

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER
Facilities Management Upcoming Contracts/2023 Pre-Approvals
February 21, 2023

☐ For Information ☐ For Discussion/Board Direction ☒ Consent to
Place on Business/
Hearing Agenda

Issue:

Request for Pre-Approvals on Facilities Management Projects

Background:

Facilities Management has the following projects planned for 2023 that may need Board of County Commissioner contract and/or purchase order approval:

Facilities Master Plan Implementation: In 2018, Facilities Management completed a Countywide Facilities Master plan, identifying needs through 2038. Projects that were identified in the plan for growth and/or space needs are not being addressed at this time, however, other projects identified in the Master Plan are recommended. These include but may not be limited to additional secure parking at the Administration and Courts Facility, the addition of a second elevator accessible to the public as well as replacement of the generator and switchgear at the Dakota Building, and design of a new shop at Shaffer Road and Bridge. A consultant may also be engaged to update the Facility Master Plan based on post-covid trends.

Countywide Elevator Modernization: Modernization of existing elevators is required to keep them functional and to improve ADA accessibility.

Human Services Building Boiler and Pump Replacement: The boilers and pumps at the Human Services Building are approaching their end of life and must be replaced.

Discussion:

Facilities Management is requesting Pre-Approval on contract and purchase orders up to the following amounts:

Facilities Master Plan Implementation - \$2,600,000 (as budgeted in 2023).

Countywide Elevator Modernization - \$800,000 (as budgeted in 2023).

Human Services Building Boiler and Pump Replacement - \$850,000 (as budgeted in 2023).

Fiscal Impact:

Up to \$4,250,000 from the 2023 adopted budget.

Revenue Limits Impact: ☐yes ☒no

There is no impact to the county's TABOR Fiscal Year Spending Limit as the request does not involve receiving new revenue.

SPA Review: Support, no concerns

- Year of impact: 2023
- TABOR impact: No
- Existing grant or project: None
- New grant or project: None
- Requested in adopted budget: Yes, funding has been approved in 2023 Adopted Budget
- Ongoing or one-time: Costs specific to 2023
- General Fund impact: Costs budgeted in the General Fund in 2023
- Staffing impact: None
- ARPA impact: None
- Match requirements: None
- Mandate/Contractual obligation: N/A

Facilities Review: Requesting Division.

BIT Review: No fiscal impact.

Fleet Review: No fiscal impact.

Human Resources Review (new FTE only): N/A

Recommendations:

Facilities Management is requesting that the following projects be placed on a future Board of County Commissioner Hearing for Pre-Approval of contracts and/or purchase orders: Countywide Facilities Master Plan Implementation projects, Countywide Elevator Modernization, and the Human Services Building Boiler and Pump Replacement.

Originator:

Mark Danner, Facilities Management Director, X5008

Contacts for Additional Information:

Anne Panza, Assistant Director of Construction Services, X5026

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Open Space Lands Regulations Policy

February 21, 2023

For Information

For Discussion/Board Direction

☒ Consent to
Place on Business/
Hearing Agenda

Issue:

On March 1, 2022, the state legislature passed misdemeanor reform in House Bill #22-1229, which requires amendments to the current Jeffco Open Space Park Regulations and Open Space policy to comply with the new statute.

Background:

The 2022 misdemeanor reform bill impacted several county ordinances. It changed park regulation violations from misdemeanors to civil infractions. We must adjust Jeffco Open Space Park Regulations, Open Space policy, and our summons to bring them into alignment. These are relatively minor adjustments that are tracked in the attached documents.

Discussion:

Staff is proposing to amend the ordinances to comply with state statutes. All instances of Class 2 Petty Offenses have become Civil Infractions.

Fiscal Impact:

The proposed ordinance changes may result in increases or decreases to associated revenue, with potential changes varying year to year.

- Year of impact: 2023 and all years moving forward
- TABOR impact: Unclear
- Existing grant or project: None
- New grant or project: None
- Requested in adopted budget: N/A
- Ongoing or one-time: Ongoing
- General Fund impact: Unclear
- Staffing impact: None
- ARPA impact: None
- Match requirements: None
- Mandate/Contractual obligation: Changes mandated to comply with state statutes.

Revenue Limits Impact: ☒ yes ☐ no

Revenues received as fines are included in the County's TABOR Limit. Revenue impacts of these proposed ordinance changes are unclear, with potential County Fiscal Year Spending Limit impacts varying year to year.

SPA Review: N/A

Facilities Review: N/A

BIT Review: N/A

Fleet Review: N/A

Human Resources Review (new FTE only): N/A

Recommendations: BCC approves amended Open Space Park Regulations.

