

**RESOLUTION
BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT**

**AMENDED RESOLUTION ESTABLISHING AN EMERGENCY SERVICES IMPACT FEE
AND ADOPTING AN EMERGENCY SERVICES IMPACT FEE SCHEDULE**

WHEREAS, the Evans Fire Protection District ("*District*") is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire suppression, fire prevention and public education, emergency medical, emergency rescue, and hazardous materials services to the citizens and property within its jurisdictional boundaries, and to individuals passing through its jurisdictional boundaries;

WHEREAS, pursuant to C.R.S. § 32-1-1002(1)(d.5), the District is authorized to receive and spend an impact fee on new development within its jurisdictional boundaries that is imposed pursuant to the provisions described in C.R.S. § 29-20-104.5 ("*District Impact Fee*");

WHEREAS, the District obtained an Impact Fee Study dated September 1, 2016 to evaluate the nexus between new development within the District's jurisdictional boundaries and the projected impact that such development has on the District's Capital Facilities ("*Nexus Study*");

WHEREAS, in accordance with C.R.S. § 29-20-104.5(2)(a), the Nexus Study quantified the reasonable impacts of both new residential development and new commercial development on the District's capital facilities, and based thereon, the District's Chief Staff recommended an impact fee schedule at levels no greater than necessary to defray such impacts directly related to new development within the District's jurisdiction ("*Emergency Services Impact Fee Schedule*"). A copy of the Emergency Services Impact Fee Schedule is attached as Attachment A;

WHEREAS, the District's Board of Directors ("*Board*") determined it is in the best interests of the District and the citizens it serves to establish a District Impact Fee and to approve the attached Emergency Services Impact Fee Schedule; and

WHEREAS, on October 24, 2016, the Board adopted Resolution 2016-06, establishing the District Impact Fee and adopting the Emergency Services Impact Fee Schedule. The Board hereby desires to amend Resolution 2016-06 in its entirety.

NOW THEREFORE, be it resolved by the Board of Directors of the Evans Fire Protection District that:

1. The Emergency Services Impact Fee Schedule attached as Attachment A is adopted and approved, effective January 1, 2017.
2. No District Impact Fee shall be assessed on any new development if the amount of the District Impact Fee otherwise would be less than the amount of the District Impact Fee assessed on a manufactured home.

3. No individual landowner is required to provide any site specific dedication or improvement to meet the same need for Capital Facilities for which a District Impact Fee is imposed pursuant to the Emergency Services Impact Fee Schedule.

4. If a District Impact Fee is owed by a developer, the District and the developer may mutually determine whether the developer will make an "in-kind" contribution in lieu of paying the District Impact Fee.

5. The term "new development" as used in this Resolution shall not include any reconstruction or rebuilding of previously existing Capital Facilities that have been destroyed, removed, or otherwise demolished, so long as the development permit for the reconstruction or rebuilding is submitted to the City of Evans within five years of the destruction, removal, or demolition of such Capital Facilities, and the reconstruction or rebuilding is comprised exclusively of like-kind Capital Facilities, including (a) the same land use and development type; (b) the same or fewer number of units for residential development; (c) the same or fewer number of square feet for commercial development; and (d) the same or lesser density and same or lesser impact on the District's Capital Facilities as was created by the original Capital Facilities prior to their destruction, removal, or demolition.


6. The provisions of this Resolution are effective retroactive to January 1, 2017. This Resolution supersedes and replaces in its entirety Resolution No. 2016-06, previously adopted by the Board at its meeting held on October 24, 2016.

ADOPTED this 27th day of November, 2017.

BY THE BOARD OF DIRECTORS
OF THE EVANS FIRE PROTECTION DISTRICT



Director



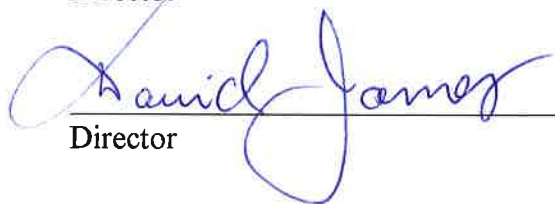
Director



Director



Director



Director

Attachment A

EVANS FIRE PROTECTION DISTRICT
EMERGENCY SERVICES IMPACT FEE SCHEDULE
Effective January 1, 2017

Residential Units		Commercial Units	
<u>Unit Type</u>	<u>Fee Per Housing Unit</u>	<u>Land Use Type</u>	<u>Fee Per Square Foot of Floor Area</u>
Single Unit	\$930	Commercial	\$1.00
2+ Unit	\$726	Office/Institutional	\$0.39
Manufactured Home	\$723	Industrial/Flex	\$0.25

No individual landowner is required to provide any site specific dedication or improvement to meet the same need for capital facilities for which an impact fee is imposed pursuant to this schedule

