

## **RESOLUTION NO. 119-00**

### **A Resolution Continuing the School Land Dedication Fee**

Recitals. Nearly five years ago, the City Council adopted what is now section 6.4 of the Zoning and Development Code, at the request of Mesa County School District 51. Since then, the City has collected school impact fees pursuant to that section along with Mesa County and the City of Fruita. These fees are to be used by District 51 exclusively to acquire future school sites and lands, pursuant to the City's home rule powers and specifically as authorized by 30-28-133(4), C.R.S.

When it adopted the ordinance authorizing the collection of the school impact fee, the City Council provided that the dollar amount of the impact fee would be reviewed every five years, based on data obtained by and the recommendation of the Board of Education of School District 51.

Mesa County adopted a similar review provision, and has recently reviewed District 51's impact fee. See, the County's resolution 83-206(h). At the request of District 51, Mesa County has renewed the impact fee at the same dollar amount.

District 51 has studied the need or demand for school lands generated by proposed developments and/or anticipated population growth in the City, and in the Urban Growth boundary where the City is expected to annex as development occurs. District 51 has reviewed its data about the average cost per acre of suitable school lands. The study which supported the original adoption of the school impact fee was dated January 5, 1996 and titled *Sales Research Summary Report* and June 20, 1995 and titled *Site and Facility Needs 1995-2000 Report to the Board of Education*.

As indicated by the District's supporting documents, the District has reviewed its data, its capital needs, and other relevant information. The District has concluded that the dollar amount of the City's school land dedication fees is fair and adequate to meet the District's needs for the next five years. The City's code section, section 6.4B., requires a public hearing if the dollar amount of the impact fee is recommended to change, however, since no such change is proposed, the City Council determines to continue said school impact fee without the need for a public hearing, unless a need for such public consideration becomes evident at any time.

District 51 has waived the City Code requirement of sixty days advance written notice.

NOW, THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. The dollar amount of the school impact fee authorized by Zoning and Development Code section 6.4 shall remain the same, based on the evidence supplied by School District 51 and submitted to the City Clerk. The City Council incorporates by this reference the evidence and supporting documentation supplied by the District to the County Commissioners and on which the Board relied in its adoption of its resolution continuing the County's analogue to this impact fee.
2. Unless the City Council renews, amends or reviews the dollar amount of the school district impact fee, pursuant to the Zoning and Development Code section 6.4B on or before January 1, 2005, the said fee shall not be collected after January 1, 2005 until the City Council renews, amends or reviews the dollar amount of the said impact fee.
3. The school district impact fee collected pursuant to the City's Zoning and Development Code section 6.4 is and continues to be until changed \$292.00.
4. The City Council adopts, confirms and ratifies the actions taken when it approved Ordinance 3240 and that the same shall to the extent necessary or required amend, continue and extend the ordinance first adopting the school land fee.

PASSED and ADOPTED this 15<sup>th</sup> day of November 2000.

Attest:

/s/ Stephanie Nye  
City Clerk

/s/ Gene Kinsey  
President of the Council