Originator: Kate Newman, Acting County Manager

Contacts for Additional Information: Mary Ann Bonnell, Visitor Services and Natural Resources Director, mbonnell@co.jefferson.co.us 303-271-5995

Title: Administrative Policy Open Space Lands Rules and Regulations	Policy No. Part 6, Management and Use of County Property Chapter 4, Open Space Section 1
	Effective Date
Policy Custodian Open Space Division	Adoption/Revision Date

Adopting Resolution(s): CC _____

References (Statutes/Resos/Policies): §29-7-101(2), 16-2-201 C.R.S.; CC79-865, CC82-127, CC87-358, CC87-1094, CC88-352, CC92-53, CC96-746, CC01-244, CC07-059, CC10-033, CC14-045, CC17-265, CC18-401, CC21-176

Procedure: Fees for Violation of the Open Space Lands Rules and Regulations

Purpose: To establish rules and regulations for Open Space Lands.

Policy: Open Space Lands Rules and Regulations

A. Definition

"Open Space Lands," wherever used throughout this Administrative Policy (Policy), shall mean all public parks, other lands, easements, waters or facilities owned by Jefferson County which have been purchased with Jefferson County Open Space funds, or are managed or administered by the Jefferson County Open Space Division (Open Space Division).

B. Authority

1. The Open Space Division shall be and hereby is authorized and empowered to designate those Open Space Lands or portions thereof which shall be closed to any entry, use or occupancy or to specific types of entry, use or occupancy when such closure is necessary for the protection of the land or vegetation or wildlife thereon, for the protection or safety of park visitors, or for construction or maintenance purposes. Notice of such closures shall be given by the conspicuous posting of signs at such closed areas.
2. The Open Space Division is authorized and empowered to (i) designate those portions of Open Space Lands upon which specified and designated uses will be permitted, and (ii) based on guidelines and requirements developed by the Open Space Division, issue an Open Space Lands permit (Park Permit) to a person or organization conducting a commercial, group or special activity on Open Space Lands.
3. Pursuant to Section 29-7-101(2), C.R.S., the Board of County Commissioners (Board) authorized use of the penalty assessment procedure provided in Section 16-2-201, C.R.S., as amended.

- a. Anyone violating any rule and regulation (Park Regulation) contained in this Policy shall be guilty of a ~~Class 2 petty offense~~civil infraction pursuant to 29-7-101(2), C.R.S., and upon conviction shall be subject to the minimum fine as set forth in the Procedure that implements this Policy.
- b. Fines: The Board authorizes the Director of the Parks Department to establish reasonable fines for violations of these Park Regulations. The fines shall be made available in the Procedure that implements this Policy.
4. The Board authorizes the Jefferson County Open Space Rangers to enforce these Park Regulations by issuance of citations or summonses and complaints.
5. The penalty assessment procedure provided in Section 16-2-201, C.R.S., shall be followed by any law enforcement officer for any such violation.
6. All collected fines shall be paid into a Jefferson County Open Space Account.

7. Each day a violation occurs is a separate offense for which a separate fine is assessed.

C. Violations

1. Fishing: It shall be unlawful for any person fishing on Open Space Lands, or occupying Open Space Lands with the intent to fish, to fail to comply with the Colorado Parks and Wildlife (CPW) Rules and Regulations regarding fishing, as they may be amended from time to time. These CPW Rules and Regulations are hereby adopted in their entirety, except for the fine amount identified herein.
2. Hunting/Trapping: It shall be unlawful to hunt or trap any wild animal, or to place or set traps, on Open Space Lands without a valid Jefferson County Open Space Hunting Access Permit.
3. Feeding Wildlife:
 - a. It shall be unlawful to feed, or attempt to feed, any wildlife on Open Space Lands.
 - b. It shall be unlawful to store food at campsites on Open Space Lands except in the food storage boxes provided.
4. Releasing Wildlife: It shall be unlawful to release any wildlife or domesticated animal on Open Space Lands.
5. Natural Resources Protection Closure: It shall be unlawful to enter, use or occupy Open Space Lands during the time such Lands are designated as Sensitive Areas, seasonal closures, study area closures, wildlife protection closures, refuges or other protected areas.
6. Destruction of Natural/Cultural Resources:

