

RESOLUTION NO. 2025-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING AN AFFORDABLE HOUSING FEE AND DEDICATION REDUCTION TABLE

WHEREAS, on October 16, 2001, the City Council adopted Resolution No. 2001-150, the Attainable Housing Matrix (the "Matrix"), that outlined development impact fees and other development requirement reductions for affordable housing; and

WHEREAS, on October 24, 2023, the City Council approved the Brighton Housing Needs and Incentive Strategies Assessment (the "HNA"), which recommended revisions to the Matrix to provide clarity and consistency concerning eligibility for affordable housing development fee reductions; and

WHEREAS, the City Council held study sessions on January 28, 2025, and April 8, 2025, and reviewed a draft Affordable Housing Fee and Dedication Reduction Table (the "Table") that reorganizes and more clearly demonstrates development impact fees and other development requirement reductions for affordable housing; and

WHEREAS, City Municipal Code § 3-5-50 includes provisions for subsidies or reductions of eligible development impact fees; and

WHEREAS, City Municipal Code § 3-5-60 permits the use of written guidelines and criteria, established by the City Council, in determining the amount of any development impact fee subsidies or reductions; and

WHEREAS, at the study sessions held on January 28, 2025, and April 8, 2025, the City Council also examined proposed amendments to City Municipal Code sections relating to development impact fees; and

WHEREAS, the City Council considered draft revisions to City Municipal Codes §§ 3-5-50 and 3-5-60 that: (a) clarify the application process for development impact fee reductions and other development requirement reductions for affordable housing; (b) better define special needs populations related to affordable housing; and (c) modify the eligibility thresholds and qualifications for development impact fees and other development requirement reductions for affordable housing; and

WHEREAS, the City Council supports replacing the Matrix and implementing the use of the Table for granting development impact fees and other development requirement reductions for affordable housing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brighton, Colorado, as follows:

Section 1. Resolution No. 2001-150 is hereby superseded by this Resolution.

Section 2. The City Council hereby adopts the Table, attached as Exhibit A, and replaces the Matrix with the Table as the guideline for granting development fee reductions and other development requirement reductions for affordable housing.

Section 3. This Resolution is effective as of the date of its adoption.

RESOLVED this 20th day of May 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

JAMES GALLAGHER, Assistant City Attorney

EXHIBIT A

AFFORDABLE HOUSING FEE & DEDICATION REDUCTION TABLE
(Following page)



AFFORDABLE HOUSING FEE & DEDICATION REDUCTION TABLE



| Qualification Threshold | % Area Median Income (AMI) Restriction | Water Dedication | Water Impact & Wst Wtr Con'n Fees | Storm Drainage Impact Fee | Park Related Impact Fees | Park & Open Space Land | Transportation Impact Fee | General Services Impact Fee | Use Tax | Land Use & Devlp't Code (LUDC) | Capital Facility Fee [^] | School Land Dedication [^] |
|--|--|------------------------------------|------------------------------------|------------------------------------|---|---|--|--|--------------------------------------|--------------------------------|------------------------------------|-------------------------------------|
| An owner-occupied detached home or severed ownership single unit of a duplex, multi-unit house, row house, or condominium. | 100% AMI or less. %AMI restriction requires approval and may vary amounts of incentives. | Fee in lieu of dedication accepted | 20% fee reduction | 20% fee reduction | No reduction | Standard dedication required | 20% fee reduction | 20% fee reduction | Tax not collected if owner is exempt | See LUDC for any reductions | No reduction | Fee in lieu of dedication accepted |
| A tenant-occupied single unit described below* shall be restricted to a given %AMI. Tenant-occupied multi-unit buildings shall be restricted by complying with one of the following: 1) Units are restricted to varying %AMI and reductions applied to each unit pro rata of all units. 2) All units average a given %AMI. | 80% AMI or less | Fee in lieu of dedication accepted | 20% fee reduction | 20% fee reduction | 20% fee reduction | 50% dedication reduction | 20% fee reduction | 20% fee reduction | Tax not collected if owner is exempt | See LUDC for any reductions | 20% fee reduction | Fee in lieu of dedication accepted |
| | 70% AMI or less | Fee in lieu of dedication accepted | 30% fee reduction | 30% fee reduction | Fees waived if near a park,** otherwise 50% reduction | Dedication waived if near a park,** otherwise 50% reduction | 30% fee reduction | 30% fee reduction | | | 20% fee reduction | Fee in lieu of dedication accepted |
| | 60% AMI or less | Fee in lieu of dedication accepted | 40% fee reduction | 40% fee reduction | Fees waived if near a park,** otherwise 50% reduction *** | Dedication waived if near a park,** otherwise 50% reduction *** | 40% fee reduction *** | 40% fee reduction *** | | | 40% fee reduction | Fee in lieu of dedication accepted |
| | 50% AMI or less | Fee in lieu of dedication accepted | 50% fee reduction ^{^^} | 50% fee reduction ^{^^} | Fees waived | Dedication waived | 50% fee reduction ^{*** ^^} | 50% fee reduction ^{*** ^^} | | | 50% fee reduction ^{^^} | Fee in lieu of dedication accepted |

NOTES

* A detached home, ADU, or single unit of a duplex, multi-unit house, row house, or condominium. These units do not qualify for the multi-unit building compliance options if they are severally owned.
 ** "Near a park" means within a 10-minute walk of an existing or planned public park.
 *** 100% reduction at senior affordable housing.
 Reductions and incentives are not guaranteed and require approval per the process outlined in municipal code.

[^] Subject to change and to school district approval.
^{^^} 40% AMI = 60% reduction. 30% AMI = 70% reduction.
 Not all fees due appear here and all fees are subject to change.
 Fees are calculated using amounts in effect at time of permit issuance.
 Fees are due at time of permit issuance.

3/24/2025