

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Administration Building in Kiowa, Colorado 80117 on Wednesday, the 10th day of February 2021, there were present:

Chris Richardson County Commissioner, Chairman
Rick Pettitt County Commissioner
Grant Thayer County Commissioner
Amanda Moore Deputy Clerk to the Board

When the following proceedings, among others, were had and done, to wit:

RESOLUTION 21-09
ADOPTION OF DEVELOPMENT IMPACT FEES AND ELIMINATION OF SOIL AND WATER CONSERVATION IMPACT FEE

WHEREAS, pursuant to the authority granted in Section 29-20-01, et seq., C.R.S. and as a condition of issuance of a development permit, the County of Elbert may impose an impact fee or similar development charge to fund expenditures by the County on capital facilities needed to serve new development; and

WHEREAS, on or about January 7, 2004, the County of Elbert authorized and adopted Resolution 04-01, titled "Development Impact Fee Resolution" (hereinafter "Resolution 04-01"), which imposed certain impact fees to fund expenditures by the County on capital facilities need to serve new development; and

WHEREAS, on or about March 12, 2008, the County of Elbert authorized and adopted Resolution 08-17, titled "Amendment to Development Impact Fee Resolution 04-01" (hereinafter "Resolution 08-17"), which provides clarification and updates to Resolution 04-01, and

WHEREAS, on or about March 12, 2008, the County of Elbert authorized and adopted Resolution 08-18, titled "Amendment to Transportation Impact Fees Schedule Imposed Pursuant to Plan based Road Impact Fee System" (hereinafter "Resolution 08-18"), which provides for the collection of a Transportation Impact Fee, and

WHEREAS, on or about December 19, 2018, the County of Elbert authorized and adopted a "Soil Conservation Impact Fee" during a regular Board of County Commissioners meeting, as part of an annual fee update; and

WHEREAS, on or about December 18, 2019, the County passed Resolution 19-68, titled "Amendment to Development Impact Fee Resolutions and Change of Name of Impact Assistance Fund to Growth and Development Fund", and

WHEREAS, the County has conducted a study of Development Impact Fees and wishes to update the Impact Fee schedule and eliminate the Soil and Water Conservation Impact Fee,

NOW, THEREFORE BE IT RESOLVED, the Board of County Commissioners, County of Elbert, State of Colorado,

- I. Eliminates the Soil and Water Conservation Fee. Any fees collected since the creation of this fee (December 18, 2019) will be refunded. Any funds not claimed will after 180 days of notification will be considered forfeit and will be allocated to the general balance of the Growth and Development Fund.
- II. Agrees with the recommendations of the Impact Fee Study on the fee changes, dated ___ and directs staff to implement a stepped approach to the increase of certain fees and immediate reduction in those fees that are higher than the maximum supportable.
- III. Adopts the following Impact Fee Schedules, effective 30 days after approval of this resolution.
- IV. **IMPACT FEE SCHEDULES:**

Impact Fee Schedule 2021

Elbert County CO

<i>Unincorporated Service Area</i>	<i>Parks and Recreation</i>	<i>Public Facilities</i>	<i>Sheriff</i>	<i>Transportation</i>
<i>Residential (per dwelling)</i>				
Accessory Dwelling Unit	\$249	\$335	\$377	\$2,673
Multifamily	\$391	\$589	\$610	\$3,834
Average Single Family*	\$472	\$639	\$719	\$4,838
Large Single Family**	\$577	\$759	\$861	\$5,442
<i>Nonresidential (per 1,000 square feet of floor area)</i>				
Warehouse/Storage/Agricultural		\$234	\$285	\$628
Industrial/Manufacturing		\$467	\$546	\$1,791
Office & Other Services		\$789	\$938	\$3,517
Retail/Restaurant		\$1,355	\$1,625	\$5,453

* Average is 2600 or less square feet of finished floor space

** Large is 2601 or more square feet of finished floor space



Impact Fee Schedule 2022

Elbert County CO

<i>Unincorporated Service Area</i>	<i>Parks and Recreation</i>	<i>Public Facilities</i>	<i>Sheriff</i>	<i>Transportation</i>
<i>Residential (per dwelling)</i>				
Accessory Dwelling Unit	\$367	\$417	\$494	\$2,673
Multifamily	\$519	\$589	\$698	\$3,952
Average Single Family*	\$681	\$773	\$916	\$5,210
Large Single Family**	\$891	\$1,013	\$1,200	\$6,417
<i>Nonresidential (per 1,000 square feet of floor area)</i>				
Warehouse/Storage/Agricultural		\$234	\$285	\$628
Industrial/Manufacturing		\$669	\$813	\$1,791
Office & Other Services		\$1,314	\$1,597	\$3,517
Retail/Restaurant		\$2,446	\$2,971	\$5,453

* Average is 2600 or less square feet of finished floor space

** Large is 2601 or more square feet of finished floor space

- V. After 2022, impact fees will automatically be adjusted by the Construction Cost Index or the index in the Engineering News Record and published annually.
- VI. For applicants who paid impact fees between 2 December 2020 and the effective date of the 2021 schedule which are in excess of the impact fees in the 2021 schedule, which a separate agreement (such as a Subdivision Improvement Agreement, Development Guide Agreement, or similar agreement does not call out fixed impact fees), a discretionary reimbursement to the applicant of any amount over what the fees in this resolution may be requested by the applicant, and may be granted at the discretion of the Director of Community and Development Services, up to the amount over what the current impact fee schedule now charges. Requests must be made within 180 days of this resolution.
- VII. It is the express intent of the Board of County Commissioner's that all provisions of Resolution 04-01, Resolution 08-17, Resolution 08-18, and Resolution 19-68 shall remain in full force and effect, except as particularly modified or amended by the provisions of this Resolution.