

**TIMBERLINE FIRE PROTECTION DISTRICT**

**A RESOLUTION APPROVING THE TIMBERLINE FIRE PROTECTION  
DISTRICT'S IMPACT FEE STUDY  
AND AUTHORIZING IMPLEMENTATION OF  
IMPACT FEES FOR THE DISTRICT**

**WHEREAS**, the Timberline Fire Protection District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Article 1, Title 32, C.R.S.; and

**WHEREAS**, the Board of Directors (“Board”) of the District has ultimate authority and responsibility over all operations, personnel and affairs of the District, with all rights, duties and powers specially granted to the Board by Article 1, Title 32, C.R.S.; and

**WHEREAS**, the construction of new developments within the District creates significant additional demand for adequate emergency services and other public services and facilities; and

**WHEREAS**, the District relies primarily on revenues from ad valorem property taxes authorized by Section 32-1-1101(1), C.R.S., to provide for the capital needs of the District and to assure that it has available capital assets, including stations, vehicles and equipment, as well as personnel, expendable equipment and supplies necessary to respond and provide fire protection and rescue services to the District’s residents, taxpayers and visitors; and

**WHEREAS**, relying on ad valorem property taxes to fund capital facilities needed to serve new development unfairly causes the District’s current taxpayers to subsidize the costs of capital facilities necessary to serve new development; and

**WHEREAS**, the demand for the District’s services is immediate upon new development of residential, commercial, retail and other occupancies, even though the District’s funding from tax revenues accrues to the District well after the demand for services begins; and

**WHEREAS**, pursuant to §32-1-1002(1)(d.5), the District has authority to receive and spend impact fees or other similar development charges imposed pursuant to the provisions described in §29-20-104.5, C.R.S.; and

**WHEREAS**, the District commissioned a study dated March 4, 2020 (the “Impact Fee Study”) by Economic & Planning Systems, Inc. (“EPS”) 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; and

**WHEREAS**, the Impact Fee Study recommended an impact fee schedule for both residential and non-residential development at a level no greater than necessary to defray the impacts of new development on the District's capital replacement needs and calculated the annual operating costs for new residential development within the District to be \$2,327 per unit, and un-met capital investment costs for new non-residential development within the District to be \$2.82 per square foot; and

**WHEREAS**, the Board hereby finds and determines that the Impact Fee Study has determined the amount of an appropriate impact for the District to be imposed upon new construction within the District, in unincorporated Gilpin County and Boulder County, Colorado; and the imposition of such an impact fee is appropriate and necessary to the function and operations of the District.

**NOW, THEREFORE**, be it resolved by the Board of Directors of the Timberline Fire Protection District, as follows:

1. Acceptance of Study and Adoption of Fees. The Board has reviewed the Impact Fee Study completed by EPS, and has relied upon and accepts the Study to establish the impact fee. The following impact fees shall be applied within the District:
  - (a) For residential units (new construction): \$2,327.00
  - (b) For non-residential units (new construction): \$2.82 per square ft.
2. Limitation on Collection. For residential units, the collection of the impact fee shall be limited to newly constructed, complete single family and multi-family residential units. No impact fee shall be collected for remodel or additions to any existing single-family unit. Commercial properties undergoing complete renovation or reconstruction which requires an additional level of service (such as the complete reconstruction of a vacant structure, or a significant change in use requiring rezoning of the subject property) shall be evaluated on a case-by-case basis, using the above criteria, to determine whether the impact fee shall be applied to the commercial renovation or reconstruction.
3. Approval of Governing Bodies. Authority is hereby granted to the members of the Board of Directors, Fire Chief, and the District's legal counsel to seek approval from the Board of County Commissioners of Gilpin County, Colorado, and from the Board of County Commissioners of Boulder County, Colorado for the imposition of impact fees for the District as a condition of issuance of a development permit.
4. Use of Impact Fees. If authorized, collected and remitted to the District, such impact fees shall be used to fund expenditures for capital facilities needed to serve new development within the District.


5. Amendments. The Board may from time to time amend this Resolution and the impact fees by motion or resolution and may adopt additional rules and procedures to effectuate this Resolution.

6. 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 provisions.

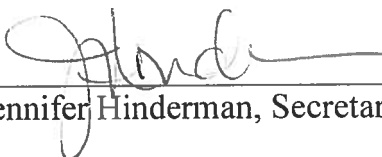
7. Effect. This Resolution shall take effect and be enforced immediately upon its approval by the District Board.

**INTRODUCED, READ, AND APPROVED** by the Board of Directors of the Timberline Fire Protection District, upon a motion duly made, seconded and passed at its regular meeting held on the 13<sup>th</sup> day of April, 2020, by a vote of 5 in favor and 0 against, and 0 abstentions.

TIMBERLINE FIRE PROTECTION  
DISTRICT

By:   
Charles Smith, Chair

ATTEST:

  
Jennifer Hinderman, Secretary