- a. It shall be unlawful to deface, damage or in any other way vandalize any vegetation, rock or any object of archaeological, biological, geological or historical interest on Open Space Lands.
 - b. It shall be unlawful to attach any object including but not limited to, slack-lines, clothes lines, tents, hammocks or shade structures, to trees or structures.
7. Collection of Natural Resources: It shall be unlawful to take, collect, gather or possess any animal, any part of an animal, vegetation, rock, wood or any other object on Open Space Lands.
8. Destruction of Wildlife Habitat: It shall be unlawful for any person, or any pet under their custody, control or ownership, to alter, damage, destroy, remove or in any other way vandalize wildlife habitat features on Open Space Lands, including, but not limited to, animal dens, burrows, dwellings or nests.
9. Wildlife Protection: It shall be unlawful for any person, or any pet under their custody, control or ownership, to harass, chase, harm, capture, kill, maim or possess any wildlife including, but not limited to, mammals, birds, reptiles, amphibians and fish on Open Space Lands.
10. Livestock:
- a. It shall be unlawful for any person, or any pet under their custody, control or ownership to kill, harass, harm or chase any livestock on Open Space Lands.
 - b. It shall be unlawful to turn livestock loose and/or to negligently or intentionally allow livestock to graze on Open Space Lands without written permission from the Open Space Division.
11. Pets:
- a. It shall be unlawful for any person on Open Space Lands to fail to keep any pet under their custody, control or ownership on a leash and under physical control. "Leash" means a strap, cord or chain ten (10) feet or less in length.
 - b. It shall be unlawful for any person to allow any pet under their custody, control or ownership to be Open Space Lands where the pet is off leash and (i) the pet is not within sight of the person or (ii) the person is not present on Open Space Lands.
 - c. It shall be unlawful for any person on Open Space Lands to fail to immediately pick-up, carry out and deposit in a waste receptacle, pet excrement deposited by any pet under their custody, control or ownership.
12. Fires:
- a. Except for the proper use of liquid or gas fueled grills or camp stoves in designated camping and picnic areas, it shall be unlawful on Open Space Lands to (1) burn any material; (2) start, light, maintain, leave unattended, or

fail to completely extinguish any fire; (3) fail to extinguish and safely dispose of a cigarette or other smoking device; (4) violate the conditions of any imposed fire restrictions or fire ban; or (5) possess, ignite or discharge fireworks or other explosive or incendiary devices.

- b. It shall be unlawful to smoke or use an electronic smoking device on Open Space Lands except within an enclosed vehicle or a portion of a parking lot or developed trailhead that is devoid of all vegetation. Smoking means the possession of a lighted cigarette, cigar, or pipe containing tobacco or other organic burning matter, regardless of its composition, or the lighting of such cigarette, cigar, or pipe by any person. Smoking shall include the use of electronic smoking devices and tobacco/marijuana vaporizers.

13. Damage To Property/Vandalism: It shall be unlawful to remove, destroy, deface, damage or in any other way vandalize any amenity, facility, building, structure, poster, sign or marker on Open Space Lands.

14. Litter: It shall be unlawful to deposit or leave any refuse, trash or litter in or on Open Space Lands except by depositing such refuse, trash or litter in designated waste receptacles.

15. Firearms/Projectiles:

- a. Except as otherwise authorized by law or under this Policy, it shall be unlawful to openly carry, possess, discharge or use a firearm or archery device on Open Space Lands.
- b. Except as otherwise authorized under this Policy, it shall be unlawful to possess, discharge or use other devices that discharge a projectile including, but not limited to, B-B guns, pellet guns, air guns, paintball guns, Airsoft-type guns and slingshots on Open Space Lands.

16. Hazardous Activity:

- a. It shall be unlawful for any person to engage in any careless behavior or activity on Open Space Lands that constitutes a hazard to their safety or to the safety of other visitors.
- b. It shall be unlawful for any person to engage in any reckless behavior or activity on Open Space Lands that constitutes a hazard to their safety or to the safety of other visitors.

17. Use of Motorized Vehicles: It shall be unlawful to operate any motorized vehicle including, but not limited to, one wheels and powered scooters, on Open Space Lands except on designated public roadways.

18. Use of E-bikes:

- a. It shall be unlawful to operate a Class 1 electrical assisted bicycle (e-bike) on Open Space Lands except on natural surface trails or paved trails where bicycles are authorized to travel.

- b. It shall be unlawful to operate a Class 2 e-bike on Open Space Lands except on paved trails where bicycles are authorized to travel.
 - c. It shall be unlawful to operate a Class 3 e-bike on Open Space Lands except on roads and in parking lots where motorized vehicles are authorized to travel.
19. Swimming/Boating: It shall be unlawful to swim, boat, wade or float upon any flotation device on any waters on Open Space Lands where so posted.
20. Closed Areas: It shall be unlawful to enter, use or occupy Open Space Lands, or any portion thereof, during the time such Open Space Lands, or any portions thereof, are closed to entry, use or occupancy.
21. Park Hours:
- a. It shall be unlawful to enter, use or occupy Open Space Lands from one (1) hour after sunset to one (1) hour before sunrise, unless posted otherwise.
 - b. It shall be unlawful to park any vehicle and/or trailer on Open Space Lands outside park hours without a valid camping permit clearly posted on said vehicle.
22. Camping: It shall be unlawful to camp overnight, park any vehicle, trailer or camper for overnight camping purposes on Open Space Lands except by advance permit in areas designated for camping, or camp or park a trailer or camper in such a designated area outside the posted or permitted time limits.
23. Parking:
- a. It shall be unlawful to park bicycles, vehicles or trailers on Open Space Lands where prohibited or in such a manner as to create a hazard or to obstruct vehicular, pedestrian, equestrian or bicycle traffic or damage natural resources.
 - b. It shall be unlawful for a vehicle and/or trailer to be parked in a disability parking space on Open Space Lands unless said vehicle and/or trailer displays a valid state-issued disability license plate, tag or placard.
 - c. It shall be unlawful to park any vehicle and/or trailer on any Open Space Lands in such a manner that obstructs access to emergency vehicles and/or equipment.
24. Passing On Trails:
- a. It shall be unlawful to fail to yield on Open Space trails. Yielding Order: When passing from any direction on Open Space trails, all visitors must give the right-of-way to equestrians; bicyclists and other wheeled visitors (except wheelchair visitors) must also give the right-of-way to pedestrians.

