

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5250

AN ORDINANCE AMENDING SECTIONS 21.02 and 21.05 OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) RELATED TO AND CONCERNING IMPACT FEES, FEE CREDITS AND DEDICATIONS

Recitals

The City Council has duly considered the policy and pragmatic implications of updating and enacting land development fees and amending the Grand Junction Municipal Code ("GJMC") regarding the same. The imposition and collection of development fees for the use and benefit of fire, police, transportation, and parks and recreation are known as and may be collectively referred to as "Impact Fees" or "Fees".

The City Council having been duly advised and considered the matter finds that Fees are a necessary component of funding the capital costs of infrastructure required to maintain the current level of service for city residents and further finds that development should pay its proportionate share of the costs for fire, police, parks and recreation, and transportation infrastructure.

The City recently completed an updated Fee Study and pursuant to law the purpose and methodology for calculation and imposition of Fees was reviewed and confirmed. The Fee Study was presented to the City Council and by and with this reference is adopted and incorporated as if fully set forth.

The Fee Study found that development creates demand on capital facilities and that the City's current Fees do not support the Council policy that development should pay a proportionate share of the capital costs of fire, police, parks and recreational, and transportation infrastructure, and that updating and adopting new Fees as described in the Fee Study would be reasonably related to the overall cost of the services or improvements to be provided by the City.

The City Council further finds and determines that the resources of the City are properly allocated to maintaining and improving streets and that further resources are needed to defray the capital facilities costs related to new development.

As the body vested with the jurisdiction to review and decide Impact Fees, the City Council by and with this Ordinance does find and affirm that it is in the public interest and will benefit the health safety and welfare of the City to continue the practice of collecting Fees for development related impacts on fire, police, transportation and parks and recreation, and that there is a need to increase the amount of the Impact Fees to reflect the cost of improvements that are reasonably attributable to new development, new residents and new business activities occurring in the City.

Furthermore, the City Council finds and affirms that certain land dedications and credits, because of their relationship to the levy and collection of Impact Fees, are within its jurisdiction and authority to determine and make amendments to the GJMC concerning the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION IN CONSIDERATION OF THE RECITALS, CHAPTER 21.02 AND 21.05 OF THE GRAND JUNCTION MUNICIPAL CODE ("GJMC" OR "ZONING AND DEVELOPMENT CODE") ARE AND SHALL BE AMENDED AS SHOWN (DELETIONS ARE IN STRIKETHROUGH AND ADDITIONS ARE UNDERLINED.)

§ 21.05.020(c)(1)(iv). ROW Dedication. A developer shall dedicate to the City all rights-of-way and easements needed to serve the project, consistent with adopted standards (Title 29) of the GJMC. Such dedications shall be at no cost to the City and shall not be eligible for impact fee credit(s). If a developer dedicates road or street right-of-way beyond what is needed to serve the project, or if the developer dedicates the right-of-way or easement for an Active Transportation Corridor (as described in 31.08.130 and as shown in 31.08.150, Appendix A, Figure 2), the Developer shall receive credit at fair market value for such dedication against the project's Transportation Impact Fee. The credit shall not exceed the total Transportation Impact Fee for the project. If such a dedication or a determination regarding a fee credit is claimed to exceed constitutional standards, the owner shall inform the City Attorney who, if he/she agrees, shall ask make a recommendation to the City Council to pay a fair share of the evaluate whether to pay or not additional value of such dedication or to waive all or part of such required dedication. If a developer donates road or street right-of-way beyond what is needed to serve the project, or if the developer donates the right-of-way or easement for an Active Transportation Corridor (as described in 31.08.130 and as shown in 31.08.150, Appendix A, Figure 2), the Developer shall neither claim, nor receive credit for such donation against the project's Transportation Impact Fee.

§ 21.05.030~~(a)~~ Open Space Dedication or Payment of Fee In Lieu.

(1) Applicability.

