

TOWN OF COAL CREEK, COLORADO

RESOLUTION NO 8 –Series 2012

A RESOLUTION OF THE TOWN OF COAL CREEK, COLORADO, ESTABLISHING CERTAIN FEES SUFFICIENT TO PAY FOR THE EXPENSES INCURRED BY THE TOWN DURING THE PROCESS AND REVIEW OF LAND USE APPLICATIONS.

WHEREAS, it is the intent of the Board of Trustees that reasonable fees sufficient to cover the cost of administration, inspections, publication of notices, consultant fees, legal fees and similar matters will be charged to applicants for permits, plat approvals, zoning amendments, variances and other matters as provided in the Zoning and Subdivision Regulations; and

WHEREAS, it is recognized that the non-refundable land use fees as specified herein may not be adequate to fully cover the Town's expenses in considering land use applications; and

WHEREAS, the Board of Trustees of the Town of Coal Creek, Colorado wish to repeal Resolution NO. 11-series 2008 in its entirety for the purpose of changing the fees.

WHEREAS, it is the intent of the Board of Trustees that in addition to the land use fees, the Town shall collect and maintain a cash deposit in an amount determined to be sufficient to cover the Town's expenses in considering land use applications, including, but not limited to, legal publications, planning and engineering services, attorney fees, consultant fees, reproduction of material, public hearing expenses and recording documents;

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF COAL CREEK, COLORADO, AS FOLLOWS:

Land Use Fee Schedule. There are hereby established the following development review cash deposits, non-refundable land use fees and pre-submittal fees to cover the cost of administration, inspections, publication notice and similar matters to be charged to applicants for permits, plat approvals, zoning amendments, variances and other land use matters.

Land Use Application Type	Development Review Cash Deposit	Land Use Application Fee	Pre-Submittal Fee
Annexation	\$5,000	Up to 1 acre \$750 Up to 10 acres \$1,500 < than 10 acres \$2,500	\$500
Annexation agreement amendment	\$1,500	Amendment to one section of the agreement - \$500 Amendment to each additional section of the agreement - \$250	\$500
Zoning/Rezoning	\$2,500	One zoning district change - \$750 < than one zoning district change - \$1,000	\$500
Use by Special Review	\$800 + \$15/unit and \$15/acre if non-residential	\$300	\$500
Mineral and Natural Resource Extraction Operations /Oil and Gas Drilling and Production	\$2,500	\$2,000	\$500
Variance	\$500	Residential - \$200 Non-residential- \$400	\$280
Planned Unit Development	\$1,000 + \$15/unit and \$15/acre if non-residential	\$500	\$627

Land Use Application Type	Development Review Cash Deposit	Land Use Application Fee	Pre-Submittal Fee
Overall Development Plan (PD)	\$1,000 + \$15/unit and \$15/acre if non-residential	\$500	\$627
Appeal (BOA)	\$800	\$100	\$205
Appeal of Administrative Decision	\$500	\$406	N/A
CMRS Review (Commercial Mobile Radio Service)	New freestanding facility –\$1,500 PC or BOT referral required - \$1,000	\$500	\$500
Sign Permit	N/A	Signs not requiring electrical review and inspection - \$190 Signs requiring electrical review and inspection - \$285	\$95
Comp Plan Amendment	\$1,000	\$250	\$190
Preliminary Plat	\$1,000 + 15/unit and \$15/acre if non-residential	Up to 10 lots - \$250 Up to 100 lots - \$500 < 100 lots - \$750	\$627
Final Plat	\$1,000 + 20/unit and \$20/acre if non-residential	Up to 10 lots - \$250 Up to 100 lots - \$500 < 100 lots - \$750	\$627

Land Use Application Type	Development Review Cash Deposit	Land Use Application Fee	Pre-Submittal Fee
Minor Subdivisions and Resubdivisions	\$500	\$300	\$500
Minor Amendments (Subdivision)	\$500	\$200	\$500
Subdivision Exemption	\$500	\$300	\$500
Variance (Subdivision)	\$500	\$200	\$500
Vacation (Portion of final plat or streets, rights-of-way and easements)	\$500 per vacation	\$300	\$205
Appeals (Subdivision)	\$150	\$250	\$205
Lot Line Adjustments/ Consolidation/Vacation	\$200	\$150 per line/ maximum of \$600	\$205
Site Development Plan	\$1,000 + 20/unit and \$20/acre if non-residential	\$750	\$627
Amendment to Site Development Plan (SDP)	\$1,000	\$250	\$500
Vested Rights	\$500	\$200	\$406
Street Cut Permits	\$200	\$250	\$205
Special District Requests	10,000 or 1/100 of 1% of the debt listed in the Service Plan, whichever is less	\$2,000	\$500

Application Termination. Except where the law or an agreement with the Town provides otherwise, the Applicant may terminate his application at any time by giving written notice to the Town. The Town shall immediately take all reasonable steps necessary to terminate the accrual of costs to the Applicant, e.g., notify newspapers to cancel publications, etc. The Applicant will continue to be liable for all costs reasonably incurred by the Town to terminate the application.

Collection of Review and Other Expenses. If the Applicant fails to pay the review and other expenses incurred by the Town when due, the Town may take those steps necessary and authorized by law to collect the expenses due. The Town shall also be entitled to all court and attorney's fees, other costs incurred in collection and interest on the amount due at the rate of 18% per annum.

Effective Date. This resolution shall become effective upon its adoption.

Severability. If any part, section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the resolution. The Town Board hereby declares that it would have passed the resolution including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Repealer. All resolutions and motions of the Board of Trustees of the Town of Coal Creek or parts thereof, in conflict with this resolution are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such resolution or motion, nor revive any resolution or motion thereby.

Town Trustee John Bechtelheimer made the motion to adopt of the foregoing resolution and Trustee L. Swift seconded the motion and upon a vote of the Trustees as follows:

John Bechtelheimer	<u>Aye/Nay/Absent/Abstain</u>
John Roser	<u>Aye/Nay/Absent/Abstain</u>
Judy McCormick	<u>Aye/Nay/Absent/Abstain</u>
Connie Higgs	<u>Aye/Nay/Absent/Abstain</u>
Beverly Swift	<u>Aye/Nay/Absent/Abstain</u>
Lloyd Swift	<u>Aye/Nay/Absent/Abstain</u>

INTRODUCED, READ, PASSED AND ADOPTED this 4th day of September, 2012

Town Clerk

Mayor, Town of Coal Creek

