

ORDINANCE NO. 2016-

AN ORDINANCE AMENDING SECTION 3.16.030 OF THE CASTLE ROCK MUNICIPAL CODE ADJUSTING THE DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND NON-RESIDENTIAL USES

WHEREAS, the Town Council has considered and accepted the staff analysis and recommendations and the following supporting report and analysis prepared by nationally-recognized independent rate and fee consulting firm:

- Development Impact Fee Report, August, 2016, prepared by Arcadis,

WHEREAS, the Town Council finds that it is necessary to revise the levels of fees and charges imposed on certain development and construction activity in order to reflect updated projections on the costs the Town has and will incur in providing municipal services to support such development and construction activity.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Legislative Findings. The recitals to this ordinance are adopted as findings of the Town Council in support of enactment of this ordinance, and in addition, the Town Council finds that:

A. The fee structure established by this Ordinance is supported by:

1. Development Impact Fee Report, 2016 prepared by Arcadis
2. The Agenda Memorandum dated September 6, 2016 prepared by the Town Manager
3. Public comment and testimony provided at the public hearing held on October 4, 2016.

B. The fees and charges imposed by this Ordinance comply with the legislative restrictions on impact fees adopted by local governments in §29-20-104.5, C.R.S.

Section 2. Amendment. Subparagraphs A and B of Section 3.16.030 of the Castle Rock Municipal Code are amended in their entirety to read as follows:

3.16.030 - Assessment and collection.

Fees shall be assessed and collected according to the following provisions, except as modified by the Town pursuant to this Section 3.16.030:

A. Residential uses. No building permit shall be issued for any dwelling unit prior to the payment of the following applicable fees:

Development Impact Fees for Residential Uses

<i>Parks and Recreation</i>			
<i>Unit Type</i>	<i>Square Footage</i>	<u>2017</u> <i>Impact Fee (per 1,000 sq. ft.)</i>	<u>2018 and thereafter</u>
Single-Family	< 2,100	\$2,494	\$2,773
	2,100—2,399	\$2,740	\$3,070
	2,400—2,699	\$3,079	\$3,303
	2,700—2,999	\$3,519	\$3,776
	3,000—3,299	\$3,849	\$4,130
	3,300—3,599	\$4,178	\$4,483
	3,600—3,899	\$4,509	\$4,838
	3,900—4,199	\$4,840	
	4,200—4,499	\$5,171	
	4,500—4,799	\$5,502	
	4,800—5,099	\$5,833	
	5,100—5,399	\$6,164	
	5,400—5,699	\$6,495	
	5,700—5,999	\$6,826	
	6,000—6,299	\$7,157	
	6,300—6,499	\$7,488	
	6,500—6,699	\$7,819	
	6,700—6,899	\$8,150	
	6,900—7,099	\$8,481	
	7,100—7,299	\$8,812	
	7,300—7,499	\$9,143	
	7,500—7,699	\$9,474	
	7,700—7,899	\$9,805	
	7,900—8,099	\$10,136	
	8,100—8,299	\$10,467	
	8,300—8,499	\$10,798	
	8,500—8,699	\$11,129	
	8,700—8,899	\$11,460	
	8,900—9,099	\$11,791	
	9,100—9,299	\$12,122	
	9,300—9,499	\$12,453	
	9,500—9,699	\$12,784	
	9,700—9,899	\$13,115	
	9,900—10,099	\$13,446	
	10,100—10,299	\$13,777	
	10,300—10,499	\$14,108	
	10,500—10,699	\$14,439	
	10,700—10,899	\$14,770	
	10,900—11,099	\$15,101	
	11,100—11,299	\$15,432	
	11,300—11,499	\$15,763	
	11,500—11,699	\$16,094	
	11,700—11,899	\$16,425	
	11,900—12,099	\$16,756	
	12,100—12,299	\$17,087	
	12,300—12,499	\$17,418	
	12,500—12,699	\$17,749	
	12,700—12,899	\$18,080	
	12,900—13,099	\$18,411	
	13,100—13,299	\$18,742	
	13,300—13,499	\$19,073	
	13,500—13,699	\$19,404	
	13,700—13,899	\$19,735	
	13,900—14,099	\$20,066	
	14,100—14,299	\$20,397	
	14,300—14,499	\$20,728	
	14,500—14,699	\$21,059	
	14,700—14,899	\$21,390	
	14,900—15,099	\$21,721	
	15,100—15,299	\$22,052	
	15,300—15,499	\$22,383	
	15,500—15,699	\$22,714	
	15,700—15,899	\$23,045	
	15,900—16,099	\$23,376	
	16,100—16,299	\$23,707	
	16,300—16,499	\$24,038	
	16,500—16,699	\$24,369	
	16,700—16,899	\$24,700	
	16,900—17,099	\$25,031	
	17,100—17,299	\$25,362	
	17,300—17,499	\$25,693	
	17,500—17,699	\$26,024	
	17,700—17,899	\$26,355	
	17,900—18,099	\$26,686	
	18,100—18,299	\$27,017	
	18,300—18,499	\$27,348	
	18,500—18,699	\$27,679	
	18,700—18,899	\$28,010	
	18,900—19,099	\$28,341	
	19,100—19,299	\$28,672	
	19,300—19,499	\$29,003	
	19,500—19,699	\$29,334	
	19,700—19,899	\$29,665	
	19,900—20,099	\$29,996	
	20,100—20,299	\$30,327	
	20,300—20,499	\$30,658	
	20,500—20,699	\$30,989	
	20,700—20,899	\$31,320	
	20,900—21,099	\$31,651	
	21,100—21,299	\$31,982	
	21,300—21,499	\$32,313	
	21,500—21,699	\$32,644	
	21,700—21,899	\$32,975	
	21,900—22,099	\$33,306	
	22,100—22,299	\$33,637	
	22,300—22,499	\$33,968	
	22,500—22,699	\$34,299	
	22,700—22,899	\$34,630	
	22,900—23,099	\$34,961	
	23,100—23,299	\$35,292	
	23,300—23,499	\$35,623	
	23,500—23,699	\$35,954	
	23,700—23,899	\$36,285	
	23,900—24,099	\$36,616	
	24,100—24,299	\$36,947	
	24,300—24,499	\$37,278	
	24,500—24,699	\$37,609	
	24,700—24,899	\$37,940	
	24,900—25,099	\$38,271	
	25,100—25,299	\$38,602	
	25,300—25,499	\$38,933	
	25,500—25,699	\$39,264	
	25,700—25,899	\$39,595	
	25,900—26,099	\$39,926	
	26,100—26,299	\$40,257	
	26,300—26,499	\$40,588	
	26,500—26,699	\$40,919	
	26,700—26,899	\$41,250	
	26,900—27,099	\$41,581	
	27,100—27,299	\$41,912	
	27,300—27,499	\$42,243	
	27,500—27,699	\$42,574	
	27,700—27,899	\$42,905	
	27,900—28,099	\$43,236	
	28,100—28,299	\$43,567	
	28,300—28,499	\$43,898	
	28,500—28,699	\$44,229	
	28,700—28,899	\$44,560	
	28,900—29,099	\$44,891	
	29,100—29,299	\$45,222	
	29,300—29,499	\$45,553	
	29,500—29,699	\$45,884	
	29,700—29,899	\$46,215	
	29,900—30,099	\$46,546	
	30,100—30,299	\$46,877	
	30,300—30,499	\$47,208	
	30,500—30,699	\$47,539	
	30,700—30,899	\$47,870	
	30,900—31,099	\$48,201	
