



## Legislation Text

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### *Department of Community Development*

Reference: Greater Brighton Fire Protection District Impact Fees

To: Mayor Richard N. McLean and Members of City Council

Through: Clint Blackhurst, Interim City Manager

Prepared By: Marv Falconburg, Assistant City Manager for Development

Date Presented: April 25, 2017

### **PURPOSE:**

Review and consider a proposal by the Greater Brighton Fire Protection District to impose impact fees for new development.

### **SUMMARY:**

Attached you will find a summary of a proposal by the Brighton Fire District to begin charging Impact Fees on new development. Historically, impact fees of this nature have not been assessed. This is primarily due to an absence of enabling legislature in state law which would allow it. In June of 2016, the state passed HB 16-1088, the "Public Safety Fairness Act," which allows Fire Districts to impose an impact fee on new development if approved by the local governing body.

The Fire District would like to work with the City to begin assessing fees at building permit which would be used to fund capital facilities. We would need to work through the details of this process. The city is currently assisting the School District in the assessment of a similar voluntary fee system for capital facilities.

City staff has had initial discussions with the Fire District regarding this proposal. Our EDC staff is currently out for an RFP to undertake a comprehensive study of Brighton development fees in comparison with surrounding jurisdictions. We do this periodically to assess where we stand on fees as they relate to new development. Ideally, we would recommend having this fee study before making a final decision on new fees. The Fire District engaged a third party consultant, BBC Consulting, to complete an independent study of the impact of new development on the District and the proposed impact fees directly related to that impact. That study is attached for your review. The impact fee study recommended the following fees be imposed on new building permits issued for specific development types:

Commercial (per 1000 square feet)	\$433
Single family (per dwelling unit)	\$688

Multi-family (per dwelling unit)	\$550
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Currently there is almost no precedent for Fire District impact fees being assessed for cities in Colorado. At this time, Brighton would be one of the first cities to consider implementing such a fee. Philosophically, charging fees of this nature to pay for growth related infrastructure seems reasonable. Ideally, similar fees would be assessed in all surrounding cities so that the Brighton fee load is comparable with surrounding cities.

As this item is considered, staff would suggest that the following components be contemplated for possible inclusion. A master template development agreement be utilized so that there is consistency and predictability. Consideration and incorporation of the existing Affordable Housing Matrix and mechanism for fee reductions for housing meeting this criteria. Coordination with BURA regarding areas that are affected. Assurance that use of funds is directly related to Brighton development projects. The Fire District and City staff are interested in having initial discussion and receiving input from Council on this item.

### **ATTACHMENTS**

- Summary Proposal from Greater Brighton Fire Protection District for Impact Fees