

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 951**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO
AMENDING SECTIONS 4-6-60 AND 4-6-90 OF THE *MEAD MUNICIPAL
CODE* PERTAINING TO DEVELOPMENT IMPACT FEES**

WHEREAS, the Local Government Land Use Control Enabling Act, C.R.S. §§ 29-20-101, *et seq.* authorizes the Town to impose an impact fee or other similar development charge to fund expenditures by the Town on capital facilities needed to serve new development; and

WHEREAS, C.R.S. § 29-20-104.5 authorizes the Town to impose impact fees or similar development charges as a condition of issuance of a building permit or other land use approval, and the Town imposes development impact fees in accordance with Article VI of Chapter 4 of the *Mead Municipal Code* (“MMC”), for the purpose of offsetting costs of adequate capital facilities necessary to serve new development within the Town; and

WHEREAS, the Board of Trustees adopted new impact fees by Ordinance No. 2020-947 dated November 30, 2020 as supported and set forth in that certain “*Town of Mead, Colorado Non-Utility Development Impact Fee Study*” dated November 2020, conducted by Willdan Financial Services (“Impact Fee Study”); and

WHEREAS, the Board of Trustees desires to amend certain provisions of Section 4-6-60 and 4-6-90 of the *Mead Municipal Code* to clarify that the Town desires to create a single fund for street and storm drainage improvements as set forth and recommended in the Impact Fee Study; and

WHEREAS, the Board has determined that the adoption of this Ordinance is legislative in nature and will further efficient administration of Town resources and the public health, safety, convenience and the general welfare of the community.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Colorado, that:

Section 1. The above recitals are hereby incorporated as findings of the Board of Trustees.

[Remainder of page left intentionally blank.]

Section 2. Subsection (c) of Section 4-6-60 of the MMC, titled “Computation of development impact fee,” is hereby amended as follows, with additions in underline and deletions in strike-through:

(c) Fee schedule.

Schedule of Development Impact Fees

| Development Type | Municipal Facilities | Police | Parks and Open Space | Storm Drainage | Storm Drainage and Streets and Transportation Facilities | Total Fee |
|--|----------------------|--------|----------------------|---------------------------|---|---|
| Residential (per unit) | | | | | | |
| Single Family | \$4,457 | \$508 | \$2,750 | \$321 | Single Family- \$5,846 <u>\$6,167</u> Single Family (attached)- \$4,532 <u>\$4,853</u> | Single Family- \$13,882 Single Family (attached)- \$12,568 |
| Multi-Family | \$2,267 | \$258 | \$1,399 | \$154 | \$4,083 <u>\$4,237</u> | \$8,161 |
| Nonresidential (per 1,000 square feet or per room/unit for lodging) | | | | | | |
| General Retail/Commercial | \$1,095 | | | \$125 | General Retail/Commercial- \$3,891 <u>\$4,016</u> RV Park- \$3,070 <u>\$3,195</u> Lodging: \$996 <u>\$1,121</u> | General Retail/Commercial- \$5,311 RV Park- \$4,490 Lodging- \$2,416 |
| Office & Institutional | \$1,390 | \$254 | | \$164 | \$2,749 <u>\$2,913</u> | \$4,557 |
| Industrial | \$543 | \$99 | | \$209 | \$1,413 <u>\$1,622</u> | \$2,264 |

Section 3. Subsection (a) of Section 4-6-90 of the MMC, titled “Administration of funds collected; enterprise funds created,” is hereby amended as follows, with additions in underline and deletions in strike-through.

(a) There are hereby created within the meaning of "enterprise" as defined in Article X, Section 20, of the Colorado Constitution. The Police Enterprise Fund, Sewer Enterprise Fund, the Storm Drainage and Streets Impact Enterprise Fund, ~~the Transportation Impact Enterprise Fund~~, the Park and Open Space Impact Enterprise Fund, and the Municipal Facilities Impact Enterprise Fund.

- (1) All funds collected from the various development impact fees shall be properly identified and promptly transferred for deposit in the above individual interest-bearing impact enterprise accounts for which fees are assessed and shall be special revenue fund accounts, and under no circumstances shall such revenue accrue to the General Fund.
- (2) Notwithstanding the above direction for deposit in individual interest-bearing accounts, and provided that the funds and interest earned are properly credited to the individual impact enterprise accounts, development impact fees may be aggregated (pooled) for investment purposes.

Section 4. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 5. Remaining provisions. Except as specifically amended hereby, all other provisions of the MMC shall continue in full force and effect.

Section 6. Codification Amendments. The codifier of the MMC is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the MMC.

Section 7. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 8. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance or resolution nor revive any ordinance or resolution thereby.

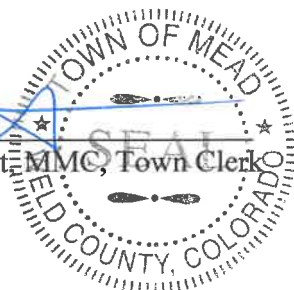
Section 9. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 8TH DAY OF FEBRUARY, 2021.

ATTEST:

By:

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By:

Colleen G. Whitlow, Mayor