(i) The owner of any residential development, being developed in full or incrementally, of 10 or more lots or 10 or more dwelling units shall dedicate 10% of the gross acreage of the property or the equivalent of 10% of the value of the property as a fee in lieu of dedication.

(A) The Director shall decide whether to dedicate land or to pay a fee in lieu.

(B) If a land dedication is preferred by the City, the Director shall work with the applicant to determine an appropriate location on the property by considering the following:

a. The area proposed for dedication is not critical to the overall project design, as determined by the applicant. If this can be met, the land proposed for dedication shall meet some or all of the following criteria:

1. The proposed land can implement the design criteria of the PROS plan and can be maintained by the City;

2. Availability of sufficient flat surface to provide usable park or open space, or suitable open space is provided to preserve one of the following, if located on the site:

i. Unique landforms or natural areas;

ii. Fish or wildlife habitat;

iii. Cultural, historic, or archeological areas;

iv. Outdoor recreation areas; or

v. Unique vegetative areas and significant trees;

3. The area proposed for dedication is not inhibited by any easements or natural hazards that would compromise its intended purpose; and

4. The location of the dedication on the site is proximate to public access.

(ii) Private open space and/or a private recreational area(s) in any development, or an outdoor living area(s) required in a multifamily development, shall not satisfy this open space dedication requirement.

(2) Calculation of Fee In-Lieu.

(i) To calculate the fee in-lieu, the owner shall have the property appraised by a Colorado-certified appraiser. The appraiser shall value the total acreage of the property notwithstanding the fact that the owner may develop or propose to develop the property in filings or phases. The applicant is responsible for all costs of the appraisal and report.

(ii) The Appraisal Report shall be in a Summary Appraisal Report form as prescribed by the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP). The Appraisal Report shall be provided by the Applicant to the City, as a public record for the City to review, and if it accepts the Appraisal Report, determine fair market value of the property and to otherwise determine compliance with this section.

(3) Dedication and/or Fee Payment.

(i) If the land offered for dedicated has open space or recreational value, the Parks and Recreation Advisory Board shall provide a written recommendation. The City Council may accept the dedication of land so long as the land dedicated to the City

~~is at least 10% of gross acreage or is found to provide adequate public benefit. If the dedication is less than 10% of the gross acreage, the owner shall have the gross acreage appraised per GJMC § 21.05.030(a)(2) to calculate the difference in value between the land dedication and value of the gross acreage. The owner shall pay the difference in calculation to equal the value of 10% of gross acreage.~~

~~(iii) For subdivisions, the land dedication or open space fee is required and payable at the time of platting. For any other project(s), the fee is due at the time of Planning Clearance.~~

§ 21.05.030(b)(2). Trail Construction for Open Space Transportation Impact Fee Credit. If a required Active Transportation Corridor is constructed for any purpose other than replacing a required sidewalk (pursuant to Section 29.68.020.(f) Pedestrian Facilities), then the developer/owner may request a credit ~~an offset~~ for the cost of construction of the trail(s) against the project's Transportation Impact Fee ~~open space fee in lieu~~ in an amount not to exceed the total transportation ~~open space~~ fee. The amount of the credit ~~or offset~~ will be determined by the City using established and uniform cost for labor and materials for the specific type and width of the trail(s) constructed.

§21.02.070(5)(i)(C). Extension of Previously Issued Development Approval. If the fee payer is applying for an extension of a development approval issued prior to January 1, 2026 ~~January 1, 2020~~, the impact fees required to be paid shall be the net increase between the impact fees applicable at the time of the current permit extension application and any impact fees previously paid pursuant to this section, and shall include any impact fees established subsequent to such prior payment.

§21.02.070(5)(i)(F). Prior Conditions and/or Agreements. Any person who prior to January 1, 2026 ~~January 1, 2020~~, has agreed in writing with the City, as a condition of permit approval, to pay an impact fee shall be responsible for the payment of the impact fees under the terms of such agreement, and the payment of the impact fees may be offset against any impact fees due pursuant to the terms of this section.