	31,100—31,299	\$48,532	
	31,300—31,499	\$48,863	
	31,500—31,699	\$49,194	
	31,700—31,899	\$49,525	
	31,900—32,099	\$49,856	
	32,100—32,299	\$50,187	
	32,300—32,499	\$50,518	
	32,500—32,699	\$50,849	
	32,700—32,899	\$51,180	
	32,900—33,099	\$51,511	
	33,100—33,299	\$51,842	
	33,300—33,499	\$52,173	
	33,500—33,699	\$52,504	
	33,700—33,899	\$52,835	
	33,900—34,099	\$53,166	
	34,100—34,299	\$53,497	
	34,300—34,499	\$53,828	
	34,500—34,699	\$54,159	
	34,700—34,899	\$54,490	
	34,900—35,099	\$54,821	
	35,100—35,299	\$55,152	
	35,300—35,499	\$55,483	
	35,500—35,699	\$55,814	
	35,700—35,899	\$56,145	
	35,900—36,099	\$56,476	
	36,100—36,299	\$56,807	
	36,300—36,499	\$57,138	
	36,500—36,699	\$57,469	
	36,700—36,899	\$57,800	
	36,900—37,099	\$58,131	
	37,100—37,299	\$58,462	
	37,300—37,499	\$58,793	
	37,500—37,699	\$59,124	
	37,700—37,899	\$59,455	
	37,900—38,099	\$59,786	
	38,100—38,299	\$60,117	
	38,300—38,499	\$60,448	
	38,500—38,699	\$60,779	
	38,700—38,899	\$61,110	
	38,900—39,099	\$61,441	
	39,100—39,299	\$61,772	
	39,300—39,499	\$62,103	
	39,500—39,699	\$62,434	
	39,700—39,899	\$62,765	
	39,900—40,099	\$63,096	
	40,100—40,299	\$63,427	
	40,300—40,499	\$63,758	
	40,500—40,699	\$64,089	
	40,700—40,899	\$64,420	
	40,900—41,099	\$64,751	
	41,100—41,299	\$65,082	
	41,300—41,499	\$65,413	
	41,500—41,699	\$65,744	
	41,700—41,899	\$66,075	
	41,900—42,099	\$66,406	
	42,100—42,299	\$66,737	
	42,300—42,499	\$67,068	
	42,500—42,699	\$67,399	
	42,700—42,899	\$67,730	
	42,900—43,099	\$68,061	
	43,100—43,299	\$68,392	
	43,300—43,499	\$68,723	
	43,500—43,699	\$69,054	
	43,700—43,899	\$69,385	
	43,900—44,099	\$69,716	
	44,100—44,299	\$70,047	
	44,300—44,499	\$70,378	
	44,500—44,699	\$70,709	
	44,700—44,899	\$71,040	
	44,900—45,099	\$71,371	
	45,100—45,299	\$71,702	
	45,300—45,499	\$72,033	
	45,500—45,699	\$72,364	
	45,700—45,899	\$72,695	
	45,900—46,099	\$73,026	
	46,100—46,299	\$73,357	
	46,300—46,499	\$73,688	
	46,500—46,699	\$74,019	
	46,700—46,899	\$74,350	
	46,900—47,099	\$74,681	
	47,100—47,299	\$75,012	
	47,300—47,499	\$75,343	
	47,500—47,699	\$75,674	
	47,700—47,899	\$76,005	
	47,900—48,099	\$76,336	
	48,100—48,299	\$76,667	
	48,300—48,499	\$76,998	
	48,500—48,699	\$77,329	
	48,700—48,899	\$77,660	
	48,900—49,099	\$77,991	
	49,100—49,299	\$78,322	
	49,300—49,499	\$78,653	
	49,500—49,699	\$78,984	
	49,700—49,899	\$79,315	
	49,900—50,099	\$79,646	
	50,100—50,299	\$79,977	
	50,300—50,499	\$80,308	
	50,500—50,699	\$80,639	
	50,700—50,899	\$80,970	
	50,900—51,099	\$81,301	
	51,100—51,299	\$81,632	
	51,300—51,499	\$81,963	
	51,500—51,699	\$82,294	
	51,700—51,899	\$82,625	
	51,900—52,099	\$82,956	
	52,100—52,299	\$83,287	
	52,300—52,499	\$83,618	
	52,500—52,699	\$83,949	
	52,700—52,899	\$84,280	
	52,900—53,099	\$84,611	
	53,100—53,299	\$84,942	
	53,300—53,499	\$85,273	
	53,500—53,699	\$85,604	
	53,700—53,899	\$85,935	
	53,900—54,099	\$86,266	
	54,100—54,299	\$86,597	
	54,300—54,499	\$86,928	
	54,500—54,699	\$87,259	
	54,700—54,899	\$87,590	
	54,900—55,099	\$87,921	
	55,100—55,299	\$88,252	
	55,300—55,499	\$88,583	
	55,500—55,699	\$88,914	
	55,700—55,899	\$89,245	
	55,900—56,099	\$89,576	
	56,100—56,299	\$89,907	
	56,300—56,499	\$90,238	
	56,500—56,699	\$90,569	
	56,700—56,899	\$90,900	
	56,900—57,099	\$91,231	
	57,100—57,299	\$91,562	
	57,300—57,499	\$91,893	
	57,500—57,699	\$92,224	
	57,700—57,899	\$92,555	
	57,900—58,099	\$92,886	
	58,100—58,299	\$93,217	
	58,300—58,499	\$93,548	
	58,500—58,699	\$93,879	
	58,700—58,899	\$94,210	
	58,900—59,099	\$94,541	
	59,100—59,299	\$94,872	
	59,300—59,499	\$95,203	
	59,500—59,699	\$95,534	
	59,700—59,899	\$95,865	
	59,900—60,099	\$96,196	

