

**ORDINANCE NO.**  
**24-70**  
**Series of 2024**

**TITLE:       AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HUDSON, COLORADO, ADOPTING AN IMPACT FEE STUDY, SETTING NEW IMPACT FEES, AND AMENDING PORTIONS CHAPTER 4, ARTICLE 7, OF THE MUNICIPAL CODE OF THE TOWN OF HUDSON REGARDING DEVELOPMENT IMPACT FEES**

WHEREAS, pursuant to C.R.S. § 29-20-104.5, as a condition of issuance of a development permit, a local government may impose an impact fee or other similar development charge to fund expenditures by such local government so long as the fee or charge is imposed pursuant to a schedule that is legislatively adopted, generally applicable to a broad class of property, and intended to defray the projected impacts on capital facilities caused by proposed development;

WHEREAS, Chapter 4, Article 7, of the Municipal Code of the Town of Hudson (the "Code") creates a framework for the Town's imposition of development impact fees and was based on an impact fee study prepared by BBC Research and Consulting, dated October 29, 2008;

WHEREAS, At the Town's request, BBC Research and Consulting recently conducted an updated impact fee study, which is dated July 9, 2024, attached hereto and incorporated herein;

WHEREAS, based on the study, to ensure that future growth pays its fair share of the Town's capital expansion costs, BBC is recommending an updated methodology for the computation of the existing impact fees as well as the creation of a new impact fee for police services; and

WHEREAS, having reviewed the new study, Town Council is prepared to adopt new fees and amend the Code accordingly.

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1.       The Town of Hudson 2024 Impact Fee Study by BBC Research and Consulting, dated July 9, 2024, is hereby adopted.

Section 2.       Chapter 4, Article 7, Section 4-100, subsection (6) within the Municipal Code of the Town of Hudson is revised as shown below:

**Sec. 4-110. – Legislative Findings.**

The town council finds that:

...

(6) The Impact Fee Study, prepared by BBC, dated ~~October 29, 2008~~ July 9, 2024, set forth a reasonable methodology and analysis for determining and quantifying the reasonable impacts of various types of proposed residential and nonresidential development on the town's capital facilities and streets system; quantified the reasonable impact of proposed development on the capital facilities addressed therein; determined the costs necessary to meet the demands created by new development; and determined impact fees as set forth in this article that are at a level no greater than necessary to defray such impacts of proposed new development on the town's existing capital facilities. The town hereby establishes as town standards the assumptions and level of service standards referenced in the Impact Fee Study as part of its current plans for future expansions to the town's capital facilities addressed in such study.

Section 3. Chapter 4, Article 7, Section 4-111, subsection (c) within the Municipal Code of the Town of Hudson is revised as shown below:

**Sec. 4-111. – Authority, applicability and effective date.**

...

(c) This article shall be effective January 1, ~~2009~~ 2025.

Section 4. Chapter 4, Article 7, Section 4-113, within the Municipal Code of the Town of Hudson is revised by the following amended or new definition, which shall appear in alphabetical order:

**Sec. 4-113. – Definitions.**

*Impact fee study* means the Impact Fee Study, prepared by BBC, dated ~~October 29, 2008~~ July 9, 2024.

*Police impact fee* means the police impact fee established by this article.

*Police impact fee fund* means the Police Impact Fee Fund established by this article.

Section 5. Chapter 4, Article 7, Section 4-114, subsections (a) and (d), within the Municipal Code of the Town of Hudson is revised as shown below:

**Sec. 4-114. – Imposition and computation of impact fees.**

(a) There is hereby established a parks impact fee, a public facilities impact fee, a police impact fee and a streets impact fee which shall be imposed in the amounts and pursuant to the provisions of this article.

...

(d) Except for such fee as may be calculated, paid and accepted pursuant to an independent fee calculation study, the amount of each fee shall be as is set forth in the schedule ~~attached to the ordinance codified herein~~ adopted by resolution, a copy of which is available at the office of the town clerk. In the period between

impact fee studies, impact fees may be adjusted not more than annually by resolution applying the Engineering News Construction Cost Index (CCI), published by the Engineering News-Record, 550 W Merrill St., Suite 200 Birmingham, Michigan, to the then current fees as a measure of infrastructure-specific inflation.

Section 6. Chapter 4, Article 7, Section 4-117, subsection (d), within the Municipal Code of the Town of Hudson is replaced to read as follows, and the subsequent subsections shall be re-lettered accordingly:

**Sec. 4-117. Use of impact fees.**

...

(d) The monies in the police impact fee fund shall be used only: (1) to acquire land for or acquire, develop or construct police facility improvements; or (2) as described in section 4-119.

...

INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 17th day of July 2024.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Joe Hammock, Mayor

ATTEST:

\_\_\_\_\_  
Linda Blackston, MMC, Town Clerk

PASSED by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the town clerk this day of \_\_\_\_\_, 2024.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Joe Hammock, Mayor

ATTEST:

\_\_\_\_\_  
Linda Blackston, MMC, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Hilary M. Graham, Town Attorney