for infrastructure at a level commensurate with what existing District residents have invested in infrastructure.

5. What future growth is expected in the Middleton Parks and Recreation District?

As shown in Exhibit II-2, the Middleton Parks and Recreation District is expected to grow by approximately 5,200 residential units over the next ten years.

6. What new infrastructure is required to serve future growth?

The following Exhibit III-2 displays the capital improvements planned for purchase by the Middleton Parks and Recreation District over the next ten years.

Exhibit III-2.
Middleton Parks and Recreation District CIP 2018 to 2027

Type of Capital Infrastructure	New Acres	CIP Value	Growth times Portion	Amount to Include in Fees	Amount from Other Sources
Facilities					
Hawthorne Park curb and gutter, parking lot		\$ 113,000	83%	\$93,270	\$19,730
Payne Park restroom and parking lot		\$ 80,000	83%	\$66,400	\$13,600
Foote Park pathways		\$ 255,000	0%	\$0	\$255,000
Foote Park irrigation, baseball diamonds, playground, parking lot		\$ 1,025,000	83%	\$850,750	\$174,250
Development of BLM land for equestrian/ATV trails, range		\$ 2,000,000	0%	\$0	\$2,000,000
Community Center Acquisition		\$ 80,000	0%	\$0	\$80,000
Community Center Improvements		\$ 1,000,000	50%	\$500,000	\$500,000
Land Acquisition for Fields for Growth	20	\$ 1,500,000	100%	\$1,500,000	\$0
 Minot Lot - develop for shop/equipment		\$ 180,000	0%	\$0	\$180,000
Total Infrastructure		\$ 6,233,000		\$3,010,420	\$3,222,580
Plus Cost of Fee-Related Research					
Impact Fee Study		\$4,000	100%	\$4,000	\$0
Grand Total		\$6,237,000		\$3,014,420	\$3,222,580

As shown above, the District plans to purchase approximately \$6.2 million in capital improvements over the next ten years, \$3.0 million of which is impact fee eligible. These new assets will allow the District to continue its current level of service in the future. The commencement and completion dates for the District's growth-related capital infrastructure depend on the timing and pace of the projected growth.

Of the remaining approximately \$3.2 million, \$707,580 is the non-growth-related portion of the various parks development and recreational facility development. \$2.5 million of the \$3.2 million is the cost of the Foote Park Pathways project, for which grants have been obtained; the BLM equestrian, ATV and range facility; the acquisition of the Community Center; and the development of the Minot shop facility. As it is unclear how the District will fund the BLM project at this time, growth's share was not calculated.

7. What impact fee is required to pay for the new capital improvements?

The following Exhibit III-3 takes the projected future growth from Exhibits II-2 and the growth-related CIP from Exhibit III-2 to calculate impact fees for the Middleton Parks and Recreation District.

Exhibit III-3.

DRAFT Impact Fee Calculation, Middleton Parks and Recreation District

Amount to Include in Impact Fee Calculation	\$3,014,420
Percentage of Future Growth	
Residential	83%
Amount Attributable to Future Growth	
Residential	\$ 2,488,093
Future Growth 2018-2027	
Residential (per unit)	5,200
Impact Fee	
Residential (per unit)	\$ 478

As shown above, we have calculated impact fees for the Middleton Parks and Recreation District at \$478 per residential unit. In comparison, as indicated in question #4 above, property taxpayers within the District have already invested \$594 per residential unit in the capital inventory necessary to provide today's level of service. The difference between the current investment and the impact fee per unit indicates current taxpayers have already built in some capacity for future development.

The District cannot assess fees greater than the amounts shown above. The District may assess fees lower than these amounts but would then experience a decline in service levels unless the District used other revenues to make up the difference.

Because not all the capital improvements listed in the CIP are 100 percent growth-related, the District would assume the responsibility of paying for those portions of the capital improvements that are not attributable to new growth. These payments would come from other sources of revenue including all of those listed in Idaho Code 67-8207(iv)(2)(h).

To arrive at this participation amount, the expected impact fee revenue needs to be subtracted from the total CIP value. Exhibit IV-4 divides the District's participation amount into two categories: the portion of purely non-growth-related improvements, and the portion of growth-related improvements that are attributable to upgrade but are not impact fee eligible.

It should be noted that the participation amount associated with purely non-growth improvements, such as the Foote Park Pathways, the BLM land development, the acquisition of the Community Center, and the Minot parcel shop development is discretionary. The District can choose not to fund these capital improvements. However, the non-growth-related portion of improvements that are impact fee eligible *must* be funded in order to maintain the integrity of the impact fee program.

