



## AGREEMENT FOR PAYMENT OF LAND USE APPLICATION FEES/DEPOSITS

This Agreement is entered into between \_\_\_\_\_  
as APPLICANT and THE TOWN OF MILLIKEN, in consideration of the TOWN'S acceptance of APPLICANT'S  
application for the land use approval as further described below:

1. APPLICANT hereby represents that he/she/it is the owner of 100% of the real property for which this application is being processed or that 100% of the property owners have also signed this application. APPLICANT has submitted to the TOWN an application for approval of:  
\_\_\_\_\_  
\_\_\_\_\_

2. APPLICANT acknowledges and understands that the Board of Trustees per applicable ordinance (enclosed) establishes a fee and deposit schedule for Land Use applications. The ordinance and this Agreement shall govern the payment of fees and deposits for processing applications.
3. The application shall not be accepted for processing unless the property owner(s) of record of the property included in the application sign(s) this Agreement.
4. A fee in the amount required by the Town sufficient to cover the internal and external costs of administration, processing, site visits, publication of notice and similar matters will be paid by the APPLICANT for processing the development application. A fee payment of \$ \_\_\_\_\_ and deposit of \$ \_\_\_\_\_, as required by ordinance shall be paid to the Town prior to processing the application.
5. The applicant shall be required to pay all actual costs incurred by the Town for review of the application by consultants, including but not limited to engineering, surveying, legal and planning plus fifteen percent (15%) of such actual costs for the Town's administrative costs plus supplies. The Town may require a deposit from APPLICANT to offset the Town's costs for review prior to consideration of any application submittal pursuant to this Code. Subsequent deposits may be required when the initial deposits are eighty-five percent (85%) depleted. These deposits may exceed the total amount of fees collected using the standard schedule of fees. The Town shall not continue the processing of any application for which the APPLICANT has refused to deposit the funds to cover the Town's cost of review. Any funds deposited in excess of the standard fees remaining after paying the costs specified above shall be refunded to the APPLICANT. In the event of non-payment of fees, the Town shall have the right to file a legal action to collect any balance due to the Town plus its costs and attorney's fees against any or all persons signing this Agreement as APPLICANT. The Town may certify to the County Treasurer any amount due pursuant to this paragraph as a lien on the property for which the application is submitted to be due and payable with the real estate taxes for the Town if the APPLICANT does not pay such amount within (30) days of written request by the Town. .

**APPLICANT(S)/OWNER(S)-**

*(All Owners/Applicants must sign this application)*

By \_\_\_\_\_

By \_\_\_\_\_

As: \_\_\_\_\_

As: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Address \_\_\_\_\_

TOWN OF MILLIKEN

By \_\_\_\_\_

Date \_\_\_\_\_

**Copies to:**

Town Planner \_\_\_\_\_

Finance Dept \_\_\_\_\_

Town Clerk \_\_\_\_\_

(Original)

**Attachments:**

Land Use Form \_\_\_\_\_

Development Fee Schedule \_\_\_\_\_

Fee Ordinance \_\_\_\_\_

**Town of Milliken Fee Schedule**

**Development Fee Structure**

- Part 1: Non-refundable Fee - Covers Town expenses (i.e. publication costs, recording fees)
- Part 2: Refundable Deposit - Based on an estimate for the type of project, to cover charges by the Town's consultants or staff, including: Planners, Landscape Architects, Engineers, Surveyors and Attorneys. When 85% of the deposit has been expended, the applicant will be notified of any additional deposit required.

The Administrator or his/her designee can at his/her discretion either raise or lower the deposit amount depending on the project.

Code	Description	Fee	Deposit
<b>Chapter 16 - Land Use Code</b>			
<b>16-13 Annexation</b>			
	Annexation	\$1,500	\$5,500
	De-annexation	\$750	\$2,000
	Comprehensive Plan Amendment	\$500	\$500

Code	Description	Fee	Deposit
<b>16-3 Zoning</b>			
	Zoning Amendment	\$500	\$1,500
	Major Use by Special Review	\$250	\$2,000
	Minor Use by Special Review	\$75	\$0
	Use by Special Review - Gravel	\$1,000	\$5,500
	Variances and Appeals - Residential	\$150	\$1,500
	Variances and Appeals - Non -Residential	\$300	
	Sketch PUD Development Plan	\$250	\$1,500
	Preliminary PUD Development Plan - up to 10 lots, 50 dwelling units, or 25,000 sq ft. (whichever is greater)	\$750	\$1,500
	Preliminary PUD Development Plan - 10 to 100 lots, 250 dwelling units, or 100,000 sq ft. (whichever is greater)	\$1,500	
	Preliminary PUD Development Plan - more than 100 lots, 250 dwelling units, or 100,000 sq ft.	\$2,500	
	Final PUD Development Plan - up to 10 lots, 50 dwelling units, or 25,000 sq ft. (whichever is greater)	\$750	\$2,000
	Final PUD Development Plan - 10 to 100 lots, 250 dwelling units, or 100,000 sq ft. (whichever is greater)	\$1,500	
	Final PUD Development Plan - more than 100 lots, 250 dwelling units, or 100,000 sq ft.	\$2,500	
	2nd Driveway Application	\$100	\$300

