

RESOLUTION NO. 2022-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON RELATED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, EFFECTIVE JANUARY 1, 2023

WHEREAS, authority is granted by the State of Colorado to the governing body of the City of Brighton, Colorado to assess fees and charges for services provided by the City (CRS Article XX, Section 6); and

WHEREAS, the City of Brighton has adopted a municipal code which allows for the setting and collection of fees; and

WHEREAS, the City Council has been advised by the City Manager that certain fees and charges should be adjusted to offset the City's costs of operations and reflect changes in service delivery administration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brighton, Colorado that the following fees are hereby restated or amended effective January 1, 2023 as follows:

1. That the following Community Development – Planning, Historic Preservation and the City Museum fees are hereby established as shown on Attachment 1;
2. That the following Community Development – Building Division fees are hereby established as shown on Attachment 2;
3. That the fees and charges contained herein are quoted in US dollars and take effect January 1, 2023 and shall remain in effect until changed by a subsequent Resolution of the City Council;
4. Until January 1, 2023, Community Development fees shall remain as set forth in Resolution No. 2021-83;
5. That these fees and charges shall be reviewed annually in conjunction with the budget process and any recommended changes shall be discussed and presented to City Council;
6. This Resolution is effective as of the date of its adoption.

RESOLVED THIS 6th day of December, 2022

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney

ATTACHMENT 1

COMMUNITY DEVELOPMENT – PLANNING, HISTORIC PRESERVATION AND THE CITY MUSEUM

A. Maps, Books, and Miscellaneous Publications:	
For costs associated with copies and maps, please see Attachment 11: Production or Copying of Public Records	
ITEM	RATE
Comprehensive Plan	\$30.00 each

B. Development Application Processing Fees:	
ITEM	RATE
1. Affidavit of Correction	\$375.00
2. Agreements	
a. Subdivision Plan Agreement or Final Plat Agreement (fka Development Agreement)	\$1,350 plus \$10.00 per acre
b. Annexation Agreement or Pre-Annexation Agreement	\$1,350 plus \$10.00 per acre
a. Agreement Amendment (Major)* <i>(Major Agreement Amendments typically require City Council review and consideration)</i>	\$750.00 plus \$10.00 per acre
b. Agreement Amendment (Minor)* <i>(Minor Agreement Amendments typically can be reviewed and considered for approval by City Staff)</i>	\$500.00 plus \$250.00 per each section to be amended
 * The determination as to whether or not an Amendment is “Major” or “Minor” is at the discretion of City staff per consultation with the City Attorney’s Office.	

3. Annexation ^a	\$1,350.00 plus \$10.00 per acre for the first 100 acres <i>(fee not applicable if Brighton initiates annexation)</i>
4. Appeal of Administrative Decision	\$500.00
5. Variance	\$900.00 plus \$100.00 for each additional code section requested to be adjusted in the same application
6. Certificate of Legal Non-Conforming or Benign Nonconformance Status	\$250.00
7. Change Order	\$350.00
8. Comprehensive Sign Plan (or Amendment thereto)	\$250.00
9. Conditional Use ^a	
a. Full DRC Review <i>(Processed when the use requires new construction of any type)</i>	1.) Site under five acres in size: \$2,000.00 2.) Site five to ten acres in size: \$3,350.00 3.) Site over ten acres in size: \$4,700.00
b. Administrative Review <i>(Processed when the use does not require new construction or is an amendment to an approved Conditional Use application)</i>	\$1,000.00
10. Oil and Gas Facility ^a	
a. Preliminary Site Application	\$500.00
b. Oil and Gas Application Review	\$2,500.00
c. Conditional Use (CU) or Memorandum of Understanding (MOU)	\$500.00
d. Amendment to a CU or MOU	\$250.00
11. Platting ^a	
a. Administrative Plat	\$1,000.00
b. Subdivision Plan	\$2,500.00 plus \$30.00 per acre
c. Final Plat	

	\$2,000.00 plus \$40.00 per acre
12. Planned Development (PD) ^a	\$1,500.00 plus \$20.00 per acre
a. Major Amendment to a PD (fka Planned Unit Development - PUD) *	\$1,250.00 plus \$15.00 per acre
b. Minor Amendment to a PD (fka Planned Unit Development - PUD) *	\$250.00 plus \$10.00 per acre
<i>* The determination as to whether or not an Amendment is “Major” or “Minor” is at the discretion of City staff per consultation with the City Attorney’s Office.</i>	
13. Recording Fees	Fees as set forth by applicable County Clerk and Recorder’s Office
14. Residential Design Standards (RDS) Plan <i>Applicable to all proposed single-family detached and attached residential construction. At the city’s discretion, consultant or in-house review shall be utilized subject to the following fee structure:</i>	<i>Note: These fees must be paid prior to the release of review comments and/or building permits.</i>
a. Consultant Review	Actual cost of consultant services plus 10% administrative fee
b. In-House Staff Review	\$100.00 per house plan (with elevation) plus \$40.00 for each additional model
15. RDS Processing Fee	\$50.00 per unit <i>Note: These fees will be assessed and paid with the building permit. Fee applies to single-family detached units only.</i>
16. Site Plan ^a	1.) Site under five acres in size: \$2,000.00 2.) Site five to ten acres in size: \$3,350.00 3.) Site over ten acres in size: \$4,700.00
17. Site Improvement Permit (Land Use & Development Code)	\$800.00
18. Site-Specific Development Plan Vested Property Right ^a	