Exhibit III-4.

**Middleton Parks and Recreation District Participation Summary,
2018-2027**

	Required	Discretionary	Total
Parks	\$ 707,580	\$2,515,000	\$ 3,222,580

The total amount the District would be *required* to contribute over 10 years, should the District adopt fees at the calculated amount, is \$707,580 for the non-growth portion of the various park development projects and the improvements to the Community Center. The District could also *choose to fund* the discretionary infrastructure of \$2.5 million for Foote Park Pathways, the BLM park, the acquisition of the Community Center and the development of the shop/equipment facility. While District has the option to fund these capital improvements over the 10-year period, these payments are not required.

It is important to note that the City of Middleton, which provides traditional, historically-focused parks infrastructure for its residents, also assesses a parks impact fee. This fee of \$1,485 per residential unit is assessed to all new residential development within the City boundaries. All new development within the City of Middleton is also within the Parks and Recreation District. If the Middleton Parks and Recreation District impact fee is adopted, it would be added to the Middleton City parks fee in the city limits.

It is important to note that the City of Star, which provides traditional parks infrastructure for its residents, also assesses a parks impact fee. This fee of \$2,050 per residential unit is assessed to all new residential development within the City boundaries. A small portion of the City of Star – in particular 1,550 recently annexed – is within the boundaries of the Middleton Parks and Recreation District. If the Middleton Parks and Recreation District impact fee is adopted, it would be added to the Star City parks fee where such boundaries overlap.

The Middleton Parks and Recreation impact fee would be assessed as the only parks impact fee to residential development within the District but not within either incorporated Middleton or Star.

Section IV.

Fee Analysis and Administrative Recommendations

A comparison of the calculated District Parks impact fee and the City of Middleton's parks fee to parks fees of these other jurisdictions is provided in Exhibit V-2:

Exhibit V-2.

DRAFT Impact Fee Comparison - Parks

FOR DISCUSSION PURPOSES ONLY

	Middleton	Adopted Kuna	DRAFT Star	DRAFT Eagle	City of Meridian	City of Caldwell	City of Boise	City of Nampa
Parks - per residential unit								
Middleton Parks	\$ 1,485	\$ 983	\$ 2,050	\$ 1,333	\$ 1,081	\$ 805	\$ 1,390	\$ 1,242
District DRAFT	\$ 478							

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When added to the impact fee already assessed by the City of Middleton for parks infrastructure, the calculated impact fee for the Middleton Parks and Recreation District is very close in range to the parks impact fee assessed by the City of Star, to which it is contiguous. A new home within the City of Star that is *also* within the Middleton Parks and Recreation District (potentially 3,000 new homes over the next 10-20 years) would pay Star's parks impact fee and the Middleton Parks and Recreation District impact fee. Development in the unincorporated area of the Middleton Parks and Recreation District would only pay the District's impact fee of \$478.

Some communities express concern that impact fees will stifle growth. Empirical data indicates impact fees are not a primary reason for a decision to build or not build in a particular area. Factors including the price of land and construction, market demand, the availability of skilled workers, access to major transportation modes, amenities for quality of life, etc. all weigh more heavily in decisions to construct new homes or businesses, as well for business relocation. Ultimately the impact fee, which is paid at the time of building permit, is passed along to the buyer in the purchase price or wrapped into a lease rate. Therefore, in a market with a high demand for development, an impact fee higher than other jurisdictions is unlikely to slow growth.

An impact fee program will enable the District to plan for growth without decreasing its service levels (acreage per 1,000 population and recreation amenities), which can decrease buyer satisfaction and cause property insurance premiums to increase. It will also allow the District to collect a proportionate share of the cost of capital improvements from growth instead of funding all future capital through property taxes assessed to existing residents and businesses.

As the District Commission evaluates whether or not to adopt the Capital Improvement Plan and impact fee presented in this report, we also offer the following information regarding District participation in funding, and implementation recommendations for your consideration.

Implementation Recommendations

The following implementation recommendations should be considered:

Intergovernmental Agreements. The Middleton Parks and Recreation District is enabled under Idaho Code as a governmental entity to adopt impact fees. However, because impact fees are paid upon building permit, and the District does not participate in this process, they need another governmental entity to collect these fees on their behalf. Idaho Code 67-8204(a) authorizes the District to enter into an intergovernmental agreement with a city or county which can collect fees on their behalf. In the case of these District, which includes one municipality and one county¹, two intergovernmental agreements for the collection of impact fees would have to be developed and adopted by the corresponding bodies.

