

ORDINANCE NO. 1574

AN ORDINANCE REPEALING ORDINANCE NO. 1536 AND APPROVING AND ADOPTING THE PHASED REINSTATEMENT OF CERTAIN FEES INCLUDING THE SERVICE EXPANSION FEE, THE WATER ACQUISITION FEE, THE WATER TAP FEE, THE SCHOOL IMPACT FEE, THE PARK IMPACT FEE, THE PLOT PLAN REVIEW FEE, THE RESIDENTIAL CONSTRUCTION EVALUATION STUDY SURCHARGE, THE COMMERCIAL SITE DEVELOPMENT PLAN FEE, AND OTHER FEES RELATING TO DEVELOPMENT REVIEW, AND MAKING NECESSARY CHANGES TO THE FOUNTAIN MUNICIPAL CODE

WHEREAS, the City of Fountain, Colorado (the "City") enacted Ordinance No. 1504 providing for the temporary elimination, reduction or deferring of certain fees which Ordinance was in effect from July 6, 2010 through July 6, 2011; and

WHEREAS, the City enacted Ordinance No. 1518 extending the temporary elimination, reduction or deferring of certain fees and repealing Ordinance No. 1504; and

WHEREAS, the City Council enacted Ordinance No. 1536 to clarify certain provisions of Ordinance No. 1518; and

WHEREAS, Ordinance No. 1504 and 1518 have previously been repealed; and

WHEREAS, the City Council concludes that it is necessary and appropriate to phase out the temporary elimination, reduction or deferring of certain fees and to reestablish the fees that were eliminated, reduced or deferred by Ordinance No. 1536 through a phase-in and reinstatement process; and

WHEREAS, certain amendments to the Fountain Municipal Code are necessary in order to implement these fee adjustments.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOUNTAIN:

Section 1. The recitals set forth in the whereas clauses are adopted as findings in support of this ordinance.

Section 2. Ordinance No. 1536 is hereby repealed upon the effective date of this Ordinance.

Section 3. There is hereby adopted the fee schedule as set forth in Exhibit A, "City of Fountain Phased Reinstatement of Original Development Fees."

Section 4. The fee schedule as set forth in Exhibit A, City of Fountain Phased Reinstatement of Original Development Fees, amends Exhibit A “Development Review Fee Schedule” adopted by Resolution 08-030 during the period this Ordinance is in effect.

Section 5. During the period this Ordinance is in effect, fees shall be increased as provided in Exhibit A from the “CURRENT FEE” to the “ORIGINAL FEE.”

Section 6. During the period this Ordinance is in effect, the Service Expansion Fee authorized by Chapter 3.20 of the Fountain Municipal Code shall be increased as provided in Exhibit A.

Section 7. During the period this Ordinance is in effect, the water acquisition fee for a ¾ inch tap size authorized by Section 13.04.270 E. of the Fountain Municipal Code shall be increased as provided in Exhibit A.

Section 8. During the period this Ordinance is in effect, the tap fee for a ¾ inch tap size authorized by Section 13.04.270 E. of the Fountain Municipal Code shall be increased as provided in Exhibit A.

Section 9. During the period this Ordinance is in effect, the Residential Park Impact Fee per residential dwelling unit shall be increased as provided in Exhibit A.

Section 10. During the period this Ordinance is in effect, the Commercial/Industrial Park Impact Fee shall be increased on commercial or industrial development as provided in Exhibit A.

Section 11. During the period this Ordinance is in effect, the School Impact Fee per residential dwelling unit shall be increased as provided in Exhibit A.

Section 12. During the period this Ordinance is in effect, the Surcharge for the Residential Construction Valuation Study per single-family residential dwelling unit shall be increased as provided in Exhibit A.

Section 13. During the period this Ordinance is in effect, the Plot Plan Review Fee shall be increased as provided in Exhibit A.

Section 14. During the period this Ordinance is in effect, the fees set forth in Exhibit A under Annexation, Zone Change, Initial Zoning, Overall Development Plan, Preliminary Plat, Final Plat, Vacation and Replat, Waiver of Subdivision Requirement, Deviation from Criteria, Concept Plan, Landscape Plan, Conditional Use, Construction Plan and Profile, Reports, Development Agreements and Recording Fees shall be increased as provided in Exhibit A.

Section 15. The City Manager or the City Manager’s designee may reduce or waive any of the fees set forth in Exhibit A under the following circumstances: a.) where there is an economic benefit to the City or its consumers of City services as determined by the City Council; where the applicant is a governmental entity; c) where there are unique circumstances specific to any project, site or other development.

Section 16. Commencing August 6, 2013 all fees set forth in this Ordinance shall be imposed and collected as set forth in the column under Exhibit A labeled “ORIGINAL FEE” in

Assumptions

Property Tax Increase per year based on 10 average annual growth 2002-2011	5.0%	Debt Issuance Costs 5%
Average Taxable Valuation per home in Year 1	19900	
Average square footage (excluding garages) within District	2902	
Term used to calculate NPV	40	
Inflationary Costs	5.0%	
Population growth projection (after year 6)	10.0%	
Use tax average	\$ 1,950	
Mill Levy	0.0086	
Monthly Property Tax per home (assume \$250,000 home)	\$ 14	
Fee Assumptions	Amount	Unit
Service Expansion Fee	\$ 0.25	per ft ²
Residential Park Fee	\$ 1,863.00	per unit
School Fee	\$ 1,381.00	per unit
Water Acquisition Fee	\$ 6,500.00	per unit
Water Tap Fee	\$ 10,824.00	per unit
Plot Plan Review Fee	\$ 60.00	per unit
Residential Construction Valuation Study	\$ 50.00	per unit
		% of Fee
		100% \$ 725.50
		0% \$ -
		0% \$ -
		0% \$ -
		20% \$ 2,164.80
		100% \$ 60.00
		100% \$ 50.00
		100% \$ 3,150.32
		Total Included Fees/unit (incl. debt issuance costs) \$

Assessment Options

Annual Assessment (10 years for \$6,500)
 (\$801.39)
 Annual Assessment (20 years for \$6,500)
 (\$478.28)

Builder Fee/Tax Scenarios

	Current	No GID	With GID + 1/3	With GID + 2/3	With GID
Use tax	\$ 878	\$ 1,950	\$ 1,235	\$ 1,593	\$ 1,950
Service Exp.	\$ -	\$ 725.50	\$ -	\$ -	\$ -
Park Fee	\$ 932	\$ 1,863.00	\$ 620.99	\$ 1,242.00	\$ 1,863.00
School Fee	\$ 677	\$ 1,381.00	\$ 1,381.00	\$ 1,381.00	\$ 1,381.00
Water Acquisit.	\$ -	\$ 6,500.00	\$ 2,167	\$ 4,333	\$ 6,500
Water Tap	\$ 10,174	\$ 10,824.00	\$ 8,226	\$ 8,443	\$ 8,659
Plot Plan Review	\$ -	\$ 60.00	\$ -	\$ -	\$ -
Const. Valuation	\$ -	\$ 50.00	\$ -	\$ -	\$ -
Totals	\$ 12,660	\$ 23,354	\$ 13,629	\$ 16,991	\$ 20,353
		Builder Propo: \$	\$ 14,860	\$ 14,860	\$ 14,860