§21.02.070(5)(ii)(G). Complete Development Application Approved Prior to Effective Date of Chapter. For development for which a complete application for a Planning Clearance was approved prior to January 1, 2026, ~~January 1, 2020~~; and for nonresidential and multifamily development for which a complete application was submitted prior to January 1, 2026, ~~January 1, 2020~~, so long as construction commences by January 1, 2028, ~~January 1, 2022~~, the required fees shall be those in effect at time of submittal.

§21.02.070(5)(ii)(H). Replacing Existing Residential Unit with New Unit. Reconstruction, ~~expansion~~, alteration, or replacement of a previously existing residential unit that does not create any additional residential units.

§21.02.070(5)(iii)(A). Calculation of Amount of Impact Fees. Annual Adjustment of Impact Fees to Reflect Effects of Inflation. Impact fees shall be adjusted starting

January 1, 2026 and on July 1 and January 1 thereafter until July 1, 2029, starting with the amount and step(s) shown in Table 21.02-8 Impact Fee Schedule. -adjusted annually and/or biannually consistent with the impact fee study. Commencing on January 1, 2023 ~~2026~~, and on January 1st of each subsequent year, each impact fee amount set forth in the Impact Fee Schedule shall be adjusted for inflation, utilizing the following formula and as follows:

Current Fee + (Total Fee X inflation) + Step Increase = New Fee

(Total Fee and Step Increase as shown in Table 21.02-8)

§21.02.070(7)(i)(B). Establishment of Impact Fee Accounts. Impact fees shall be deposited into four ~~five~~ accounts (collectively, Impact Fee Accounts): transportation, parks and recreation, ~~capital facilities~~, fire capital facilities, and police capital facilities. ~~accounts.~~

§21.02.070(11(i)) Review. The impact fees described in this section and the administrative procedures of this section shall be reviewed by the City Council at least once every ~~five~~ six years ~~by an independent consultant, as directed by the City Manager~~, to ensure that i) the demand and cost assumptions underlying the impact fees are still valid, ii) the resulting impact fees do not exceed the actual costs of constructing capital facilities that are of the type for which the impact fees are paid and that are required to serve new impact-generating development, iii) the monies collected or to be collected in each impact account have been and are expected to be spent for capital facilities for which the impact fees were paid, and iv) the capital facilities for which the impact fees are to be used will benefit the new development paying the impact fees. At the direction of the City Manager, a new impact fee study shall be conducted by an independent consultant no less than every 8 years.

21.02.070(a)(12) Impact Fee Schedule - Fire, Police, Parks and Recreation, and Transportation.

Remove/Replace Table:

Table 21.02-8: Impact Fee Schedule (2023) Fire, Police, Parks and Recreation and Transportation

		Fire	Police	Parks and Recreation	Transportation
Single-Family					
<1,250 square feet of living area	Dwelling	\$751	\$323	\$1,333	\$3,078
1,250 to 1,649 square feet of living area	Dwelling	\$751	\$323	\$1,333	\$4,711
1,650 to 2,299 square feet of living area	Dwelling	\$751	\$323	\$1,333	\$5,377
2,300 square feet or more of living area	Dwelling	\$751	\$323	\$1,333	\$7,042
Manufactured Home in a Manufactured Housing Community	Pad	\$751	\$323	\$1,333	\$3,196
Multi-family	Dwelling	\$494	\$212	\$897	\$2,881
RV Park	Pad	\$494	\$212	—	\$3,196
Hotel/Lodging	1,000 square feet	\$517	\$218	—	\$3,972 [1]
Retail/Commercial	1,000 square feet	\$517	\$218	—	\$7,227
Convenience Commercial (Gas station/Drive Thru)	1,000 square feet	\$517	\$218	—	\$15,364
Office	1,000 square feet	\$202	\$86	—	\$5,799
Institutional/Public	1,000 square feet	\$202	\$86	—	\$1,426
Industrial	1,000 square feet	\$70	\$30	—	\$2,025
Warehousing	1,000 square feet	\$36	\$15	—	\$921

Notes:

[1] Hotel/Lodging Transportation Fee calculated per Room.

