

AGENDA ITEM SUMMARY

December 17, 2019

City Council

STAFF

Kyle Lambrecht, Civil Engineer
Chad Crager, PDT Interim Deputy Director
Dan Woodward, Civil Engineer I
Chris Van Hall, Legal

SUBJECT

Second Reading of Ordinance No. 146, 2019, Adopting the 2020 Larimer County Regional Transportation Capital Expansion Fee Schedule.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on December 3, 2019, adopts the 2020 Larimer County Regional Transportation Capital Expansion Fee schedule. The City collects Larimer County Regional Capital Expansion Fees (Regional TCEF) on behalf of the County. The Regional TCEF generates revenue for capacity related improvements to regionally significant roadways that are necessitated by new development. The Regional TCEF are only used on improvements that mutually benefit both the City and County. The Regional TCEF are collected at the issuance of a building permit.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, December 3, 2019 (w/o attachments) (PDF)
2. Ordinance No. 146, 2019 (PDF)

AGENDA ITEM SUMMARY December 3, 2019
City Council

STAFF

Kyle Lambrecht, Civil Engineer
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SUBJECT

First Reading of Ordinance No. 146, 2019, Adopting the 2020 Larimer County Regional Transportation Capital Expansion Fee Schedule.

EXECUTIVE SUMMARY

The purpose of this item is to adopt the 2020 Larimer County Regional Transportation Capital Expansion Fee schedule.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

In 2000, the City of Fort Collins (City) and Larimer County (County) entered into an intergovernmental agreement (IGA) authorizing the City to collect Larimer County Regional Capital Expansion Fees (Regional TCEF) on behalf of the County. The Regional TCEF generates revenue for capacity related improvements to regionally significant roadways that are necessitated by new development. The Regional TCEF are only used on improvements that mutually benefit both the City and County. The Regional TCEF are collected at the issuance of a building permit.

Per the agreement, the County serves as the Regional TCEF administrator and is responsible to develop project recommendations for fee utilization. The County's recommendations are typically based on the County's Transportation Master Plan, a document which identifies regionally significant roadways. Once a project has been identified, City and County staff work together to determine Regional TCEF funding allocations. Regional TCEF are frequently leveraged with other funds to support larger scale capital projects and can fully support small scale capacity related improvements.

The City and County have previously partnered to design and construct several projects along regionally significant roadways using the Regional TCEF; including improvements to Taft Hill Road, Shields Street, and the Shields Street/Vine Drive intersection. City and County staff continue to plan for future improvements, recognizing opportunities for additional improvements along regionally significant corridors.

The Larimer County Land Use Code specifies that its Regional TCEF must be updated annually to reflect changes in road construction costs during the previous year. In July, the County adopted a revised fee schedule which increased the Regional TCEF by 3.1%. The County's fee adjustment is based on a two-year moving average calculated from the Colorado Construction Cost Index data compiled by the Colorado Department of Transportation. A copy of the adoption memo has been included with this item. The revised fees are as follows:

Development Type	2020 Regional	2019 Regional	Increase or
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	Road Fee	Road Fee	Decrease
Residential (per dwelling) by Finished Square Foot of Living Space			
900 or less	\$168	\$163	\$5
901 to 1300	\$235	\$228	\$7
1301 to 1800	\$284	\$275	\$9
1801 to 2400	\$332	\$322	\$10
2401 to 3000	\$372	\$361	\$11
3001 to 3600	\$405	\$393	\$12
3601 or more	\$433	\$420	\$13
Non-Residential (per 1000 Square Feet of Floor Area)			
Industrial	\$103	\$100	\$3
Commercial	\$435	\$422	\$13
Office & Other Services	\$256	\$248	\$8

Under the IGA, revisions to the Regional TCEF do not take effect in the City until City Council approves a new fee schedule.

CITY FINANCIAL IMPACTS

The fees are collected on behalf of Larimer County and the program. Revenues from the fees will pass through City accounts and will not affect City revenue limits under Article X, Section 20. The City does retain a 2% administration fee. Adoption will result in an increase to development fee payers.

BOARD / COMMISSION RECOMMENDATION

City staff did not present this item to any boards and commissions as the fees are being adjusted for inflation only.

PUBLIC OUTREACH

As these fees are managed and administered by Larimer County, City staff did not participate in scheduled public outreach.

ATTACHMENTS

1. Larimer County Fee Revision Adoption Memo (PDF)

ORDINANCE NO. 146, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING THE 2020 LARIMER COUNTY REGIONAL
TRANSPORTATION CAPITAL EXPANSION FEE SCHEDULE

WHEREAS, the City and Larimer County (the “County”) previously entered into an intergovernmental agreement, as amended from time to time, whereby the City collects a Regional Transportation Capital Expansion Fee (also known as a “regional road impact” fee) on behalf of Larimer County at the time of issuance of building permits, which fee raises revenue for road improvements on regionally significant roadways that are necessitated by new development (the “IGA”); and

WHEREAS, the City and the County have established a procedure pursuant to City Code Section 7.5-82(c)(1) for the City Council to consider and approve any County-proposed changes to the Regional Transportation Capital Expansion Fee schedule in order to reflect changes in construction costs, or other relevant factors (the “Regional TCEF Schedule”); and

WHEREAS, the last changes to the Regional TCEF Schedule were formally adopted by the City in 2018 and the County is now proposing a revised fee schedule that increases the Regional TCEF by 3.1%, which increase reflects changes in road construction costs and is based on a two-year moving average calculated from the Colorado Construction Cost Index data compiled by the Colorado Department of Transportation; and

WHEREAS, under the terms of the IGA, revisions to the Regional TCEF Schedule do not take effect in the City until City Council approves the new fee schedule; and

WHEREAS, the City Council has determined that it is in the best interests of the City that the County’s proposed changes to the Regional TCEF Schedule be adopted in order to further the public interest of adequately funding road improvements that are necessitated by new developments along regionally significant roadways that impact the City.

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 the 2020 Larimer County Regional Transportation Capital Expansion Fee Schedule attached hereto as Exhibit “A” and incorporated herein by reference is hereby adopted and approved, and shall go into effect in Fort Collins upon the effective date of this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 3rd day of December, A.D. 2019, and to be presented for final passage on the 17th day of December, A.D. 2019.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 17th day of December, A.D. 2019.

Mayor

ATTEST:

City Clerk

2020 LARIMER COUNTY REGIONAL TRANSPORTATION CAPITAL EXPANSION FEE SCHEDULE

Development Type	2020 Regional Road Fee	2019 Regional Road Fee	Increase or Decrease
Residential (per dwelling) by Finished Square Foot of Living Space			
900 or less	\$168	\$163	\$5
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