

BLACK FOREST FIRE RESCUE PROTECTION DISTRICT

RESOLUTION NO. 2026-02

A RESOLUTION APPROVING THE BBC RESEARCH & CONSULTING IMPACT FEE STUDY AUTHORIZING COLLECTION OF IMPACT FEES

WHEREAS, the Black Forest Fire Rescue Protection District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district; and

WHEREAS, the Board of Directors ("Board") of the District has ultimate authority and responsibility over all operations, budget and affairs of the District, with all rights, duties and powers specially granted to the Board by Title 32, Article 1 of the Colorado Revised Statutes, including the authority to adopt fees, rates and charges; and

WHEREAS, the General Assembly adopted the *Special District Emergency Services Act* (C.R.S. § 32-1-1002(1)(d.5)), (hereafter the "Act") authorizing special districts to receive and spend an impact fee to defray the cost of capital facilities needed by the District to serve new development within its jurisdictional boundaries following adopting of an impact fee 'nexus' study for this purpose; and

WHEREAS, the Board engaged BBC Research & Consulting to conduct an impact fee analysis to determine the projected impact of future construction and development on the District's capital needs and BBC Research & Consulting has completed the Impact Fee Support Study attached hereto and incorporated herein as Exhibit A (the "Study"); and

WHEREAS, the Board hereby finds and determines that the Study provides a rational basis for the Board to consider the adoption of impact fees to be applied within the District upon final approval of the Study, and that such impact fees are appropriate and necessary to the function and operations of the District; and

WHEREAS, the District previously submitted the Study to El Paso County pursuant to the process set forth in the Act and has not received any comments by the statutory deadline; and

WHEREAS, the Board hereby finds and determines that following the analysis within the Study, the impact fees to be collected are appropriate and necessary to the function and operations of the District now and in the future; and

WHEREAS, the Board wishes to begin collection of all of the impact fees in the amount described in the Study.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Black Forest Fire Rescue Protection District as follows:

1. Acceptance of Study and Adoption of Fees. The Board has previously discussed the Study upon due and proper notice in a public meeting, and now desires to accept the findings set forth in Exhibit A establishing the rational nexus for the impact fees at a level no greater than necessary to defray the projected impact of future development, and recommending fees. The impact fee shall be the maximum allowable impact fee as outlined by the Study's "Plan-Based Approach." The District's impact fee shall apply to a broad class of property, which includes residential and non-residential property, on which there will be construction of new buildings, structures, facilities, or improvements, on previously improved or on unimproved real property within the District's jurisdictional boundaries. No site specific dedication shall be required of an applicant for the same purpose.

2. Definition of Capital Facilities. The District may receive and spend an impact fee to defray the cost of capital facilities needed by the District to serve new development within its jurisdictional boundaries. For purposes of any District impact fee, the term "capital facilities" shall be defined to include: (i) any physical structure or improvement to property; or (ii) any equipment or tool, including a) mobile machinery or emergency services apparatus and equipment or tools attached to or used within such machinery or equipment, and b) any equipment or tool used in support of life safety or support of personnel such as PPE, SCBA, radio, administrative tools or equipment or other tools or equipment; that (iii) has an estimated useful life of five years or longer; and (iv) is directly related to any service the District is authorized to provide.

3. Capital Fund. The Board adopts the Recommendations contained in the Study, including but not limited to those regarding establishing a policy for collection and expenditure of impact fees. The District shall have and maintain a Capital (Impact Fee) Fund separate from the General Fund of its budget, to collect and retain impact fees until they are withdrawn for the growth-related capital needs of the District. No impact fees shall be used to pay for operational expenses, including the repair or replacement of existing facilities not necessitated by growth.

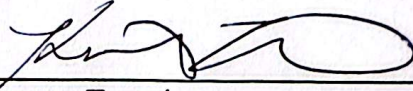
4. Notice of Resolution to El Paso County Building Department. The Fire Chief is hereby authorized and directed to notify the building departments for the El Paso County of the impact fees to be imposed on behalf of the District as a condition of issuance of a development permit. Pursuant to the Act, all referral agencies must inform and refer any applicant for a new development/building permit to the District to pay the District impact fee.

5. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

6. Effect. This Resolution shall take effect and be enforced immediately upon its approval by the District Board, with the fees authorized by this Resolution to be and become effective as of the date of its approval.

ADOPTED the 1st day of July, 2026, by a vote of 4 in favor and 1 against, by the Board of Directors of the Black Forest Fire Rescue Protection District.

**BLACK FOREST FIRE RESCUE
PROTECTION DISTRICT**

By: 
Kiersten Tarvainen,
President

Attest:



Don Arkowski
Secretary

EXHIBIT A

IMPACT FEE STUDY-FINAL REPORT

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