

RESOLUTION NO. 94 - 22

A RESOLUTION ESTABLISHING THE CITYWIDE DEVELOPMENT IMPACT FEES FOR SPECIFIC LAND USES AS REQUIRED BY CITY CODE SECTION 7.5.1904

WHEREAS, City Code § 7.5.1901, *et seq.* establishes Citywide Development Impact Fees, which includes a Police Capital Expansion Fee and a Fire Protection Capital Expansion Fee; and

WHEREAS, City Code §§ 7.5.1903 and 1904 require City Council to establish the initial amount of any Citywide Development Impact Fees, subject to annual adjustment; and

WHEREAS, City Code § 7.5.1902 authorizes City Council to establish varying fees based upon the intensity of each land use; and

WHEREAS, the City retained TischlerBise to conduct a cost study in order to determine the fees necessary to provide for expanded police and fire services; and

WHEREAS, the City referred to the International Traffic Engineers, Trip Generation Manual, 9<sup>th</sup> Ed., in order to assign each land use to a fee tier based upon the expected number of trips generated by such use.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. The amount of the police capital expansion fee, which shall be imposed pursuant to the provisions of part 19 of article 5 of chapter 7 of the City Code, for the purpose of funding capital improvements related to the provision of police services shall initially be determined as follows:

	<b>Fee</b>
Single Dwelling Unit	\$305.00
2-4 Units in Residential Structure (per unit)	\$249.00
5-19 Units in Residential Structure (per unit)	\$221.00
20-49 Units in Residential Structure (per unit)	\$207.00
50 Units in Residential Structure (per unit)	\$193.00
Non-Residential – Tier I (per sq. ft.)	\$ 0.74

Non-Residential – Tier II (per sq. ft.)	\$ 0.38
Non-Residential – Tier III (per sq. ft.)	\$ 0.29
Non-Residential – Tier IV (per sq. ft.)	\$ 0.12

Section 2. The amount of the fire protection capital expansion fee, which shall be imposed pursuant to the provisions of part 19 of article 5 of chapter 7 of the City Code, for the purpose of funding capital improvements related to the provision of fire services shall initially be determined as follows:

	<b>Fee</b>
Single Dwelling Unit	\$281.00
2-4 Units in Residential Structure (per unit)	\$229.00
5-19 Units in Residential Structure (per unit)	\$204.00
20-49 Units in Residential Structure (per unit)	\$191.00
50 Units in Residential Structure (per unit)	\$178.00
Non-Residential – Tier I (per sq. ft.)	\$ 0.80
Non-Residential – Tier II (per sq. ft.)	\$ 0.42
Non-Residential – Tier III (per sq. ft.)	\$ 0.32
Non-Residential – Tier VI (per sq. ft.)	\$ 0.13

Section 3. The police capital expansion fee and the fire protection capital expansion fee shall be adjusted on an annual basis, as provided for in City Code § 7.5.1901(B), without further action by City Council.

Section 4. That City Council finds that the fees established hereby are fair and reasonable.

Section 5. That City Council finds that the fee tiers are roughly proportional to the effects on public safety facilities created by non-residential uses, as provided for in City Code set forth in Exhibit A attached hereto.

Section 6. That City Council finds that the Municipal Airport property should be exempt from the fire protection capital expansion fee because the Municipal Airport enterprise provides its own fire protection services through alternative means.

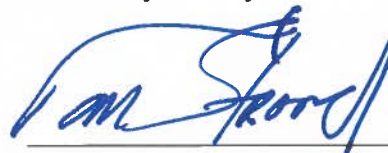
Section 7. That City Council finds that Aviation Facilities owned and controlled by the Municipal Airport enterprise should be exempt from the police capital expansion fee because the Municipal Airport enterprise provides for police services through alternative means.

Section 8. That City Council finds that the other exempt uses identified in Exhibit A have a *de minimis* effect on public safety facilities.

Section 9. That the assignment of uses to fee tiers set forth in Exhibit A is hereby adopted and established as the Community Development Impact Fees as provided for in City Code § 7.5.1902.

Section 10. This resolution shall be in full force and effect from and after January 1, 2023.

Dated at Colorado Springs, Colorado this 12<sup>th</sup> day of July 2022.



Council President

ATTEST:

  
Sarah B. Johnson



## Exhibit A

# Community Development Impact Fee - Police & Fire Protection Capital Expansion Fee Assignment of Land Uses to Fee Tiers

### Non-Residential

Ch 7 - Main Category of Use	Ch 7 - Sub-Category of Use	Chapter 7 Use Types	Fee Tier	
Agricultural use types		Animal Production	Tier 4	
		Commercial greenhouse	Tier 4	
		Community gardens	Exempt	
		Confinement/feedlot	Tier 4	
		Crop Production	Tier 4	
		Stable, commercial and riding academy	Tier 4	
		Stable, private and corral	Tier 4	
	Civic Use types	Educational Institutions	Charter school	Tier 2
			College and University	Tier 2
			Nonpublic schools	Tier 2
Proprietary school			Tier 3	
Public schools			Tier 2	
Administrative/safety services			Tier 3	
Cemetery			Exempt	
Club (membership, social, and recreational)			Tier 3	
Crematory services (as an accessory use)			Exempt	
Cultural services			Tier 1	
Daycare center		Tier 1		
Daycare home		Tier 1		
Daycare home, large		Tier 1		
Detention facilities/halfway houses		Tier 2		
Hospital		Tier 2		
Maintenance and service facility		Tier 1		
Mausoleum/Columbarium		Exempt		
Public assembly		Tier 3		
Public park and recreation		Exempt		
Religious institution		Tier 2		
Semipublic community recreation	Tier 3			
Social service center	Tier 3			

