

RESOLUTION NO. \_\_\_\_\_ - 22

A RESOLUTION ADOPTING A LAND USE FEE REBATE PROGRAM FOR AFFORDABLE AND ATTAINABLE HOUSING

WHEREAS, the City of Colorado Springs (“City”) collects certain fees as part of development review and entitlement process, including Community Development Impact Fees (§ 7.5.1901, *et seq.*), Parkland Dedication Fees (§ 7.7.1201, *et seq.*), Development Review Enterprise Fees (§ 14.7.101, *et seq.*), and Development Application Fees (§ 7.5.203), collectively, “Land Use Fees”;

WHEREAS, Land Use Fees may contribute to the increase of construction costs of affordable and attainable housing;

WHEREAS, the City’s comprehensive plan, PlanCOS, identifies and recommends improving housing affordability, and adoption of an affordable and attainable housing plan for the City which identifies programs to help provide more housing types for the full continuum of housing from homelessness to workforce housing;

WHEREAS, the City prepared an affordable and attainable housing plan, HomeCOS, which identifies a shortage of affordable and attainable housing in the City, and the rate of housing cost increase is much greater than the rate of income increase;

WHEREAS, HomeCOS Objective 2B states that the City and Colorado Springs Utilities will create and implement a tiered development fee structure that is prorated according to affordability levels;

WHEREAS, City Council desires to provide for rebates of an amount up to the Land Use Fees for qualifying affordable and attainable housing projects (the “Land Use Fee Rebate Program”); and

WHEREAS, City Council intends to establish a fund for the Land Use Fee Rebate Program.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1: The Manager of Community Development (the “Manager”) is hereby authorized to establish rules and regulations for the full or partial rebate of amounts up to the Land Use Fees actually paid to and collected by the City for a qualifying affordable or attainable housing project. The rules and regulations shall consider, at a minimum:

- A. The number of units affordable to households earning fifty percent (50%) or less of the area median income;
- B. The length of the affordability period;

C. Whether the project exceeds the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, reserves units for HUD special needs or veteran populations, and incorporates the principals of universal design;

D. Whether the project aligns with City planning documents, including PlanCOS and HomeCOS;

E. Whether the project is located in an area of high opportunity as measured by the Child Opportunity Index as developed by the diversitydatakids.org program at the Institute for Child, Youth and Family Policy at the Heller School for Social Policy and Management at Brandeis University; and

F. Whether the project exceeds Colorado Springs Utilities' standards related to energy efficiency and water conservation.

Section 2: Rebates shall be paid exclusively from funds designated for the Land Use Fee Rebate Program.

Section 3: Rebates shall be made on the basis of criteria established by the Manager on a first-come, first-served basis, and rebates shall be paid on an annual basis up to, but not exceeding, the amounts budgeted for the Land Use Fee Rebate Program.

Dated at Colorado Springs, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk