

ORDINANCE NO. 166, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTERS 7.5, 8 AND 24 OF THE CODE OF THE CITY OF FORT
COLLINS TO IMPLEMENT PHASE II INCREASES OF THE CAPITAL EXPANSION FEES

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 of the City is the power to regulate, as a matter of purely local concern, the development of real property within the City and establish impact fees for such development; and

WHEREAS, the City Council has determined that new development should contribute its proportionate share of providing the capital improvements that are typically funded with impact fees; 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, in early 2016, City staff initiated a comprehensive review of its various impact fees now charged to new development, including its community parkland, neighborhood parkland, police, fire protection, general government and street oversizing capital improvement expansion fees (collectively, "Capital Expansion Fees"); and

WHEREAS, as a result of that review, the City commissioned an impact fee study for the community parkland, neighborhood parkland, police, fire protection and general government capital improvement expansion fees that has resulted in the "Capital Expansion Fee Study" dated August 2016, which has identified the need to increase such Capital Expansion Fees by various amounts; and

WHEREAS, the City also commissioned an impact fee study for the street oversizing capital improvement expansion fee that has resulted in the "Transportation Capital Expansion Fee Study" dated April 2017, which has also identified the need to increase and decrease the street oversizing capital improvement expansion fees by various amounts depending on the type of development proposed; and

WHEREAS, in 2017 City Council adopted Ordinance No. 049, 2017, increasing, beginning on October 1, 2017, the Capital Expansion Fees to seventy-five percent (75%) of the amounts recommended in the Capital Expansion Fee Study and the Transportation Expansion Fee to the lesser amount recommended in the Transportation Capital Expansion Fee Study, and fully implementing reductions to said Fees as applicable; and

WHEREAS, the City Manager formed a working-group of City staff and community stakeholders to review the Studies, to consider any future changes to the City's Capital Expansion

Fees based on the Studies, and to present the recommendations of that working-group to the Council with any such proposed changes; and

WHEREAS, based on the Studies and the general approach and direction of Council, including the Council Finance Committee, this Ordinance enacts Phase II of the increases to the Capital Expansion Fees; and

WHEREAS, for the foregoing reasons, the City Council has determined that it is in the best interest of the City and its citizens and necessary for the protection of the public's health, safety and welfare, that the Capital Expansion Fees be decreased and increased as hereafter provided.

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 Section 7.5-28(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-28. - Community parkland capital expansion fee.

(a) There is hereby established a community parkland capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of community parks, as such improvements may be identified in the capital improvements plan for community parkland. Such fee shall be payable prior to the issuance of any building permit for a residential structure. The amount of such fee shall be determined per dwelling unit as follows:

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$1,102.00	\$1,751.00	\$2,326.00
Resid., 701 to 1,200 sq. ft.	1,414.00	2,432.00	3,114.00
Resid., 1,201 to 1,700 sq. ft.	1,562.00	2,558.00	3,400.00
Resid., 1,701 to 2,200 sq. ft.	1,628.00	2,585.00	3,436.00
Resid., over 2,201 sq. ft.	1,743.00	2,881.00	3,830.00

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 3. That Section 7.5-29(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-29. - Police capital expansion fee.

- (a) There is hereby established a police capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of police services, as such improvements may be identified in the capital improvements plan for police services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. The amount of such fee shall be determined as follows:

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$141.00	\$177.00	\$226.00
Resid., 701 to 1,200 sq. ft.	178.00	239.00	305.00
Resid., 1,201 to 1,700 sq. ft.	198.00	260.00	332.00
Resid., 1,701 to 2,200 sq. ft.	206.00	264.00	337.00
Resid., over 2,200 sq. ft.	220.00	294.00	375.00
Commercial buildings (per 1,000 sq. ft.)	169.00	223.00	284.00
Industrial buildings (per 1,000 sq. ft.)	41.00	52.00	66.00

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 4. That Section 7.5-30(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-30. - Fire protection capital expansion fee.

- (a) There is hereby established a fire protection capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of fire services, as such improvements may be identified in the capital improvements plan for fire protection services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. The amount of such fee shall be determined as follows:

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$281.00	\$316.00	\$403.00
Resid., 701 to 1,200 sq. ft.	357.00	428.00	546.00
Resid., 1,201 to 1,700 sq. ft.	395.00	465.00	593.00
Resid., 1,701 to 2,200 sq. ft.	410.00	473.00	603.00

Resid., over 2,200 sq. ft.	440.00	526.00	671.00
Commercial buildings (per 1,000 sq. ft.)	339.00	395.00	508.00
Industrial buildings (per 1,000 sq. ft.)	80.00	93.00	119.00

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 5. That Section 7.5-31(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-31. - General governmental capital expansion fee.

(a) There is hereby established a general governmental capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of general governmental services, as such improvements may be identified in the capital improvements plan for general governmental services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. The amount of such fee shall be determined as follows:

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$330.00	\$431.00	\$549.00
Resid., 701 to 1,200 sq. ft.	423.00	581.00	741.00
Resid., 1,201 to 1,700 sq. ft.	465.00	634.00	809.00
Resid., 1,701 to 2,200 sq. ft.	487.00	644.00	821.00
Resid., over 2,200 sq. ft.	523.00	716.00	914.00
Commercial buildings (per 1,000 sq. ft.)	803.00	1,088.00	1,389.00
Industrial buildings (per 1,000 sq. ft.)	188.00	257.00	327.00

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 6. That Section 7.5-32 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-32. - Transportation expansion fee.

There is hereby established a transportation expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding transportation improvements related to the

provision of transportation services. Such fees shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. These fees shall be deposited in the "transportation improvements fund" established in § 8-87. The amount of such fee shall be determined as follows:

TRANSPORTATION EXPANSION FEE SCHEDULE

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$1,905.00	\$1,827.00	\$2,321.00
Resid., 701 to 1,200 sq. ft.	2,143.00	3,392.00	4,310.00
Resid., 1,201 to 1,700 sq. ft.	3,112.00	4,404.00	5,596.00
Resid., 1,701 to 2,200 sq. ft.	3,112.00	5,150.00	6,543.00
Resid., over 2,200 sq. ft.	3,112.00	5,520.00	7,014.00
Commercial	11,930.00	6,721.00	8,539.00
Office and Other Services	7,760.00	4,951.00	6,291.00
Industrial/Warehouse	1,130.00	1,598.00	2,030.00

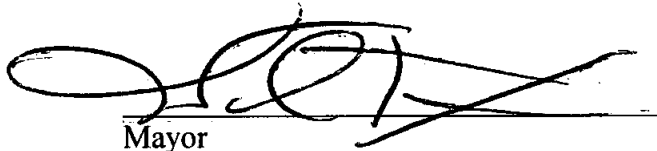
Section 7. That Section 7.5-71(b) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-71. - Neighborhood parkland capital expansion fee.

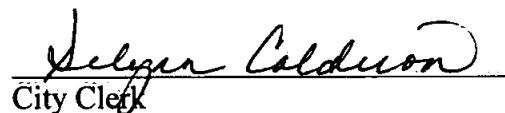
(b) The amount of the fee established in this Section shall be determined for each dwelling unit as follows:

	Current	As of October 1, 2017	As of January 1, 2019
Resid., up to 700 sq. ft.	\$1,300.00	\$1,343.00	\$1,647.00
Resid., 701 to 1,200 sq. ft.	\$1,667.00	1,797.00	2,205.00
Resid., 1,201 to 1,700 sq. ft.	\$1,842.00	1,962.00	2,408.00
Resid., 1,701 to 2,200 sq. ft.	\$1,919.00	1,983.00	2,433.00
Resid., over 2,200 sq. ft.	\$2,056.00	2,210.00	2,712.00

Introduced, considered favorably on first reading, and ordered published this 4th day of December, A.D. 2018, and to be presented for final passage on the 18th day of December, A.D. 2018.

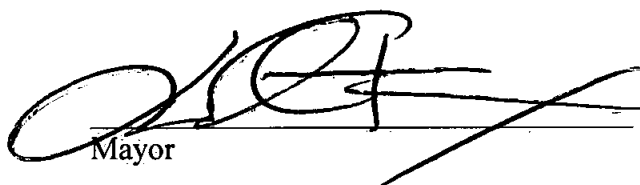

Mayor

ATTEST:

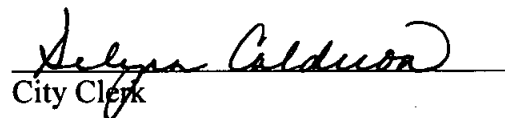

City Clerk



Passed and adopted on final reading on the 18th day of December, A.D. 2018.


Mayor

ATTEST:


City Clerk

