

ORDINANCE NO. 132, 2016
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE CODE OF THE CITY OF FORT COLLINS TO INCREASE
THE AMOUNTS OF THE CAPITAL IMPROVEMENT EXPANSION FEES
CONTAINED IN CHAPTER 7.5 OF THE CITY CODE SO AS TO REFLECT
INFLATION IN ASSOCIATED COSTS OF SERVICES

WHEREAS, the City is a home rule municipality having the full right of self-government in local and municipal matters under the provisions of Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, among the home rule powers and authority is the power to regulate, as a matter of purely local concern, the development of real property within the City and the authority to fund and construct, as matters of purely local concern, public improvements; and

WHEREAS, the City's comprehensive plan shows that the rate of future growth and development in Fort Collins will require a substantial expansion in community park, police, fire, general government facilities and streets, and related capital equipment, if its level of service standards for such facilities are to be maintained; and

WHEREAS, the City Council has determined that new development should contribute its proportionate share of providing such capital improvements; and

WHEREAS, the City Council has broad legislative discretion in determining the appropriate funding mechanisms for financing the construction of public facilities in the City; and

WHEREAS, based on the foregoing, the City Council has previously enacted Article II of City Code Chapter 7.5 adopting the Community Parkland, Police, Fire Protection, General Government and Street Oversizing Capital Improvement Expansion Fees (collectively, the "Capital Improvement Expansion Fees"); and

WHEREAS, City Code Section 7.5-18 provides for annual adjustment in all Capital Improvement Expansion Fees for inflation, corresponding to the increases reflected in the Denver-Boulder Consumer Price Index for Urban Consumers, now known as the Denver-Boulder-Greeley Consumer Price Index for Urban Consumers (the "CPI"); and

WHEREAS, in September 1968, the City Council adopted Ordinance No. 038, 1968, which established the original Neighborhood Parkland Fee to fund the acquisition and development of parkland, which ordinance has since been amended on several occasions to adjust the fee and to refine related procedures and requirements, including the codification of the provisions related to the Neighborhood Parkland Fee in Article V of City Code Chapter 7.5; and

WHEREAS, with the adoption in August 1993 of Ordinance No. 082, 1993, the City Council directed the City Manager to annually review the Neighborhood Parkland Fee and submit to the Council proposed inflation-related increases based on the CPI; and

WHEREAS, based on the Bureau of Labor Statistics' most recent CPI, staff anticipates the CPI will reflect an inflation increase of 3.0 percent since the last annual adjustment, effective January 1, 2017; and

WHEREAS, the City has historically used the Engineering News Record ("ENR"), instead of the CPI, as a reference to determine whether the Street Oversizing Capital Improvement Expansion Fee should be increased to account for rising construction costs; and

WHEREAS, based on the ENR, the cost of constructing street improvements has changed 1.3% since the last adjustment of the Street Oversizing Capital Improvement Expansion Fee; and

WHEREAS, for the foregoing reasons, the City Council has determined that it is necessary in the interests of the protection of the public health, safety and welfare, that the Capital Improvement Expansion Fees and the Neighborhood Parkland Fee be increased to reflect inflation as determined by the CPI, but not including the Street Oversizing Capital Improvement Expansion Fee, which shall be increased to reflect inflation as determined by the ENR.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS AS FOLLOWS:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That, effective January 1, 2017, the fee schedule in Section 7.5-28(a) of the Code of the City of Fort Collins, establishing the Community Parkland Capital Improvement Expansion Fee, is hereby amended to read as follows:

| | |
|------------------------|------------|
| 700 sq. ft. and under | \$1,102.00 |
| 701 to 1,200 sq. ft. | 1,414.00 |
| 1,201 to 1,700 sq. ft. | 1,562.00 |
| 1,701 to 2,200 sq. ft. | 1,628.00 |
| 2,201 sq. ft. and over | 1,743.00 |

Section 3. That effective January 1, 2017, the fee schedule in Section 7.5-29(a) of the Code of the City of Fort Collins, establishing the Police Capital Improvement Expansion Fee, is hereby amended to read as follows:

| | |
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| 700 sq. ft. and under | \$141.00 |
| 701 to 1,200 sq. ft. | 178.00 |
| 1,201 to 1,700 sq. ft. | 198.00 |
| 1,701 to 2,200 sq. ft. | 206.00 |
| 2,201 sq. ft. and over | 220.00 |
| Commercial buildings (per 1,000 sq ft.) | 169.00 |

| | |
|---|-------|
| Industrial buildings (per 1,000 sq. ft.) | 41.00 |
|---|-------|

