



## Legislation Text

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**File #:** PC Reso 29-2018, **Version:** 2

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Agenda Date: 10/22/18

Subject:

Planning Commission Resolution 29-2018 regarding an amendment to Littleton's impact fees, Section 11-7 of Littleton's City Code

Presented By: Steve Kemp, City Attorney and Jocelyn Mills, Community Development Director
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**REQUESTED PLANNING COMMISSION ACTION:** Consider a recommendation to city council to amend the city's capital facility impact fees for fire and transportation, and to move these fees from Subdivision (Title 11) to the Administrative (Title 1) section of Littleton's City Code.

**BACKGROUND:**

Council adopted capital facility impact fees in August of 2013 (Ordinance 14, Series of 2013) and amended the fees in July of 2014 (Ordinance 17, Series of 2014). The fees are charged for new residential and non-residential development in the city and fund capital improvements to address demand attributable to the new development. The impact fee categories adopted by council include: fire, museum, library, police, facilities, and transportation.

The fees were based on the Impact Fee Design Analysis report by BBC Research and Consulting dated July 30, 2013 as updated by a supplemental memorandum dated June 5, 2014. In the adopted ordinance, the fees are to be used to fund capital improvements to address demand attributable to new development and are not to be used to fund operation, maintenance, or replacement costs or otherwise fund the general costs of government. Additionally, the impact fee applies regardless of the value of the property developed and shall be imposed in addition to other fees, taxes, or charges of the city.

Upon adoption of the impact fees by city council, BBC Research and Consulting recommended that the impact fees be periodically revisited to ensure the fees reflect capital facilities standards and are appropriately apportioned to new development. The fees have not been adjusted since 2014.

Staff has updated the Littleton street capital projects to reflect current needed street and infrastructure improvements. This update results in a recommended increase to the transportation capital facility impact fee.

Beginning in 2019, the city will be contracting with South Metro Fire Rescue for fire services; the city will no longer collect fire capital facility impact fees. The fire capital facility fee will be reduced to 0.

Additionally, the proposal is to relocate the impact fees from the Subdivision chapter of Littleton's City Code, to the Administrative chapter as the appropriate place to put these fees.

**STAFF ANALYSIS:**

The recommended impact fee change includes an update to the Littleton street capital projects and an update to reflect the number of households according to the 2016 American Community Survey report. The original growth rate of 1.5% remains the same.

Please refer to the attached draft code for details on the proposed amendments.

**FISCAL IMPACTS:**

The per dwelling residential impact fee will increase from \$3,697 to \$3,975 (an increase of \$278 per dwelling unit or 7.5%) and the per square foot non-residential impact fee will increase from \$1.946 to \$3.542 (an increase of \$1.596 or 82%) should the ordinance pass.

These fees are assessed at time of building permit issuance on new development.

**STAFF RECOMMENDATION:**

Staff recommends planning commission recommend approval of the draft amendments.

**OPTIONS/ALTERNATIVES:**

Planning Commission has the following options - recommend approval to city council, recommend approval with conditions, or recommend denial.

**PROPOSED MOTION:**

***Motion to Approve and/if necessary, With Conditions***

I move to approve PC Resolution 29-2018, to amend the city's capital facility impact fees for fire and transportation, and to move these fees from Subdivision (Title 11) to the Administrative (Title 1) section of Littleton's City Code, *which forwards a favorable recommendation to city council*, with the following condition(s):

- 1.
- 2.

***Motion to Deny***

I move to recommend denial of PC Resolution 29-2018, to amend the city's capital facility impact fees for fire and transportation, and to move these fees from Subdivision (Title 11) to the Administrative (Title 1) section of Littleton's City Code, *which forwards an unfavorable recommendation to city council*. The foregoing recommendation of denial is based on the findings that the proposed change:

*Note: Identify criterion or criteria not met and adjust motion accordingly:*

- 1.
- 2.