



# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** January 3, 2022

**SUBJECT:** Public Hearing: First Reading of Ordinance 2022-222 - An Ordinance Adding Article XV to Chapter 17 of the Johnstown Municipal Code to Establish a Special Fee to be Paid by the Owners of Property Within Close Proximity to the Reconstructed Interchange at the Intersection of Interstate 25 and State Highway 402

**ACTION PROPOSED:** Consider First Reading of Ordinance 2022-222

**ATTACHMENTS:**

1. Ordinance 2022-222
2. Appendix A: 402 Interchange Region
3. I-25/CO 402 Interchange Financial Analysis

**PRESENTED BY:** Matt LeCerf, Town Manager

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### **AGENDA ITEM DESCRIPTION:**

Enclosed for your review and consideration is Ordinance 2022-222 which would add article XV to Chapter 17 establishing a special fee for the recovery of a portion of costs associated with the I-25 and State Highway 402 interchange improvements contributed financially by the Town of Johnstown. Council may recall that they contributed a total of \$7 million towards the I-25 improvements. \$6 million was directly for the purposes of the interchanges of I-25 and State Highway 34 and I-25 and State Highway 402. Based on the incorporated areas adjacent to these interchanges, 75% of the improvements are attributed towards the State Highway 402 improvements, representing \$4.5 million dollars.

In 2019, the Town commissioned a study to determine a reasonable reimbursement amount associated with the improvements. A formal presentation of these findings were made to Council at the end of the 2019 calendar year. After review and consideration, Council directed Staff when appropriate to implement a fee that collected a percentage of the improvements based on future development, less than limit recommended from the study. Accordingly, the Town is presenting the Ordinance to collect approximately 55.5% of the total investment from the \$4.5 million contributed to I-25 and SH 402. The 55.5% represents \$2.5 million which would be applicable to collect based on future development.

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The proposed fees are shown in the table below and would be effective upon approval of the second reading and in conformance with the requirements of the Town’s Home Rule Charter assuming Council approves this fee implementation. Funds collected would be deposited directly into the Street and Alley Fund, which is the fund that contributed to the I-25 corridor improvements.

USE	TIER 1 ZONE	TIER 2 ZONE
Single Family Residential	\$ 566	\$ 283
Multi-Family/Units	\$ 439	\$ 220
Office (per 1000 SF)	\$ 584	\$ 292
Retail/Commercial (per 1000 SF)	\$ 1,450	\$ 725
Industrial (per 1000 SF)	\$ 298	\$ 149

**LEGAL ADVICE:**

The Town Attorney drafted the Ordinance as presented.

**FINANCIAL ADVICE:**

The funds from the special fee for the I-25/402 interchange cost recovery would be deposited directly into the Street and Alley fund.

**RECOMMENDED ACTION:** Approve Ordinance 2022-222 as presented upon first reading.

**SUGGESTED MOTIONS:**

**For Approval**

I move we approve Ordinance 2022-222 An Ordinance Adding Article XV to Chapter 17 of the Johnstown Municipal Code to Establish a Special Fee to be Paid by the Owners of Property Within Close Proximity to the Reconstructed Interchange at the Intersection of Interstate 25 and State Highway 402 upon first reading.

**For Denial**

I move we deny Ordinance 2022-222 An Ordinance Adding Article XV to Chapter 17 of the Johnstown Municipal Code to Establish a Special Fee to be Paid by the Owners of Property Within Close Proximity

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to the Reconstructed Interchange at the Intersection of Interstate 25 and State Highway 402 upon first reading.

*Reviewed and Approved for Presentation,*



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Town Manager

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