		<u>2017</u> <i>Impact Fee (per 1,000 sq. ft.)</i>	<u>2018 and thereafter</u>
Single-Family	< 2,100	\$274	\$282
	2,100—2,399	\$315	\$324
	2,400—2,699	\$384	\$396
	2,700—2,999	\$439	\$452
	3,000—3,299	\$480	\$494
	3,300—3,699	\$521	\$537
	2,600—2,699	\$580	
	2,700—2,799	\$603	
	2,800—2,899	\$625	
	2,900—2,999	\$647	
	3,000—3,099	\$670	
	3,100—3,199	\$692	
	3,200—3,299	\$714	
	3,300—3,399	\$737	
	3,400—3,499	\$759	
	3,500—3,599	\$781	
	3,600—3,699	\$804	
	> 3,700	\$562	\$579
Multi-Family (per unit)	All sizes	\$303	\$312
Fire			
<i>Unit Type</i>	<i>Square Footage</i>	<u>2017</u> <i>Impact Fee (per 1,000 sq. ft.)</i>	<u>2018 and thereafter</u>
Single-Family	< 2,100	\$440	\$639
	2,100—2,399	\$506	\$735
	2,400—2,699	\$616	\$894

	2, 700 300 —2, 999 399	\$ 704 536	<u>\$1,022</u>
	<u>3,000</u> 2,400 — <u>3,299</u> 2,499	\$ 769 560	<u>\$1,118</u>
	<u>3,300</u> 2,500 — <u>3,699</u> 2,599	\$ 836 585	<u>\$1,214</u>
	2,600 — 2,699	\$633	
	2,700 — 2,799	\$658	
	2,800 — 2,899	\$682	
	2,900 — 2,999	\$707	
	3,000 — 3,099	\$731	
	3,100 — 3,199	\$755	
	3,200 — 3,299	\$780	
	3,300 — 3,399	\$804	
	3,400 — 3,499	\$829	
	3,500 — 3,599	\$853	
	3,600 — 3,699	\$877	
	> 3,700	\$902	<u>\$1,310</u>
Multi-Family (per unit)	All sizes	\$463	<u>\$502</u>
Police			
Unit Type	Square Footage	<u>2017</u> Impact Fee (per 1,000 sq.-ft.)	<u>2018 and thereafter</u>
Single-Family	< 2, 100 099	\$ 231 216	<u>\$259</u>
	2,100—2, 399 199	\$ 266 241	<u>\$299</u>
	2, 400 200 —2, 699 299	\$ 324 254	<u>\$362</u>
	2, 700 300 —2, 999 399	\$ 370 279	<u>\$414</u>
	<u>3,000</u> 2,400 — <u>3,299</u> 2,499	\$ 405 292	<u>\$454</u>
	<u>3,300</u> 2,500 — <u>3,699</u> 2,599	\$ 440 305	<u>\$492</u>
	2,600 — 2,699	\$330	
	2,700 — 2,799	\$343	
	2,800 — 2,899	\$355	

