

TOWN OF LARKSPUR, COLORADO
ORDINANCE NO. 3.77

AN ORDINANCE ESTABLISHING LAND DEVELOPMENT APPLICATION FEES AND
AMENDING ARTICLE 1, SECTION 1.6 OF ORDINANCE NO. 3.43. WITH RESPECT
TO FEES

(THIS ORDINANCE REPEALS AND SUPERSEDES SECTION 1.6, ARTICLE I OF
ORDINANCE NO. 3.43 CONCERNING DEVELOPMENT REVIEW FEES)

WHEREAS, pursuant to Ordinance No. 3.43, the Town Council is authorized to adopt by resolution a schedule of fees to defray the expenses of the Town in the review and hearing of land use applications;

WHEREAS, pursuant to Resolution No. 87-04, the Town has adopted a fee schedule for land use applications;

WHEREAS, the Town's current fee schedule does not cover the costs incurred by the Town in its processing, review and hearing of land development applications in that the Town must retain expert professionals and other consultants for such review and expert analysis;

WHEREAS, the Town Council believes that development should pay its own way and that the Town's expenses in review of development applications should be borne by the proponents of the application; and

WHEREAS, the Town Council desires to amend Article I, Section 1.6 of Ordinance No. 3.43 as herein provided to establish requirements for a development review fee schedule and to allow the Town to recover costs incurred in reviewing land use applications.

NOW THEREFORE, be it ordained by the Town Council of the Town of Larkspur, Colorado as follows:

Section 1. Section 1.6, Article I of Ordinance 3.43 is hereby amended to read as follows:

1.6 Land Development Application and Review Fees.

A. Purpose and Scope. The purpose of this section is to insure that the costs to the Town of processing and reviewing applications for land development approval is fairly borne by the applicants for such approval.

B. Amount of Application Fee. Application fees for Town staff processing, including but not limited to setting public hearings; coordination with consultants; and other administrative tasks shall be paid directly to the Town in the following amounts:

Rezoning	\$250.00
Use by Special Review	\$250.00
Site Plan or Parking Plan	\$150.00
Minor Subdivision	\$250.00
Major Subdivision	\$250.00
Variance/Waiver	\$150.00
Review of Uses Not Itemized	\$250.00

C. Amount of Review Fee. Review fees for planning, engineering, attorney and other necessary consultant review, inspection, drafting, meeting attendance, and similar related functions shall equal 100% of the consultant fees as set forth in the consultant invoice billed to the Town.

D. Procedure for Payment of Application and Review Fees. At the time a land development application is first submitted to the Town, and prior to any review by the Town, the applicant shall pay to the Town the fees necessary to cover the application processing and review costs. The Town shall not charge the applicant for costs incurred during a pre-application meeting, provided such pre-application meeting is limited to a single meeting with Town staff. Application fees set forth in subparagraph (B) above, shall be paid directly to the Town and are separate from amounts deposited for review fees. In order to cover consultant review costs, the applicant shall establish an initial deposit in an amount as set forth in Table 1 below prior to further processing of the application by the Town. As costs of review are incurred and billed to the Town, the Town shall draw upon the initial deposit for payments to the appropriate consultants. The applicant shall regularly maintain in the account a minimum amount as set forth in Table 1 below. The Town will terminate review of an application when the account falls below the required minimum deposit amount and will recommence such review only upon receipt of an additional amount necessary to meet the minimum deposit.

TABLE 1

	<u>Initial Deposit</u>	<u>Minimum Deposit</u>
Rezoning	\$ 2,500.00	\$ 1,500.00
Use by Special Review	\$ 2,500.00	\$ 1,500.00
Site Plan, Parking Plan	\$ 2,500.00	\$ 1,500.00
Minor Subdivision	\$ 2,500.00	\$ 1,500.00
Major Subdivision	\$ 2,500.00	\$ 1,500.00
Variance/Waiver	\$ 1,500.00	\$ 500.00

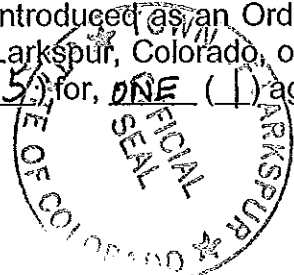
Review of Uses Not Itemized \$ 1,500.00 \$ 500.00

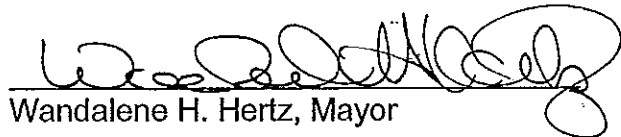
E. Refund of Fees. Upon payment of all application and review fees to cover all costs incurred in the review of a land development application, any remaining monies held on deposit by the Town will be refunded to the applicant.

Section 2. Severability Clause. The provisions of this Ordinance shall be severable, and invalidity of one provision shall not affect the validity or enforceability of other provisions of this Ordinance.

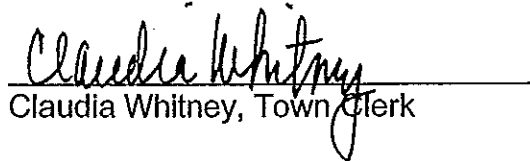
Section 3. Effective Date. This Ordinance shall take effect five (5) days after it is posted in accordance with Section 3.14 of the Town Charter.

Introduced as an Ordinance at a Regular Meeting of the Town Council of the Town of Larkspur, Colorado, on the 21st day of February, 2002, and passed by a vote of five (5) for, ONE (1) against and 0 (0) abstention(s).




Wandalene H. Hertz, Mayor

[ATTEST]


Claudia Whitney, Town Clerk

Publication Date: March 6, 2002

I hereby certify that the within Ordinance No. 3.77 was published on the 6th day of March, 2002, in the Douglas County News-Press, the newspaper of general circulation published in the County of Douglas, State of Colorado; and I further certify that the within Ordinance No. 3.77 was posted on the bulletin board at the Town Hall of the Town of Larkspur from February 22, 2002 to March 29, 2002 in accordance with Section 3.20 of the Town Charter.


Claudia Whitney, Town Clerk