	\$900.00
19. Sludge Permit	\$1.00 per dry ton
20. Special District Service Plan	
a. New Plan; plus,	\$5,000.00; plus,
i. Fee Escrow Deposit	\$20,000.00
b. Amendment; plus,	\$2,500.00; plus,
i. Fee Escrow Deposit	\$10,000.00
<i>Ordinance 1852 (as same may be amended)</i>	
21. Temporary Use	\$50.00
a. Temporary Use Permit – Goat	\$100.00
Keeping Application	
22. Vacation (Public Right-Of-Way or Easement)	\$900.00
23. Zoning (aka Rezoning)	
<i>Notes:</i>	\$1,500.00
<i>DT zoning only allowed in areas designated on the Comprehensive Plan as Town Center or Downtown District.</i>	
<i>No fee for Public Land (PL) or Open Space & Parks (O) zone districts.</i>	
24. Request for Information	
<i>Includes but is not limited to: zoning verification, allowed uses and/or non-conforming uses, written interpretation of codes, verification of utility service, and general requested research.</i>	\$50.00 for the first hour, \$25.00 per hour for every additional hour in the same request
<p>a. Fees include one initial and two subsequent planning staff reviews of the application and supporting documentation (including Development Review Committee). Each additional review by staff (including the Development Review Committee) SHALL be assessed additional review fees equal to twenty-five percent (25%) of the original application fee.</p> <p>b. e.g., Phase area master plans, traffic master plans, drainage master plans, sewer master plans, etc.</p> <p>Note 1: Fees cover the cost of processing the land use application and local (i.e. Brighton) publications. If the applicant requests publication outside of Brighton, the publication fees shall be paid by the applicant separately.</p> <p>Note 2: Any items that must be recorded at the County Clerk and Recorder's office are subject to recordation fees, which are not included in the application submittal fees.</p>	

Note 3: Any request for information may be required to be submitted in writing to the One-Stop Customer Service Center on a form provided by the same.

Note 4: For any fees that are tied to an acreage computation that results in a fraction, fractions of 0.5 or greater shall be rounded to the next highest whole number and fractions less than 0.5 shall be rounded to the next lowest whole number.

Note 5: All items listed under “B. Development Application Processing Fees” that are reviewed by the Development Review Committee (DRC) are non-refundable once the documents have been referred out to the DRC.

C. Plan Review- Land Use Applications and Civil Plan Review:

Plan Review	RATE
1. Engineering Plan Review <i>Applicable to all proposed construction that includes engineering. At the city’s discretion, consultant or in-house review shall be utilized subject to the following fee structure:</i> <ul style="list-style-type: none"> a. Consultant Review b. Staff In-House Review 	<p>Note: These fees must be paid prior to release of review comments.</p> <ul style="list-style-type: none"> a. Actual cost of consulting services plus 10% administrative fee b. \$80.00 per hour of review
2. Land Use and Development Application Plan Review <i>Applicable to all proposed land use and development applications requiring consultant review for related drawings. At the city’s discretion, consultant review shall be utilized subject to the following fee structure:</i> <ul style="list-style-type: none"> a. Consultant Review 	<p>Note: These fees must be paid prior to release of review comments.</p> <ul style="list-style-type: none"> a. Actual cost of consulting services plus 10% administrative fee

D. Historic Preservation and Museum Fees:

	RATE
1. Certificate of Appropriateness (COA)*	\$500.00
2. Delisting of a Historic Structure	\$1,600.00
3. Speaking Fee (Organization Outside of Brighton)	\$100

4. Education Classes

Classes provided by the Museum are a direct benefit to the attendee. The attendee shall pay a fee based on cost recovery of 100% of direct costs. Direct costs are those expenses which are incurred in conducting programs and include items such as speakers, experts, and materials needed to offer the class. All fees will be determined by identifying the direct cost of each program, then the total direct cost will be divided by the minimum number of participants.

** Only if a public hearing is triggered.*

ATTACHMENT 2

COMMUNITY DEVELOPMENT - BUILDING DIVISION

A. Building Valuation:

Building valuation shall be based on the August building valuation data for the preceding year, published by the International Code Council.

