

ORDINANCE NO. 1107

AN ORDINANCE REVISING ROAD IMPACT FEES FOR NEW CONSTRUCTION WITHIN THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO

WHEREAS, the Board of Trustees and the Planning Commission have reviewed the Road Impact Fee Study prepared by Felsburg Holt and Ullevig and Clarion & Associates dated December 2001 and the Road Impact Fee Regulation prepared by Clarion Associates dated December 2001; and,

WHEREAS, the Board of Trustees have reviewed the Town of Berthoud Master Street Plan and Road Impact Fee Update dated April 28, 2009 by HDR, Inc.; and

WHEREAS, the Master Street Plan and Road Impact Fee update established Road Impact Fees for both "Town Center" and "I-25 Subarea" geographic areas; and

WHEREAS, the Board of Trustees, after reviewing these documents, believes it is in the best interests of the Town that road impact fees be imposed for new construction within the Town thereby ensuring that new development pay its fair share of the transportation impact it creates;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

Section 1.

There shall be imposed a road impact fee for all new construction within the Town of Berthoud. The road impact fee shall be paid per provisions found in Ordinance 1104 and in accordance with the Fee Schedule as set forth on Exhibit "A", which is attached hereto and incorporated herein by reference. The fee is applied in increments of dwelling unit, room or of 1,000 square feet. The fee will be prorated according to the actual square footage of the new construction.

There shall be no fee due when the building permits are issued for remodeling, when the construction does not increase the square footage of the structure in excess of 1,000 square feet.

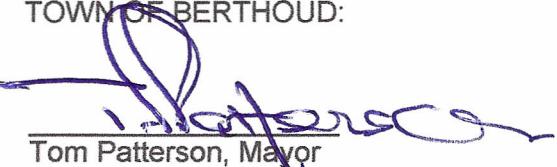
Retail establishments and restaurants shall also be exempt from the fee when it can be shown that their sales will generate sales tax revenues comparable to the competitive retail and restaurants which are already operating within the Town. It is the intent of this provision to recognize and give credit for sales tax revenues which will be generated by new businesses and which are, pursuant to the Town's current sales tax ordinance, directed toward special purposes such as repair and improvement of streets.

Section 2. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting April 28, 2009, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 12th day of May, 2009. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 12th day of May, 2009.

TOWN OF BERTHOUD:


Tom Patterson, Mayor

ATTEST:


Mary Cowdin, Town Clerk

Published: 5-21-09

Approved as to form:

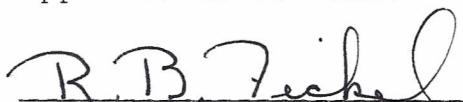

R.B. Fickel, Town Attorney

Exhibit "A"

NET FEE BY LAND USE TYPE (TOWN CENTER)

LAND USE	UNIT	2009 FEE/UNIT
RESIDENTIAL		
Single-Family Detached	DU	\$ 2,257
Multi-Family	DU	\$ 1,585
Mobile Home Park	LOT	\$ 1,178
Hotel/Motel	ROOM	\$ 2,104
RETAIL/COMMERCIAL		
Shopping/General Retail <100 ksf	KSF	\$ 9,772
Shopping/General Retail <500 ksf	KSF	\$ 6,928
Shopping/General Retail <1,000 ksf	KSF	\$ 5,724
Shopping/General Retail >1,000 ksf	KSF	\$ 5,092
Auto Sales	KSF	\$ 3,854
Auto Service/Repair/Tire	KSF	\$ 2,993
Bank	KSF	\$ 7,843
Bldg. Materials/Hardware	KSF	\$ 5,737
Convenience Store	KSF	\$ 13,057
Discount Store	KSF	\$ 6,607
Furniture Store	KSF	\$ 1,074
Movie Theater	KSF	\$ 8,286
Restaurant, Fast Food	KSF	\$ 11,704
Restaurant, Sit Down	KSF	\$ 4,031
OFFICE/INSTITUTIONAL		
Office, General <100 ksf	KSF	\$ 2,597
Office, General <200 ksf	KSF	\$ 2,685
Office, General >200 ksf	KSF	\$ 2,444
Office, Medical	KSF	\$ 8,522
Hospital	KSF	\$ 3,959
Nursing Home	KSF	\$ 1,440
Church/Synagogue	KSF	\$ 2,149
Day Care Center	KSF	\$ 2,244
Elementary/Secondary School	KSF	\$ 966
INDUSTRIAL		
General Light Industrial	KSF	\$ 1,644
Warehouse	KSF	\$ 1,170
Mini-Warehouse	KSF	\$ 591

DU = Dwelling Unit

Room = Room in hotel or motel

KSF = 1,000 square feet

NET FEE BY LAND USE TYPE (I-25 SUB AREA)

LAND USE	UNIT	2009 FEE/UNIT
RESIDENTIAL		
Single-Family Detached	DU	\$ 2,305
Multi-Family	DU	\$ 1,619
Mobile Home Park	LOT	\$ 1,203
Hotel/Motel	ROOM	\$ 2,149
RETAIL/COMMERCIAL		
Shopping/General Retail <100 ksf	KSF	\$ 9,979
Shopping/General Retail <500 ksf	KSF	\$ 7,075
Shopping/General Retail <1,000 ksf	KSF	\$ 5,845
Shopping/General Retail >1,000 ksf	KSF	\$ 5,200
Auto Sales	KSF	\$ 3,935
Auto Service/Repair/Tire	KSF	\$ 3,057
Bank	KSF	\$ 8,009
Bldg. Materials/Hardware	KSF	\$ 5,859
Convenience Store	KSF	\$ 13,334
Discount Store	KSF	\$ 6,747
Furniture Store	KSF	\$ 1,097
Movie Theater	KSF	\$ 8,462
Restaurant, Fast Food	KSF	\$ 11,952
Restaurant, Sit Down	KSF	\$ 4,116
OFFICE/INSTITUTIONAL		
Office, General <100 ksf	KSF	\$ 2,652
Office, General <200 ksf	KSF	\$ 2,742
Office, General >200 ksf	KSF	\$ 2,496
Office, Medical	KSF	\$ 8,703
Hospital	KSF	\$ 4,043
Nursing Home	KSF	\$ 1,470
Church/Synagogue	KSF	\$ 2,195
Day Care Center	KSF	\$ 2,291
Elementary/Secondary School	KSF	\$ 987
INDUSTRIAL		
General Light Industrial	KSF	\$ 1,679
Warehouse	KSF	\$ 1,195
Mini-Warehouse	KSF	\$ 603

DU = Dwelling Unit

Room = Room in hotel or motel

KSF = 1,000 square feet