Fees will be increased annually for inflation.

Replace with Table:

Table 21.02-8 Impact Fee Schedule Fire, Police, Parks and Recreation and Transportation													
Unit Size	Development Unit	Fire			Police			Transportation			Parks		
		1-Jan-26	Step Increase	Total Fee	1-Jan-26	Step Increase	Total Fee	1-Jan-26	Step Increase	Total Fee	1-Jan-26	Step Increase	Total Fee
850 or less	Dwelling	\$501	---	\$501	\$179	---	\$179	\$2,853	---	\$2,853	\$1,078	\$90	\$1,530
851 to 1,000	Dwelling	\$561	\$17	\$648	\$232	---	\$232	\$3,539	\$23	\$3,655	\$1,153	\$165	\$1,978
1,001 to 1,250	Dwelling	\$590	\$46	\$822	\$243	\$10	\$294	\$3,698	\$182	\$4,610	\$1,241	\$253	\$2,508
1,251 to 1,500	Dwelling	\$859	\$32	\$1,016	\$357	\$1	\$364	\$5,428	\$46	\$5,658	\$1,742	\$274	\$3,110
1,501 to 2,000	Dwelling	\$902	\$75	\$1,276	\$373	\$17	\$457	\$5,662	\$280	\$7,064	\$1,873	\$405	\$3,695
2,001 to 2,500	Dwelling	\$948	\$121	\$1,550	\$389	\$33	\$555	\$6,541	\$399	\$8,534	\$2,012	\$544	\$4,731
2,501 to 3,000	Dwelling	\$983	\$156	\$1,764	\$402	\$46	\$632	\$8,321	\$277	\$9,704	\$2,121	\$653	\$5,384
3,001 to 3,500	Dwelling	\$1,013	\$186	\$1,944	\$413	\$57	\$696	\$8,482	\$438	\$10,674	\$2,213	\$745	\$5,935
3,501 or greater	Dwelling	\$1,039	\$212	\$2,098	\$422	\$66	\$751	\$8,623	\$579	\$11,517	\$2,291	\$823	\$6,404
Retail/Commercial	1,000 SF	\$715	\$146	\$1,445	\$284	\$44	\$506	\$8,266	\$10	\$8,313			
Convenience Commercial	1,000 SF	\$806	\$237	\$1,589	\$316	\$76	\$697	\$11,443	---	\$11,443			
Office	1,000 SF	\$292	\$70	\$641	\$117	\$22	\$225	\$4,985	---	\$4,985			
Institutional/Public	1,000 SF	\$235	\$13	\$297	\$97	\$2	\$104	\$1,742	\$113	\$2,307			
Industrial	1,000 SF	\$98	\$21	\$200	\$39	\$6	\$70	\$1,548	---	\$1,548			
Warehousing	1,000 SF	\$50	\$10	\$102	\$20	\$3	\$36	\$787	---	\$787			
Hotel/Lodging	Room	\$473	---	\$473	\$166	---	\$166	\$3,676	---	\$3,676			
RV Park	Pad	\$160	---	\$160	\$56	---	\$56	\$1,241	---	\$1,241			

Severability.

The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no manner affect any remaining provisions of this Ordinance, the intent being that the same are severable.

INTRODUCED on first reading this 5th day of March 2025 and ordered published in pamphlet form.


ADOPTED on second reading this 2nd day of April 2025 and ordered published in pamphlet form.



Abram Herman
President of the City Council



ATTEST:



Selestina Sandoval
City Clerk

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5250 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 5th day of March 2025 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 2nd day of April 2025, at which Ordinance No. 5250 was read, considered, adopted, and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of March 2025.


Deputy City Clerk

Published: March 8, 2025

Published: April 5, 2025

Effective: May 5, 2025