	2,900—2,999	\$368	
	3,000—3,099	\$381	
	3,100—3,199	\$393	
	3,200—3,299	\$406	
	3,300—3,399	\$419	
	3,400—3,499	\$432	
	3,500—3,599	\$444	
	3,600—3,699	\$457	
	> 3,700	\$ 474 470	<u>\$531</u>
Multi-Family (per unit)	All sizes	\$241	<u>\$286</u>

Transportation

<i>Unit Type</i>	<i>Square Footage</i>	<i><u>2017</u> Impact Fee (per 1,000 sq. ft.)</i>	<i><u>2018 and thereafter</u></i>
Single-Family	< 2,100	\$ 2,756 2,173	<u>\$5,215</u>
	2,100—2,399	\$ 3,095 2,296	<u>\$5,547</u>
	2,400—2,699	\$ 3,482 2,388	<u>\$6,104</u>
	2,700—2,999	\$ 3,749 2,510	<u>\$6,404</u>
	3,000—3,299	\$ 3,949 2,602	<u>\$6,637</u>
	3,300—3,699	\$ 4,119 2,725	<u>\$6,847</u>
	2,600—2,699	\$2,816	
	2,700—2,799	\$2,908	
	2,800—2,899	\$3,000	
	2,900—2,999	\$3,092	
	3,000—3,099	\$3,153	
	3,100—3,199	\$3,245	
	3,200—3,299	\$3,337	
	3,300—3,399	\$3,398	
	3,400—3,499	\$3,490	

	3,500—3,599	\$3,551	
	3,600—3,699	\$3,613	
	> 3,700	\$4,311 3,674	<u>\$7,060</u>
Multi-Family (per unit)	All sizes	\$2,195 1,990	<u>\$2,931</u>

Stormwater - Cherry Creek Basin (per dwelling unit)					
Unit Type	2017	2018	2019	2020	2021 and thereafter
Single-Family Detached	\$843	\$867	\$891	\$916	\$942
Single-Family Attached	\$563	\$579	\$595	\$612	\$629
Multi-Family	\$511	\$525	\$540	\$555	\$571
Stormwater - Plum Creek Basin (per dwelling unit)					
Unit Type	2017	2018	2019	2020	2021 and thereafter
Single-Family Detached	\$1,317	\$1,354	\$1,392	\$1,431	\$1,471
Single-Family Attached	\$880	\$905	\$930	\$956	\$983
Multi-Family	\$798	\$820	\$843	\$867	\$891

For purposes of this Subsection, any remodeling activity which results in the creation of an additional dwelling unit shall be subject to the payment of the fee as specified in this Subsection. For purposes of this Subsection, *single-family detached* shall include duplexes and mobile homes.

B. Nonresidential uses. No building permit shall be issued for the occupancy of any structure to be used primarily for nonresidential use prior to the payment of the following applicable fees (per 1,000 square feet of gross floor areas):

Development Impact Fees for Nonresidential Uses

<i>Municipal Facilities</i>			
<i>Unit Type</i>	<i>Square Footage</i>	<i>Impact Fee (per 1,000 square feet) 2017 (per 1,000 sq. ft.)</i>	<i><u>2018 and thereafter</u> (per 1,000 sq. ft.)</i>
Commercial/ Shopping Center	50,000 or less	\$41	<u>\$46</u>
	50,001—100,000	\$34	<u>\$38</u>
	100,001—200,000	\$31	<u>\$35</u>
	Over 200,000	\$28	<u>\$32</u>
Office	25,000 or less	\$60	<u>\$64</u>
	25,001—50,000	\$57	<u>\$60</u>
	50,001—100,000	\$54	<u>\$57</u>
	Over 100,000	\$50	<u>\$53</u>
Industrial		\$33	<u>\$35</u>
Warehousing		\$20	<u>\$21</u>
Hotel (per room)		\$16	<u>\$17</u>
<i>-Fire</i>			
<i>Unit Type</i>	<i>Square Footage</i>	<i>Impact Fee (per 1,000 square feet) 2017 (per 1,000 sq. ft.)</i>	<i><u>2018 and thereafter</u> (per 1,000 sq. ft.)</i>
Commercial/ Shopping Center	50,000 or less	\$146	<u>\$204</u>
	50,001—100,000	\$126	<u>\$176</u>
	100,001—200,000	\$110	<u>\$154</u>
	Over 200,000	\$98	<u>\$137</u>
Office	25,000 or less	\$146	<u>\$212</u>
	25,001—50,000	\$138	<u>\$200</u>

