

## **TOWN OF GYPSUM, COLORADO**

### **ORDINANCE NO. 05 SERIES 2024**

#### **AN ORDINANCE OF THE TOWN OF GYPSUM, COLORADO AMENDING SECTIONS 17.50.040(a)(1) AND (2) OF THE GYPSUM MUNICIPAL CODE WITH RESPECT TO FIRE PROTECTION SERVICE IMPACT FEES**

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982 (the “Charter”); and

WHEREAS, pursuant to Article 1.3 of the Charter, the Town has all power of local self-government and home rule and all power possible for a home rule municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, Chapter 17.50 of the Gypsum Municipal Code (“Code”) imposes certain Fire Protection Service Impact Fees (“Impact Fees”), which are transferred to the Greater Eagle Fire Protection District and Gypsum Fire Protection District (collectively the, “Fire Districts”) to purchase capital facilities used in providing fire and emergency response services; and

WHEREAS, Section 17.50.110 Code requires the Town to update the Impact Fees annually based on inflation; and

WHEREAS, the Fire Districts and the Town previously entered into intergovernmental agreements concerning the collection, payment, and use of Impact Fees (collectively, the “IGAs”); and

WHEREAS, the Fire Districts have, as required by the IGAs, provided the Town with that certain Greater Eagle Fire Protection District Impact Fee Study, prepared by BBC Research and Consulting and dated October 31, 2022, and that certain Gypsum Fire Protection District Impact Fee Study, prepared by BBC Research and Consulting and dated May 25, 2023 (collectively the, “Studies”) supporting such amendments; and

WHEREAS, the Town and the Fire Districts have subsequently negotiated the updated Impact Fees based on the Studies and their reasonable assessment of market conditions, community needs, and community impacts; and

WHEREAS, for the purpose of updating the impact fees, the Town Council desires to amend the Impact Fees set forth in Section 17.50.040 of the Code.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

**Section 1.** Amendment of Section 17.50.040(a)(1) and (2) of the Gypsum Municipal Code. Portions of Section 17.50.040(a)(1) and (2) of the Gypsum Municipal Code are hereby amended by deleting the words that are stricken through and adding the capital and double-underlined words.

**17.50.040 - Fee Amount.**

(a) *Fire protection service impact fee.* At the option of the developer, the amount of the fire protection service impact fee may be determined in accordance with the following ~~2021 FEE~~ schedule, as adjusted for subsequent years as further provided FOR in this chapter:

(1) For development activities within the Greater Eagle Fire Protection District:

Use	Fee
Single Family Residential	<del>\$2,359.23</del> <u>\$2,712.00/dwelling unit</u>
Multi Family Residential	<del>\$1078.04</del> <u>\$1,528.00/dwelling unit</u>
<del>Commercial (other than lodging)</del> <u>NONRESIDENTIAL (OTHER THAN SHORT OR LONG-TERM LODGING ESTABLISHMENTS)</u>	<del>\$950.74 /1,000 sq. ft.</del> <u>\$999.00/1,000 sq. ft.</u>
<del>Temporary and extended stay lodging facilities</del> <u>SHORT OR LONG-TERM LODGING ESTABLISHMENTS</u>	<del>\$950.74/1,000 sq. ft.</del> <u>\$999.00/1,000 sq. ft.</u>

(2) For development activities within the Gypsum Fire Protection District:

Use	Fee
Residential	<del>\$962.66 per unit</del> <u>\$2,802.00/dwelling unit</u>
<del>Commercial, except temporary and extended stay lodging</del> <u>NONRESIDENTIAL (OTHER THAN SHORT OR LONG-TERM LODGING ESTABLISHMENTS)</u>	<del>\$481.33 /1,000 sq. ft.</del> <u>\$1473.00/1,000 sq. ft.</u>

<b>Industrial</b>	<b>\$481.33/1,000 sq. ft</b>
<b>Temporary and extended stay lodging facilities</b>	<b>\$1,203.32 /1,000 sq. ft.</b>
<b><u>SHORT OR LONG-TERM LODGING ESTABLISHMENTS</u></b>	<b><u>\$1473.00/1,000 sq. ft</u></b>

**Section 2. Public Inspection.** Copies of this ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

**Section 3. Public Hearing.** A public hearing on this Ordinance shall be held on the 12<sup>th</sup> day of March, 2024, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

**Section 4. Effective Date.** This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 12<sup>th</sup> day of March, 2024, at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

**Section 5. Severability.** If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 27<sup>th</sup> DAY OF FEBRUARY, 2024.