- b. It shall be unlawful to fail to pass safely on Open Space trails. At no less than fifteen (15) feet of approach from any direction, slow to a walking speed, communicate and gain the attention of other visitors. Pass safely, in single file and when oncoming traffic is clear. Stop when necessary to allow safe passage.

25. Unreasonable Noise:

- a. It shall be unlawful to use sound amplification devices on Open Space Lands or to permit unreasonably loud noises that would disturb others.
- b. It shall be unlawful to cause a public inconvenience or alarm by making unreasonably loud noises during camping quiet hours from 10:00 p.m. to 6:00 a.m.

26. Projectiles and Piloted Craft:

- a. Except as authorized by law or under this Policy, it shall be unlawful to throw, discharge, launch, operate by remote control or land any type of unpiloted drone (unmanned aircraft system), missile, rocket, car, boat, or other craft from, on or above Open Space Lands including waters.
- b. Except as authorized by law or under this Policy, it shall be unlawful to launch, land or operate any piloted craft including, but not limited to, helicopters, airplanes, ultralights, gliders, hanggliders, paragliders, BASE jumpers, sky divers, powered parachutes, hot air balloons, or boats from, on or above Open Space Lands including waters.

27. Unlawful Improvements: It shall be unlawful to construct, place or maintain any kind of road, trail, structure, fence, enclosure, fixed hardware, communication equipment or other improvements on Open Space Lands.

28. Abandoned Property: It shall be unlawful to leave any personal property unattended on Open Space Lands in excess of 24 hours unless authorized.

29. Dumping: It shall be unlawful to deposit or leave any residentially or commercially generated refuse, trash, landscaping debris, yard waste, animal remains or any other materials on Open Space Lands.

30. Park Permits:

- a. It shall be unlawful to conduct on Open Space Lands a group or special activity, as defined by the Open Space Division, without first obtaining a valid Park Permit.
- b. It shall be unlawful to violate any term or condition of a Park Permit.

31. Team Sports: It shall be unlawful to organize or participate in any team sport or activity on Open Space Lands involving the placement or use of sporting equipment or apparatus including, but not limited to, goals, nets, pits, hoops or boundary delineation.

32. Posted Notices: It shall be unlawful to violate any posted sign or other notice, or to violate any Park Regulation-based guideline or rule established by the Open Space Division including, without limitation, as set forth in any brochure for any Open Space Lands.
33. Interference: It shall be unlawful while on Open Space Lands to knowingly obstruct, impair, or hinder the performance of the official duties of an Open Space Ranger by, without limitation, failure to comply with a lawful request to immediately leave Open Space Lands, eluding or evading an Open Space Ranger, harassment of an Open Space Ranger, or providing false or misleading information with the intent to mislead said person in the performance of their duties.
34. Trespass Notice: Repeated or severe violations of these Park Regulations may result in the issuance of a Trespass Notice by an Open Space Ranger and a ban from Open Space Lands for up to twelve (12) months. It shall be unlawful for any person to violate the terms of a Trespass Notice issued to that person
35. Habitual Violations: Three (3) or more recorded violations of these Park Regulations within a 24-month period shall result in a fine.
36. Group Size on Trails: It shall be unlawful to exceed the maximum group size of 14 hikers, walkers, or runners, or 8 bikers or equestrians, on Open Space Lands. Affiliated groups may not travel within ¼ mile of each other if the total group size exceeds the regulated limit.
37. Posting: No signs, posters, banners, advertising, or other written materials, shall be constructed, erected, installed, or placed on Open Space Lands.
38. Commercial Activity: It shall be unlawful to sell or advertise a service or product while on Open Space Lands.

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

Annual Traffic Impact Fee Update

February 21, 2023

☐ For Information ☐ For Discussion/Board Direction ☒ Consent to
Place on Business/
Hearing Agenda

Issue: The Transportation & Engineering Division (T&E) manages the Traffic Impact Fee (TIF) program. The TIF policy requires a program update annually to adjust fees and project cost estimates based on the Construction Cost Index calculated by the State of Colorado.

Background: The Colorado Legislature granted statutory authority to local governments to impose traffic impact fees on new development to ensure that new development within the County bears a proportional share of the cost of capital expenditures necessary to provide improvements to interchanges, arterials, major collectors, and mountain collectors including capacity improvements, operational improvements, and associated roadway improvements as required by the Jefferson County Land Development Regulation in three funding areas: North, South, and Evergreen/Conifer.

Discussion: Staff adjusted the fees and project cost estimates using the most recent four quarters of the Construction Cost Index calculated by the State of Colorado; 2022 costs increased by 13.5638% from 2021 costs.

Traffic Impact Fee Schedule			
Land Use	Unit	Cost per Unit 2021	Cost per Unit 2022
Single Family Detached Dwelling with two (2) or fewer car garage	Dwelling Unit	\$3,371.00	\$3,828.00
Single Family Detached Dwelling with three (3) or more car garage	Dwelling Unit	\$4,588.00	\$5,210.00
Single Family Attached and Multi-Family Dwellings	Dwelling Unit	\$2,805.00	\$3,185.00
Assisted Living	Dwelling Unit or Bed	\$997.00	\$1,132.00
Commercial Retail Buildings	Square Foot of Gross Leasable Area	\$7.33	\$8.32
Office Buildings	Square Foot of Gross Leasable Area	\$4.91	\$5.58
Industrial and Warehouse/Wholesaling Buildings	Square Foot of Gross Leasable Area	\$2.12	\$2.41
Hotel/Motel	Room	\$3,186.00	\$3,618.00
Mini Warehouse	Square Foot of Gross Leasable Area	\$0.88	\$0.99
Churches	Square Foot	\$2.50	\$2.84

Fiscal Impact:

- **Year of impact:** 2023
- **TABOR impact:** FY 2023
- **Existing grant or project:** Not applicable
- **New grant or project:** Not applicable
- **Requested in adopted budget:** Revenues from these fees fund projects included in the 5-year Capital Improvement Project schedule and the 2023 annual budget.
- **Ongoing or one-time:** Ongoing
- **General Fund impact:** No impact
- **Staffing impact:** None
- **ARPA impact:** Not applicable
- **Match requirements:** None
- **Mandate/Contractual obligation:** None

Revenue Limits Impact: ☒yes ☐no

Revenue received is from a fee increase and therefore impacts TABOR fiscal year spending limits. Actual revenues collected are dependent on development applications to determine the fees and building permits issued to collect the fees.

SPA Review: Support with no concerns

Facilities Review: No fiscal impact

BIT Review: No fiscal impact

Fleet Review: No fiscal impact

Recommendations: Approve the revised Policy which includes adjusted fees.

Originator: Kelly Dunne, Transportation and Engineering

Contacts for Additional Information: Abel Montoya, Development & Transportation

Title: Regulatory Policy Traffic Impact Fee Program	Policy No. Part 8, Streets and Roads Chapter 4, Fees Section 1
	Effective Date January 1, 2023
Policy Custodian Transportation and Engineering Division	Adoption/Revision Date February 1, 2023

Adopting Resolution(s): ~~CC22-038~~

References (Statutes/Resos/Policies): C.R.S 29-20-104.5; Jefferson County Land Development Regulation; CC86-90, CC88-724, CC91-155, CC94-454, CC94-872, CC95-375, CC96-203, CC97-284, CC98-719, CC99-070, CC00-617, CC01-325, CC02-183, CC04-085, CC07-064, CC08-019, CC09-016, CC11-399, CC12-439, CC15-086, CC17-348, CC19-424, CC22-038

Purpose: The Colorado Legislature granted statutory authority to local governments to impose traffic impact fees on new development (Colorado Revised Statutes 29-20-104.5) to ensure, consistent with applicable legal principles, that new development within the County bears a proportional share of the cost of capital expenditures necessary to provide improvements to interchanges, arterials, major collectors, and mountain collectors including capacity improvements, operational improvements and associated roadway improvements as required by the Jefferson County Land Development Regulation ("Transportation Improvements") in the three funding areas as defined below.

Policy: Traffic Impact Fee Program

A. Applicability

Prior to obtaining a building permit for any building/structure, the applicant shall pay traffic impact fees as required herein.