	50,001—100,000	\$130	<u>\$189</u>
	Over 100,000	\$120	<u>\$174</u>
Industrial		\$146	<u>\$215</u>
Warehousing		\$82	<u>\$120</u>
Hotel (per room)		\$57	<u>\$80</u>
Police			
Unit Type	Square Footage	<i>Impact Fee (per 1,000 square feet) 2017 (per 1,000 sq. ft.)</i>	<i>2018 and thereafter (per 1,000 sq. ft.)</i>
Commercial/ Shopping Center	50,000 or less	\$87	<u>\$97</u>
	50,001—100,000	\$73	<u>\$81</u>
	100,001—200,000	\$62	<u>\$69</u>
	Over 200,000	\$53	<u>\$59</u>
Office	25,000 or less	\$30	<u>\$36</u>
	25,001—50,000	\$25	<u>\$30</u>
	50,001—100,000	\$22	<u>\$26</u>
	Over 100,000	\$18	<u>\$21</u>
Industrial		\$11	<u>\$13</u>
Warehousing		\$8	<u>\$10</u>
Hotel (per room)		\$9	<u>\$11</u>
Transportation			
Unit Type	Square Footage	<i>Impact Fee (per 1,000 square feet) 2017 (per 1,000 sq. ft.)</i>	<i>2018 and thereafter (per 1,000 sq. ft.)</i>
Commercial/ Shopping Center	50,000 or less	\$809 763	<u>\$1,536</u>

	50,001—100,000	\$712 ⁶⁷¹	<u>\$1,351</u>
	100,001—200,000	\$622 ⁵⁸⁷	<u>\$1,182</u>
	Over 200,000	\$538 ⁵⁰⁷	<u>\$1,021</u>
Office	25,000 or less	\$763	<u>\$1,399</u>
	25,001—50,000	\$482	<u>\$884</u>
	50,001—100,000	\$340	<u>\$623</u>
	Over 100,000	\$269	<u>\$493</u>
Industrial		\$775 ⁷⁶³	<u>\$1,390</u>
Warehousing		\$675 ⁵²⁹	<u>\$1,281</u>
Hotel (per room)		\$437	<u>\$780</u>

Stormwater - Cherry Creek Basin (per 1,000 sq. ft.)					
Unit Type	2017	2018	2019	2020	2021 and thereafter
Commercial/Industrial	\$380	\$391	\$402	\$413	\$425
Stormwater - Plum Creek Basin (per 1,000 sq. ft.)					
Unit Type	2017	2018	2019	2020	2021 and thereafter
Commercial/Industrial	\$594	\$611	\$628	\$646	\$664

Any structure located in a business zone shall be assessed at the applicable nonresidential use rate, whether or not such structure is intended for nonresidential use. Any structure located in a planned unit development where commercial/shopping center, office, industrial, warehouse or hotel uses are permitted shall be assessed based upon initial proposed use, subject to the provisions of Subsection C. below. *Industrial use* means those uses devoted to the compounding, assembling, processing, treatment or manufacturing of products, including distribution centers and food and beverage processing. *Warehousing use* means uses devoted to the storage of materials.

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Safety Clause. The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this ____ day of _____, 2016 by a vote of ____ for and ____ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this ____ of _____, 2016 by the Town Council of the Town of Castle Rock, Colorado, by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Trish Muller, Finance Director