

ORDINANCE NO. 2120

INTRODUCED BY: AMADOR, BULLOCK, CARSON, DIAZ, DOUGLAS,  
ELLIOTT, FORD, MCELLOWNEY, TETER

AN ORDINANCE AMENDING SECTION 21-9230 OF THE COMMERCE CITY  
LAND DEVELOPMENT CODE RELATING TO THE ANNUAL ESCALATION OF  
WATER ACQUISITION FEES

WHEREAS, by Ordinance 1402, the City Council of the City of Commerce City enacted a Water Acquisition Fee for new growth to pay a share of the immediate and future costs of growth impacts on new parks, recreation centers, open space and other municipal uses in the City, including the costs of water rights for both irrigation and potable water use on new parks, recreation centers and open space in the City, which ordinance has been amended from time to time;

WHEREAS, the Water Acquisition Fee was established at a specific amount to be escalated annually by ten percent (10%) to account for the increases in the cost of water;

WHEREAS, the City Council of the City of Commerce City wishes to address the impact of the annual escalation by suspending the escalation to provide for the City's evaluation of the fee and the escalation and finds that that such suspension would be fair, reasonable, and in the best interests of the City's residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

**SECTION 1.** Subsection 21-9210(2) of the Land Development Code of the City of Commerce City is hereby amended to read as follows:

(2) **Fee.** The water acquisition fee is set at \$1,428.01 for each dwelling unit or non-residential structure for the year 2017 and shall escalate at a rate of 10 percent per year effective upon January 1 of each successive year commencing in 2019. The monies collected pursuant to this section shall be used to acquire or retain water rights for the purpose of watering city parks, recreational facilities and other city owned facilities.

**SECTION 2.** Nothing in this ordinance affects, or shall be construed to affect, any fee previously imposed, payable, or required under any existing agreement or development approval.

**SECTION 3.** Except as specifically modified herein, the provisions of the Land Development Code shall remain unchanged and in full force and effect.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE  
ORDERED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2017.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE  
ORDERED THIS 6<sup>TH</sup> DAY OF MARCH, 2017.

CITY OF COMMERCE CITY,  
COLORADO

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Sean Ford, Mayor

ATTEST:

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Laura J. Bauer, MMC, City Clerk