Section 4. That effective January 1, 2017, the fee schedule in Section 7.5-30(a) of the Code of the City of Fort Collins, establishing the Fire Protection Capital Improvement Expansion Fee, is hereby amended to read as follows:

| | |
|---|----------|
| 700 sq. ft. and under | \$281.00 |
| 701 to 1,200 sq. ft. | 357.00 |
| 1,201 to 1,700 sq. ft. | 395.00 |
| 1,701 to 2,200 sq. ft. | 410.00 |
| 2,201 sq. ft. and over | 440.00 |
| Commercial buildings (per 1,000 sq. ft.) | 339.00 |
| Industrial buildings (per 1,000 sq. ft.) | 80.00 |

Section 5. That effective January 1, 2017, the fee schedule in Section 7.5-31(a) of the Code of the City of Fort Collins, establishing the General Government Capital Improvement Expansion Fee, is hereby amended to read as follows:

| | |
|---|----------|
| 700 sq. ft. and under | \$330.00 |
| 701 to 1,200 sq. ft. | 423.00 |
| 1,201 to 1,700 sq. ft. | 465.00 |
| 1,701 to 2,200 sq. ft. | 487.00 |
| 2,201 sq. ft. and over | 523.00 |
| Commercial buildings (per 1,000 sq. ft.) | 803.00 |
| Industrial buildings (per 1,000 sq. ft.) | 188.00 |

Section 6. That effective January 1, 2017, the fee schedule in Section 7.5-71(b) of the Code of the City of Fort Collins, establishing the Neighborhood Parkland Fee, is hereby amended to read as follows:

| | |
|------------------------|-----------|
| 700 sq. ft. and under | \$1300.00 |
| 701 to 1,200 sq. ft. | 1667.00 |
| 1,201 to 1,700 sq. ft. | 1842.00 |
| 1,701 to 2,200 sq. ft. | 1919.00 |
| 2,201 sq. ft. and over | 2056.00 |

Section 7. That effective January 1, 2017, the fee schedule in Section 7.5-32 of the Code of the City of Fort Collins, regarding Street Oversizing Capital Improvement Fee is hereby amended to read as follows:

| | Average Weekday Vehicle Trips <u>Per Housing Unit</u> | Transportation Impact Fee Rate |
|---------------------------------|---|-----------------------------------|
| Residential | | |
| SF Detached | 9.57 | \$3,152 per D.U. |
| MF and Other Housing | 6.59 | \$2,171 per D.U. |
| Hotel/Motel | 9.02 | \$2,969 per D.U. |
| Apartment | 6.65 | \$2,190 per D.U. |
| Retirement Community | 2.81 | \$926 per D.U. |
| Assisted Living | 4.52 | \$1,489 per D.U. |
| Congregate Care Facility | 2.02 | \$665 per D.U. |
| Residential Condominium | 5.81 | \$1,914 per D.U. |
| Duplex | 7.18 | \$2,365 per D.U. |
| Townhome | 5.86 | \$1,930 per D.U. |
| Mobile Home | 4.99 | \$1,644 per D.U. |
| | | |
| Non Residential | | |
| <u>Per 1,000 Sq.Ft.</u> | | |
| Comm/Shopping Center | | |
| 1000K GLA | 32.09 | \$6.16/sq. ft. |
| 500K GLA | 38.65 | \$7.41/sq. ft. |
| 200K GLA | 54.50 | \$10.45/sq. ft. |
| 50K GLA | 91.65 | \$12.09/sq. ft. |
| Movie Theater | 78.06 | \$14.97/sq. ft. |
| Fitness/Racquet Club | 14.03 | \$2.89/sq. ft. |
| Day Care | 79.26 | \$6.39/sq. ft. |
| Government Office | 68.93 | \$14.22/sq. ft. |
| Building Materials/Lumber | 45.16 | \$8.66/sq. ft. |
| Specialty Retail | 44.32 | \$8.50/sq. ft. |
| Discount Superstore | 53.15 | \$10.20/sq. ft. |
| Nursery(Garden Center) | 36.08 | \$7.44/sq. ft. |
| Sit Down Restaurant | 127.15 | \$16.77/sq. ft. |
| Fast Food Restaurant w/ Driveup | 496.12 | \$39.97/sq. ft. |
| Car Sales | 33.34 | \$6.88/sq. ft. |
| Service Station | 168.56 /pump | \$13,581.46/pump |
| Wholesale Tire Store | 20.36 | \$4.20/sq. ft. |
| Self Service Car Wash | 5.79 | \$466.52/stall |
| Supermarket | 102.24/stall | \$13.48/sq. ft. |
| Convenience Market w/Gas | 542.60 | \$43.72/sq. ft. |
| Pharmacy/Drugstore | 88.16 | \$7.10/sq. ft. |
| Furniture Store | 5.06 | \$1.63/sq. ft. |
| Bank | 80.87 | \$6.06/sq. ft. |
| Drive-In Bank | 148.15 | \$11.94/sq. ft. |
| Insurance Building | 11.45 | \$2.36/sq. ft. |
| Manufacturing | 3.82 | \$1.23/sq. ft. |
| Warehousing | 3.56 | \$1.15/sq. ft. |
| Light Industrial | 6.97 | \$2.25/sq. ft. |
| Mini-Warehouse | 2.50 | \$0.81/sq. ft. |
| Business Park | 12.76 | \$4.11/sq. ft. |