B. Computation of the Amount of Traffic Impact Fees

1. The amount of fees shall be determined by the Director of Planning and Zoning, or his/her appointed designee, according to the Traffic Impact Fee Schedule.
2. In mixed use commercial centers containing retail, office and/or industrial uses, the Director of Planning and Zoning, or his/her appointed designee, shall determine the primary use of each building based upon the percentage of square footage (gross floor area) per use. The fee shall be assessed at the rate of the primary use when such use equals or exceeds 60 percent of the gross floor area. Where the use of a building is unknown or indeterminate at the time of building permit application, the fee shall be assessed at the highest rate for any of the potential use categories.
3. All other uses shall pay the fee set forth in the Traffic Impact Fee Schedule for the most nearly similar use as determined by the Director of Planning and Zoning, or his/her appointed designee, using comparable trip-generation calculated in the then-current Institute of Transportation Engineers Trip Generation Manual as a guide.
4. In the case of change of use, redevelopment, expansion, or modification of an existing use which requires the issuance of a building permit, the traffic impact fee shall be based upon the net increase in the traffic impact fee for the new use as compared to the previous use as determined by the Director of Planning and Zoning, or his/her appointed designee.

5. Previously paid traffic impact fees shall not be refunded in the case of change of use, redevelopment, reduction, or modification of an existing use which results in a net decrease in traffic generation compared to the previous use.

C. Inflation Adjustment

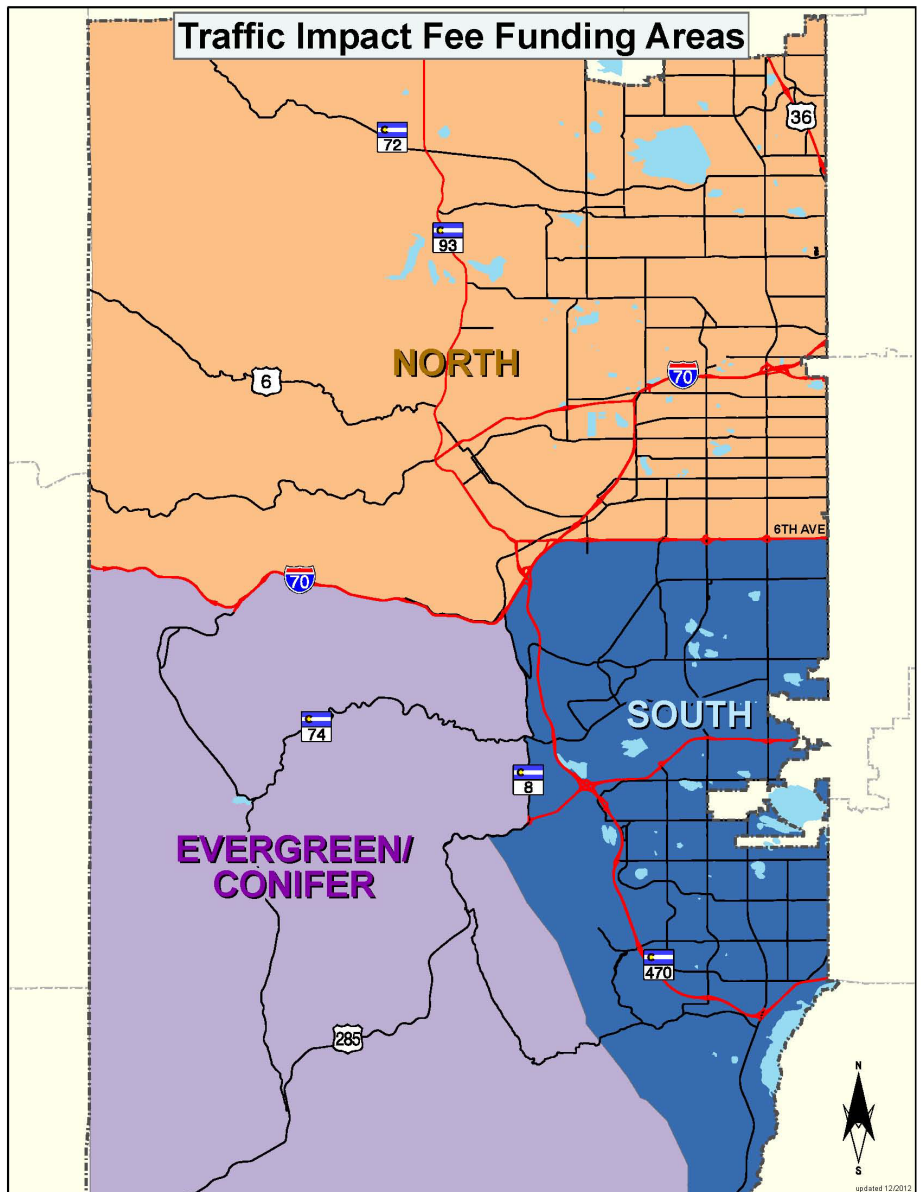
In January of each year, the fees specified in the Traffic Impact Fee Schedule and the cost estimates for projects identified in the Traffic Impact Fee Project Table shall be adjusted by the percentage increase in Construction Costs as determined by the State of Colorado. The Director of Planning and Zoning, or his/her appointed designee, will calculate the applicable increases or decreases and modify the Traffic Impact Fee Schedule and the Traffic Impact Fee Project Table accordingly.