B. Miscellaneous Valuation:

All miscellaneous permits shall be processed based on valuation (estimated project materials and labor) per the following fee schedule for any above or below ground, public or private, new or repair/replace construction. An example of these types of permits includes, but shall not be limited to: air conditioning/evaporative cooler, fire sprinkler system, fencing, siding, furnace, gas log installation, spas/hot tubs, sheds, signs, site improvement, and right-of-way (ROW) permits.

C. Permit Fees

VALUATION	RATE
\$1 to \$500	\$23.50
\$501 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, up to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, up to and including \$25,000
\$25,001 - \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, up to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof, up to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, up to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000

\$1,000,001 and higher	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof
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D. Erosion and Sediment Control Permit:	
EROSION AND SEDIMENT CONTROL PERMIT	RATE
Basic fee for all Erosion and Sediment Control Permits	
A. Less than one (1) acre of land disturbance	\$50.50
B. One (1) to five (5) acres of land disturbance	\$60.50
C. Five (5) to nine (9) acres of land disturbance	\$100.50
D. Ten (10) to nineteen (19) acres of land disturbance	\$150.50
E. Twenty (20) or more acres of land disturbance	\$250.50

E. Plan Review Fees:	
All permits shall be assessed a plan review fee equal to 65% of the permit fee. Exception: any new single-family detached residential site-specific build that has been previously mastered will pay a \$180 plan review fee at the time of permit issuance. A deposit on the plan review fee shall be paid at the time of application submittal under the following structure:	
PLAN REVIEW FEES DEPOSIT	RATE
New Custom Residential or Residential Master Plan Review*	\$200.00
New Commercial/Industrial/Multi-Family Residential Plan Review*	\$500.00
Consultant Review	Actual Cost of consultant services plus 10% administrative fee
*At the discretion of the Chief Building Official, plans may be reviewed by an outside consultant.	

F. Elevator Inspection Fees:	
The annual cost for elevator inspections shall be charged as identified under the current approved contract by and between the elevator inspection service company and the city of	

Brighton, as same may be amended annually. The city of Brighton complies with Colorado Revised Statutes, Title 9, Article 5.5, Elevator and Escalator Certification Act.

G. Miscellaneous Inspections and Fees:

OTHER INSPECTIONS AND FEES	RATE
Residential Electrical Inspection <i>(This inspection fee applies to all new residential construction types i.e., single-family detached, single-family attached, and multi-family.)</i>	\$120.00 per dwelling unit
Inspections outside of normal business hours <i>(two-hour minimum)</i>	\$100.00*
Re-inspection fees assessed under provisions of the Brighton Municipal Code Section 15-2-180	\$100.00
Inspection for which no fee is specifically indicated	\$100.00
Duplicate inspection card	\$10.00
Additional plan review required by changes, additions, or revisions to approved plans, and new code reviews of mastered plans	\$50.50 per hour
Manufactured housing installation program fee**	\$180.00
* Per hour rate or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.	
** Per Colorado Revised Statutes §24-32-3310	

H. Contractor License and Registration Fees:

CLASSIFICATION	LICENSE FEE	REGISTRATION FEE
Class A – Unlimited General Contractor	\$150.00	\$15.00
Class B – Limited General Contractor	\$100.00	\$15.00
Class C – Residential General Contractor	\$75.00	\$15.00
Class D – Jobbing Contractor	\$50.00	\$15.00
Class P – Plumbing Contractor	\$75.00	\$15.00
Class M – Mechanical Contractor	\$75.00	\$15.00
Class MP – Mechanical/Plumbing Combination	\$100.00	\$15.00

Tree Care/Landscaping Contractor	\$25.00	\$15.00
*A Class D – Jobbing Contractor can operate as a Tree Care/Landscaping Contractor with appropriate certifications on file (as may be required by the city of Brighton Horticulturist.)		

I. Public Use Permit Fee:	
PUBLIC USE PERMIT	RATE
A. Public Use Permit Application Fee	\$200.00
B. Security Deposit (if applicable)	\$500.00
Ordinance #1908, as same may be amended.	

J. Building Permit Credit Card Fees:	2.9% of total transaction for credit cards No transaction fee for debit cards
Actual credit card fees will be analyzed annually by staff to make a recommendation for the % to be charged in the subsequent year.	

K. Development Impact Fees:	RATE
1. Community Impact Fees	\$1,971/unit
2. Neighborhood Park Impact Fee	\$1,971/unit
3. Crossing Fee	\$ 700 per unit
4. Traffic Impact Fee	
a. Residential	a. \$1,700 per dwelling unit
b. Commercial Office	b. \$0.98 per square foot of gross building
c. Commercial Retail	c. \$0.65 per square foot of gross building
d. Industrial	d. \$0.41 per square foot of gross building