| | | |
|----------------------|--------------|------------------|
| General Office | | |
| 200K GFA | 11.54 | \$3.72/sq. ft. |
| 50K GFA | 16.31 | \$5.26/sq. ft. |
| 10K GFA | 24.39 | \$7.86/sq. ft. |
| Recreational | 3.64/ac | \$1,173.15/acre |
| City Park | 3.66/ac | \$1,179.60/acre |
| Golf Course | 5.04/ac | \$1,624.36/acre |
| Elementary School | 1.29/student | \$415.76/student |
| Private School (K-8) | 2.48/student | \$799.29/student |
| Church/Synagogue | 9.11 | \$2.94/sq. ft. |
| Library | 56.24 | \$4.53/sq. ft. |
| Hospital | 16.50 | \$5.32/sq. ft. |
| Nursing Home | 2.37/bed | \$763.84/bed |
| Medical Clinic | 31.45 | \$10.14/sq. ft. |

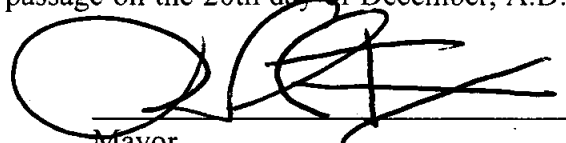
Notes:

1. Rate calculation for each item based on the product of Number of Weekday Trips, Trip Adjustment Factor and Cost Per Unit of Trip.
2. Italicized building types indicate that high pass-by Trip Adjustment Factor is used when calculating SOS Rate.
3. As used in Notes 1 and 2 above, the "Trip Adjustment Factor" shall mean the applicable trip adjustment factor as set in the City's most recent Street Oversizing Impact Fee Study.


Section 8. Notwithstanding anything to the contrary set forth in Sections 1 through 7 of this Ordinance, the new fee schedules set forth in Sections 1 through 7 above shall not apply to applications for development for which a complete application for a full building permit, as defined in Section 7.5-17, has been submitted prior to January 1, 2017. Such complete applications shall pay the fees set forth in City Code Sections referred to in Sections 1 through 7 above in effect prior to the adoption of this Ordinance, even if such fees become due and payable on or after January 1, 2017. As used herein a complete application for a full building permit shall include only a building permit application that includes all necessary information for permit review as reasonably determined by the chief building official. An application for a "plan review only" by the chief building official or the building department only (and no other departments) prior to approval of a Final Plan shall not be considered a complete application for a full building permit.

Introduced, considered favorably on first reading, and ordered published this 6th day of December, A.D. 2016, and to be presented for final passage on the 20th day of December, A.D. 2016.




 Mayor

ATTEST:


 City Clerk

Passed and adopted on final reading on the 20th day of December, A.D. 2016.




Mayor

ATTEST:



City Clerk