D. Payment of Fees

Fees as computed by the Director of Planning and Zoning, or his/her appointed designee, shall be paid to the Jefferson County Division of Building Safety at the time of building permit issuance.

E. Traffic Impact Fee Road Fund

There shall be three (3) traffic impact fee funding areas as shown on the Traffic Impact Funding Areas Map. The funding areas are known as: South, North, and Evergreen/Conifer. All monies collected under this Policy shall be properly identified and promptly transferred to the appropriate funding area in the Jefferson County Traffic Impact Fee Fund and shall be held in this separate, interest-bearing account.



F. Use of Funds

All monies deposited in each fund shall be used solely to study, design, plan, and construct Transportation Improvements for the projects identified in the Traffic Impact Fee Project Table within such funding area and must be shown on the current Jefferson County Major Thoroughfare Plan. If after ten (10) years the funds have not been expended, the Board of County Commissioners shall take one of the following actions at a public meeting:

1. Retain the funds for an additional five (5) years. At the end of the first five (5) years' extension, the Board shall again consider an extension of five (5) additional years;
2. Refund the moneys not expended plus interest to the applicant having made the original payment, if the applicant can be located with reasonable effort; or
3. Treat funds as unclaimed property pursuant to County policy.

G. Credit Against Payment of Traffic Impact Fees

1. No credit shall be given for right of way dedications or site-related improvements required by the Jefferson County Land Development Regulation.
2. No credit shall be given for landscaping, except native seeding for erosion control, associated with the projects identified in the Traffic Impact Fee Project Table that is found in the procedure that implements this policy.
3. A person may obtain credit against all or a portion of traffic impact fees otherwise due or to become due by constructing any of the projects within the same funding area identified in the Traffic Impact Fee Project Table. Such construction must be in accordance with County regulations. The credit shall be determined and provided in the following manner:
 - a. An applicant for credit for construction of a project identified in the Traffic Impact Fee Project Table shall submit a request to the County Manager. The County Manager shall award full credit for roadway construction based on the County's cost estimate for the segment or portion of segment or intersection proposed to be constructed by the applicant. Only capital construction items are included in the County's construction cost estimate. Right of way acquisition and landscaping beyond native seeding are not included in the County's construction cost estimate. The County Manager shall provide the applicant with a letter setting forth the dollar amount of the credit, the reason for the credit, and an adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter indicating agreement to the terms of the letter and return such signed letter to the County Manager before credit will be given. The failure of the applicant to sign, date, and return such letter within sixty (60) days of the date of the letter shall nullify the credit.
 - b. Except as provided in G.3.a, credit against traffic impact fees otherwise due will not be provided until:
 - (1) The construction is completed and accepted by the County;
 - (2) A suitable maintenance and warranty performance guarantee is received and approved by the County; and
 - (3) All design, construction, inspection, testing, bonding, and acceptance procedures are in strict compliance with the then-current county requirements, when applicable.

- c. Credit may be provided before completion of construction if the traffic impact fee payer posts security as provided below for the cost of construction. Security in the form of an irrevocable letter of credit or cash escrow shall be tendered to the County in an amount determined by the County Planning and Zoning Division and in a form acceptable to the County Attorney.
- d. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

H. Exemptions from Payment of Traffic Impact Fees

The following shall be exempt from payment of the traffic impact fee:

- 1. Alteration or expansion of an existing building where no additional units are created, where the use is not changed, and where no additional vehicular trips will be produced over those produced by the existing use as determined by the Director of Planning and Zoning, or his/her appointed designee.
- 2. Accessory building or structure which will not produce additional vehicular trips over those produced by the principal building or use as determined by the Director of Planning and Zoning, or his/her appointed designee.
- 3. Replacement of a wholly or partially destroyed building or structure with a new building or structure of the same size and use provided that no additional vehicular trips will be produced over those produced by the original use as determined by the Director of Planning and Zoning, or his/her appointed designee.

I. Periodic Review

- 1. Projects identified in the Traffic Impact Fee Project Table will be reviewed every five years beginning January 1, 2022.
- 2. The Transportation and Engineering Division will analyze the roadways identified in the Major Thoroughfare Plan every five years beginning January 1, 2022, to identify transportation improvements that should be included in the Traffic Impact Fee Project Table. To be eligible for inclusion in the Traffic Impact Fee Project Table, a project:
 - a. must be identified in the Jefferson County Major Thoroughfare Plan;
 - b. currently operates at or better than Level of Service D; and
 - c. be projected to operate worse than Level of Service D within a ten (10) year period based on procedures used in the most current version of the Highway Capacity Manual.
- 3. Because the program is reviewed periodically, funds will be collected and will accumulate in funding areas where no projects may be listed in the Traffic Impact Fee Project Table for such area.