Ch 7 - Main Category of Use	Ch 7 - Sub-Category of Use	Chapter 7 Use Types	Fee Tier	
<b>Commercial Use Types</b>	<b>Automotive and equipment services</b>	Utility Facilities	Tier 4	
		Automotive Rentals	Tier 1	
		Automotive repair garage	Tier 3	
		Automotive Sales	Tier 1	
		Automotive Service	Tier 1	
		Automotive storage yard	Tier 4	
		Automotive Wash	Tier 4	
		Body and fender repair services	Tier 3	
		Construction equipment business	Tier 4	
		Equipment rental and sales	Tier 1	
		Equipment repair services	Tier 4	
		Equipment storage yard	Tier 4	
		<b>Food sales</b>	Convenience food sales	Tier 1
			General food sales	Tier 1
			Specialty food sales	Tier 1
<b>Kennels</b>	Animal shelters	Tier 3		
	Indoor	Tier 4		
	Indoor and outdoor	Tier 4		
<b>Medical Marijuana Facility</b>	Medical Marijuana Center	Tier 1		
	Medical Marijuana Infused Product Manufacturer - nonhazardous	Tier 4		
	Optional Premises Cultivation Operation	Tier 4		
<b>Recreation, commercial</b>	Indoor entertainment	Tier 3		
	Indoor sports and recreation	Tier 3		
	Outdoor entertainment	Tier 3		
	Outdoor sports and recreation	Tier 3		
<b>Restaurants</b>	Drive-in or fast food	Tier 1		
	Quick serve restaurant	Tier 1		
	Sit down - served at table	Tier 1		
<b>Retail, general</b>	Large retail establishment	Tier 1		
	Neighborhood serving retail	Tier 1		
<b>Veterinary service</b>	Large animal hospitals	Tier 4		
	Small animal clinics	Tier 3		
	Agricultural sales and service	Tier 1		
	Bar	Tier 1		
	Bed and breakfast inn	Tier 1		
	Building maintenance services	Tier 3		
	Business office support services	Tier 3		

Ch 7 - Main Category of Use	Ch 7 - Sub-Category of Use	Chapter 7 Use Types	Fee Tier
		Business park	Tier 3
		Campground	Exempt
		Commercial center	Tier 1
		Communication services	Tier 3
		Construction sales and services	Tier 1
		Consumer convenience services	Tier 3
		Consumer repair services	Tier 3
		Data Center	Tier 3
		Exterminating services	Tier 3
		Funeral services	Exempt
		Hookah bar	Tier 1
		Hotel/motel	Tier 1
		Liquor sales	Tier 1
		Miniwarehouses	Tier 4
		Mixed commercial-residential	Tier 1
		Mixed office-residential	Tier 3
		Personal consumer services	Tier 3
		Personal improvement services	Tier 3
		Pet services	Tier 3
		Pharmacy	Tier 1
		Surplus sales	Tier 1
		Teen club	Tier 3
		Young adult club	Tier 3
		Heavy	Tier 4
		Light	Tier 4
		Medical Marijuana Infused Product Manufacturer - hazardous	Tier 4
		Open Pit	Tier 4
		Surface	Tier 4
		Temporary surface and open pit	Tier 4
		Underground	Tier 4
		Large recycling collection center	Tier 4
		Recycling processing center	Tier 4
		Small recycling collection center	Tier 4
		Accessory retail sales (accessory to principal use)	Tier 1
		Construction and/or contractor yards	Tier 4
		Construction batch plant	Tier 4
		Custom manufacturing	Tier 4
		General Industry	
		Medical Marijuana Facility	
		Mining operation	
		Recycling	

Ch 7 - Main Category of Use	Ch 7 - Sub-Category of Use	Chapter 7 Use Types	Fee Tier
		Garbage service companies	Tier 4
		Industrial laundry services (large scale activity)	Tier 4
		Junkyard	Tier 4
		Manufacturing	Tier 4
		Meatpacking and related industry	Tier 4
		Research and development	Tier 3
		Stockyards	Tier 4
		Transfer station	Tier 4
		Truck terminal	Tier 4
		Vehicle dismantling yard	Tier 4
		Warehouse	Tier 4
		Warehouse and distribution	Tier 4
		Nonstealth freestanding facility	Exempt
		Roof/building mount	Exempt
		Small cell facility	Exempt
		Stealth freestanding facility	Exempt
		Wall mounted facility	Exempt
		Broadcasting tower	Tier 4
		Landfill (nonputrescible)	Tier 4
		Landfill (putrescible and nonputrescible)	Tier 4
		Call Center	Tier 3
		Financial Services	Tier 3
		General Offices	Tier 3
		Medical offices, labs, and/or clinics	Tier 3
		Private	Exempt
		Public	Exempt
		Private	Exempt
		Public	Exempt
		Aviation facilities	Tier 4
		Railroad facilities	Tier 4
		Transportation terminal	Tier 4
		Transit shelter	Tier 4
		Transit station	Tier 4
		WCF Facilities	
		Miscellaneous use types	
		Office Use Types	
		Parking lot/surface parking	
		Parking structure	
		Transportation use types	