Impact fees would be assessed on new developments by the appropriate building department and then distributed to the District on an agreed-upon schedule. It is customary for the District to pay a small administrative fee to the collecting entity for this service.

Capital Improvements Plan. Should the Advisory Committee recommend this study to the District Commission and should the Commission adopt the study, the District should also formally adopt this Capital Improvement Plan. While not subject to the procedures of the Local Land Use Planning Act (LLUPA), the adoption of the Capital Improvement Plan would comply with the Act's requirements of other governmental entities to adopt capital improvement plans into a Comprehensive Plan as part of the adoption of impact fees.

Impact Fee Ordinance. Following adoption of the Capital Improvement Plan, the collecting jurisdiction (City of Middleton, City of Star or Canyon County) should review the proposed Impact Fee Ordinance for adoption via resolution as reviewed and recommended by the Advisory Committee and legal counsel.

Advisory Committee. The Advisory Committee is in a unique position to work with and advise Commission and District staff to ensure that the capital improvement plans and impact fees are

¹ The Middleton Fire District also serves a very small part of Gem County. There is no intention at this time to execute a collection agreement with Gem County.

routinely reviewed and modified as appropriate.

Impact fee service area. Some municipalities have fee differentials for various zones under the assumption that some areas utilize more or less current and future capital improvements. The study team, however, does not recommend the District assess different fees by dividing the areas into zones. The capital improvements identified in this report inherently serve a system-wide function.

Specialized assessments. If permit applicants are concerned they would be paying more than their fair share of future infrastructure purchases, the applicant can request an individualized assessment to ensure they will only be paying their proportional share. The applicant would be required to prepare and pay for all costs related to such an assessment.

Donations. If a District receives donations for capital improvements listed on the CIP, they must account for the donation in one of two ways. If the donation is for a non- or partially growth-related improvement, the donation can contribute to the District's General Fund participation along with more traditional forms, such as revenue transfers from the General Fund. If, however, the donation is for a growth-related project in the CIP, the donor's impact fees should be reduced dollar for dollar. This means that the District will either credit the donor or reimburse the donor for that portion of the impact fee.

Credit/reimbursement. If a developer constructs or contributes all or part of a growth-related project that would otherwise be financed with impact fees, that developer must receive a credit against the fees owed for this category or, at the developer's choice, be reimbursed from impact fees collected in the future.³⁷ This prevents "double dipping" by the District.

The presumption would be that builders/developers owe the entirety of the impact fee amount until they make the District aware of the construction or contribution. If credit or reimbursement is due, the governmental entity must enter into an agreement with the fee payer that specifies the amount of the credit or the amount, time and form of reimbursement.³⁸

Impact fee accounting. The District should maintain Impact Fee Funds separate and apart from the General Fund. All current and future impact fee revenue should be immediately deposited into this account and withdrawn only to pay for growth-related capital improvements of the same category. General Funds should be reserved solely for the receipt of tax revenues, grants, user fees and associated interest earnings, and ongoing operational expenses including the repair and replacement of existing capital improvements not related to growth.

Spending policy. The District should establish and adhere to a policy governing their expenditure of monies from the Impact Fee Fund. The Fund should be prohibited from paying for any operational expenses and the repair and replacement or upgrade of existing infrastructure not necessitated by growth. In cases when *growth-related capital improvements are constructed*, impact fees are an allowable revenue source as long as only new growth is served. In cases when new capital improvements are expected to *partially replace existing capacity and to partially serve new growth*, cost sharing between the General Fund or other sources of revenue listed in Idaho Code 67-8207(I)(iv), (2)(h) and Impact Fee Fund should be allowed on a pro rata basis.

Update procedures. The District is expected to grow rapidly over the 10-year span of the CIPs. Therefore, the fees calculated in this study should be updated annually as the District invests in additional infrastructure beyond what is listed in this report, and/or as the District's projected development changes significantly. Fees can be updated on an annual basis using an inflation factor for building material from a reputable source such as McGraw Hill's Engineering News Record. As described in Idaho Code 67-8205(3)(c)(d)(e), the Advisory Committee will play an

important role in these updates and reviews.

³⁷ See Section 67-8209(3), Idaho Code.

³⁸ See Section 67-8209(4), Idaho Code