J. Program Termination

The Traffic Impact Fee Program will terminate:

- 1. For any single funding area, if the projects identified in the Traffic Impact Fee Project Table are constructed, and no additional projects are added during the periodic review to such funding area, then the Board of County Commissioners may choose to terminate the program within that funding area and refund the moneys not expended plus interest to the applicant(s) having made the original payment(s).

- a. Fees will be refunded to applicants with the most recent building permits who have paid traffic impact fees until all of the moneys within the funding area are exhausted.
2. When it is determined by the Board of County Commissioners that the projects identified in the Traffic Impact Fee Project Table will not be constructed.

K. Definitions.

1. Gross Floor Area: Area of each floor based upon exterior dimensions of building.
2. Gross Leasable Area: Eighty percent (80%) of gross floor area, unless it can be demonstrated otherwise to the Director of Planning and Zoning, or his/her appointed designee, based on the GLA definition contained in Section 32 of the Zoning Resolution.
3. Single-family attached: Dwelling units attached by a livable space or garage totally enclosed with full foundation.
4. Multi-family Attached: Totally enclosed single-family structures or dwelling units where more than one dwelling unit shares the same foundation or roof.
5. Assisted Living: Residential setting, usually with separate living quarters, that provides oversight or assistance with activities necessary for independent living; common services such as dining, transportation, and medication administration may be provided.

Traffic Impact Fee Schedule		
Land Use	Unit	Cost Per Unit
Single Family Detached Dwelling with two (2) or fewer car garage	dwelling unit	\$3,828 \$3,371
Single Family Detached Dwelling with three (3) or more car garage	dwelling unit	\$5,210 \$4,588
Single Family Attached and Multi-Family Dwellings	dwelling unit	\$3,185 \$2,805
Assisted Living	dwelling unit or bed	\$1,132 \$997
Commercial Retail Buildings	square foot of gross leasable area	\$8.32 \$7.33
Office Buildings	square foot of gross leasable area	\$5.58 \$4.91
Industrial and Warehouse/Wholesaling Buildings	square foot of gross leasable area	\$2.41 \$2.12
Hotel/Motel	room	\$3,618 \$3,186
Mini Warehouse	square foot of gross leasable area	\$0.99 \$0.88
Churches	square foot	\$2.84 \$2.50

Traffic Impact Fee Projects

SOUTH PROJECTS

<u>Segment</u>	<u>From</u>	<u>To</u>	<u>2022+ Construction Cost (for 2032)</u>
Bowles Avenue	Eldridge St	C-470	\$1,200,000 681,934
Quincy Avenue	Alkire St	Simms St	\$2,500,000 8,625,826
<u>Quincy Avenue</u>	<u>Turkey Creek Rd</u>	<u>Eldridge St</u>	<u>\$2,500,000</u>
Ute Avenue	Kipling Pkwy	Owens St	\$3,651,050
Waterton Road	0.2 miles south of Wadsworth Blvd	County Line	\$4,539,897 5,000,000
Alameda Ave	Rooney Road (West of C-470)	C-470 Southbound Ramps	\$1,834,147 921,501

NORTH PROJECTS

<u>Segment</u>	<u>From</u>	<u>To</u>	<u>2022+ Construction Cost (for 2032)</u>
Indiana Street	96th Ave	86th Ave	\$11,978,814
Wadsworth Boulevard	108th Ave	Church Ranch Blvd	\$16,409,402
Wadsworth Boulevard	Church Ranch	96th Ave	\$5,538,671
Simms Street	SH128	112th Ave	\$11,849,182
S. Golden Road	Ulysses St	Quaker St	\$3,088,182
S. Golden Road	Moss Street	Indiana St	\$3,632,370
32nd Avenue	Eldridge St	Zinnia St	\$4,074 574 ,330
20th Avenue	Denver West Pkwy	Youngfield St	\$3,970 270 ,768

EVERGREEN/CONIFER PROJECTS

<u>Intersection</u>	<u>2022+ Construction Cost (for 2032)</u>		
US285/Light Lane Interchange (includes Main Street, Light Lane to Conifer Town Center Drive, and Light Lane from US285 to Main Street)	\$5,939,884		
<u>Segment</u>	<u>From</u>	<u>To</u>	<u>2022+ Construction Cost (for 2032)</u>
JC 73	<u>S. Centaur Dr.</u> N Turkey Creek Rd	Flying J Access Rd	\$14,173,632 11,132,619
JC 73	Barkley Rd	SH-285	\$4,430,588 5,678,760