

**TOWN OF TIMNATH, COLORADO  
RESOLUTION NO. 26, SERIES 2016**

**A RESOLUTION APPROVING WAIVER OF CONTRACTUAL DEVELOPMENT FEES**

**WHEREAS**, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

**WHEREAS**, the Town has adopted revisions to the Town’s Municipal Code provided for by ordinance number 02-2016 dated February 9, 2016, these revisions include the addition of or increase in various impact fees that are currently imposed by the Town (“**Codified Fees**”), a summary of which Codified Fees are attached hereto as **Exhibit A**; and

**WHEREAS**, the Codified Fees will affect certain developments that are subject to existing private development agreements (collectively, the “**Development Agreements**”) containing certain development and impact fees (collectively the “**Development Fees**”); and

**WHEREAS**, in recognition that there is significant overlap between the intent of the Codified Fees adopted by the Town and the Development Fees in the below-referenced Development Agreements, the Town desires to waive certain fees in the Development Agreements that are duplicative of the recently adopted Codified Fees; and

**WHEREAS**, the Town Council is familiar with the proposed Development Fee waivers and finds them to be in the best interest of the Town, its residents, and the general public.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO as follows:**

**Section 1. Waiver of Development Fees for Serratoga Falls**

In recognition that there is significant overlap between the intent of the additional impact fees adopted by the Town and the Development Fees provided for in section 3 of the Annexation Agreement for the Smith-Basset Property dated June 1, 2005, the Town hereby waives the \$3,500 per lot Fee for improvements to the Town, operations of the Town, and/or off-site infrastructure.

**Section 2. Waiver of Development Fees for Timnath South**

In recognition that there is significant overlap between the intent of the additional impact fees adopted by the Town and the Development Fees provided for in section 4 of the Timnath South Annexation Agreement dated December 13, 2004, the Town hereby waives the \$2,000 per dwelling unit Development Fee.

**Section 3. Waiver of Development Fees for Harmony Subdivision**

In recognition that there is significant overlap between the intent of the additional impact fees adopted by the Town and the Development Fees provided for in section 20 of the Harmony Annexation Agreement dated December 12, 2011, the Town hereby waives \$4,000 of the \$5,500 per single family dwelling unit and \$4,000 of the \$5,500 per commercial unit Special Impact Fee.

**Section 4. Waiver of Development Fees for Timnath Ranch All Filings**

In recognition that there is significant overlap between the intent of the additional impact fees adopted by the Town and the Development Fees provided for in section 3 of the Annexation Agreement dated May 5, 2004 and amended May 25, 2005, the Town hereby waives the \$1,000 per dwelling unit Storm Drainage Fee and the \$1,000 per dwelling unit Off-Site Street Improvement Fee.

**Section 5. No Waiver of Codified Fees**

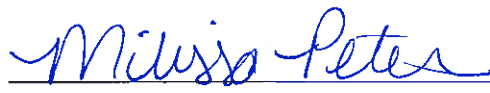
This Resolution is not intended to provide for the waiver of any Codified Fees. All Codified Fees currently existing and adopted by the Town in the future will be applied to the developments referenced in this Resolution.

**INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON APRIL 12, 2016.**

**TOWN OF TIMNATH, COLORADO**

  
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Jill Grossman-Belisle, Mayor

**ATTEST:**

  
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Milissa Peters, CMC  
Town Clerk



## **EXHIBIT A**

### Summary of Codified Fees

## EXHIBIT A

### Summary of Impact Fees and Special Fees

Figure II-15 summarizes all impact fee and special fee calculations for the Town of Timnath, as well as presents the current impact fee amounts where applicable.

**Figure II-15.  
Timnath Impact Fee and Special Fee Summary**

Impact Fee / Special Fee Summary	Current Fee <sup>1</sup>	Future Fee	Fee Difference	Methodology
<b>Police</b>				
Residential (per dwelling unit)	\$202	\$659	\$457	<i>Plan-Based</i>
Non-Residential (per 1,000 square feet)				
Retail	\$0	\$330	\$330	
Office/Industrial	\$0	\$231	\$231	
<b>Parks, Open Space and Trails</b>				
Residential (per dwelling unit)	\$4,146	\$3,669	-\$477	<i>Plan-Based</i>
Non-Residential (per 1,000 square feet)				
Retail	\$ -	\$ -	\$ -	
Office/Industrial	\$ -	\$ -	\$ -	
<b>Public Buildings</b>				
Residential (per dwelling unit)	\$384	\$800	\$416	<i>Plan-Based</i>
Non-Residential (per 1,000 square feet)				
Retail	\$0	\$401	\$401	
Office/Industrial	\$0	\$281	\$281	
<b>Stormwater</b>				
Residential (per dwelling unit)	N/A	\$560	\$560	<i>Plan-Based</i>
Non-Residential (per 1,000 square feet)				
Retail	N/A	\$267	\$267	
Office/Industrial	N/A	\$267	\$267	
<b>Transportation</b>				
Residential (per dwelling unit)	N/A	\$2,003	\$2,003	<i>Plan-Based</i>
Non-Residential (per 1,000 square feet)				
Retail	N/A	\$4,954	\$4,954	
Office/Industrial	N/A	\$2,464	\$2,464	
<b>Total Impact Fee Amount (Excludes Boxelder Floodplain Improvement Fee and Park Land Dedication Cash-in-Lieu)</b>				
Residential (per dwelling unit)	\$4,732	\$7,691	\$2,960	
Non-Residential (per 1,000 square feet)				
Retail	\$0	\$5,952	\$5,951	
Office/Industrial	\$0	\$3,243	\$3,242	
<b>Boxelder Floodplain Fee Assessment</b>				
Development within floodplain (per acre) <sup>2</sup>	N/A	\$6,726	\$6,726	<i>Plan-Based</i>
<b>Park Land Dedication Cash-in-Lieu Assessment</b>				
Residential (per dwelling unit)	N/A	\$1,740	\$1,740	<i>Plan-Based</i>

Notes: 1. Current fee presented is for single-family development.

2. Fee assessment applied only to acreage removed from Boxelder floodplain.

Source: BBC Research & Consulting, 2015.