**Town of Milliken Fee Schedule**

<b>Code</b>	<b>Description</b>	<b>Fee</b>	<b>Deposit</b>
<b>16-4 Subdivisions</b>			
	Sketch Plan	\$250	\$1,500 + \$5/lot
	Preliminary Plat - up to 10 lots, 50 dwelling units, or 25,000 sq ft. (whichever is greater)	\$1,000	\$3,000 + \$20/lot
	Preliminary Plat - 10 to 100 lots, 250 dwelling units, or 100,000 sq ft. (whichever is greater)	\$1,500	\$4,000 + \$20/lot
	Preliminary Plat - more than 100 lots, 250 dwelling units, or 100,000 sq ft.	\$2,000	\$6,000 + \$20/lot
	Final Plat	\$500	\$6,000 + \$20/lot
	Minor Subdivision	\$1,000	\$3,500
	Replat	\$250	\$500
	Site Plan - up to 25,000 sq. ft.	\$250	\$2,000
	Site Plan - more than 25,000 sq. ft.	\$500	
	Vacation of Right-of-Way or Easement	\$250	\$1,000
	Metropolitan District	\$750	\$3,500

<b>Code</b>	<b>Description</b>	<b>Fee</b>	<b>Deposit</b>
<b>16-8 Floodplain Areas</b>			
	Floodplain Development Permit	\$100	\$500
<b>16-9 Oil and Gas Drilling</b>			
	Use by Special Review - Oil & Gas	\$700	\$2,000
	Oil and Gas Well Inspection Fee	\$400	

ORDINANCE NO. 571

**AN AMENDMENT TO THE TOWN OF MILLIKEN MUNICIPAL CODE: REPEALING VARIOUS FEES IN ORDINANCES AND UPDATING REVENUES RELATED TO WATER, SEWER, DEVELOPMENT, IMPACT, UTILITY, and MISCELLANEOUS SERVICES PROVIDED BY THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO.**

**Section 1:**

Whereas the Town of Milliken Code of Ordinances establishes rates for a wide variety of services, and

Whereas the said rates are located in many and varied documents and have been found to be in need of updating and revision based on a recent evaluation, and

Whereas it is the desire of the Town that revenue generated from the provision of all services should adequately cover the staffing, operation and maintenance, overhead, infrastructure replacement, and future infrastructure improvements provided by the Town of Milliken, and

Whereas the Town Board of Trustees of the Town of Milliken desires to amend and consolidate the rate structure,

NOW THEREFORE

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO:**

**Section 2:**

The rates and fees in the following code sections and ordinances shall be repealed and the attached fee schedule shall be adopted:

- Code Section
- 2-4-190
  - 6-2-40
  - 6-2-220
  - 6-2-230
  - 6-2-320
  - 6-3-30
  - 6-3-240
  - 7-2-90
  - 7-2-100
  - 10-10-20
  - 11-2-10
  - 13-2-50
  - 13-2-55
  - 13-2-60A
  - 13-2-60B
  - 13-2-60-C
  - 13-2-110
  - 13-2-160
  - 13-2-180

13-2-190A  
13-2-190B  
13-2-200  
13-2-210A  
13-2-210B  
13-2-220A  
13-2-220B  
13-2-230  
13-2-235  
13-2-250  
13-2-330  
13-2-360  
13-2-370  
13-2-390A  
13-2-390B  
13-2-390C  
13-2-525  
13-2-530  
13-2-540  
13-2-560  
18-1-10  
18-1-20

**Ordinances**

467  
481  
449  
479

**Section 3: Review Schedule Established**

Each year, in conjunction with the Town's Budget Development Process, or as needed throughout each fiscal year, the Town Staff shall conduct a study of the Town's current fees and recommend to the Town Board any necessary changes to the fee schedule. The Town Board shall review these recommendations no later than the first meeting in December of each year and adopt the recommendations at their discretion.

**Section 4: Severability.**

If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5: Effective Date – Emergency Clause**

The Board of Trustees of the Town of Milliken hereby determines that an emergency exists which jeopardizes the provision of municipal services at a level which will maintain the health, safety and welfare of the Town justifying the adoption of this Ordinance to take effect immediately upon passage this 12<sup>th</sup> day, of December 2007.

TOWN OF MILLIKEN:

ATTEST:

\_\_\_\_\_  
Linda L. Measner, Mayor

\_\_\_\_\_  
Kari Redman-Gutierrez, Town Clerk

Published: December 20, 2007