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**RESOLUTION NO. R-025-026**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

**A RESOLUTION ADOPTING COUNTY REVITALIZATION AUTHORITY POLICY**

**WHEREAS**, the Douglas County Board of County Commissioners recognizes the potential need for urban revitalization in areas of unincorporated Douglas County and a mechanism for such revitalization.

**WHEREAS**, in 2024, the Colorado General Assembly created Article 31, Title 30 of the Colorado Revised Statutes - County Revitalization Law.

**WHEREAS**, the Douglas County Board of County Commissioners to inform the public, incorporate the Colorado County Revitalization Law into County practices, and establish standards and processes for obtaining the County's approval of a county revitalization authority shall adopt and publish a Douglas County - County Revitalization Authority Policy

**NOW, THEREFORE BE RESOLVED,**

The Douglas County Board of County Commissioners adopt the County Authority Revitalization Policy attached to this Resolution as *Exhibit A*.

**PASSED AND ADOPTED** this 25th day of March, 2025, in Castle Rock, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF DOUGLAS, COLORADO**


**BY:**

Signed by:  
  
2322EA9EBA95429  
**Abe Laydon, Chair**

Signed by:



**ATTEST:**

DocuSigned by:  
  
168E3E33E00249B  
**Hayley Hall, Clerk to the Board**  
Hayley Hall

DOUGLAS COUNTY  
ADMINISTRATIVE POLICIES AND PROCEDURES

<b>TITLE</b> County Revitalization Policy	<b>Approval Date</b> TBD
<b>POLICY CUSTODIAN</b> County Attorney	<b>Revision Date</b> N/A

PURPOSE: Provide guidance as to the process for and criteria to be considered when designating a County Revitalization Area and approving a County Revitalization Plan; delegate authority for initial review and analysis of proposed such designations to the Douglas County Economic Development Corporation (“**DCEDC**”)

DEPARTMENT County Attorney  
RESPONSIBLE:

DEPARTMENT(S) County Attorney  
AFFECTED

POLICY:

A. Background

The County Revitalization Law, Colorado Revised Statutes (“**C.R.S.**”) § 30-31-101 et seq. (the “**CR Law**”) was adopted in 2024. The purpose of the CR Law is to provide a mechanism for revitalization and economic investment in unincorporated areas that would not occur without the additional funding provided for in the CR Law. The CR Law creates a process for establishing a county revitalization authority (the “**Authority**”). Once formed, an Authority may issue bonds and utilize tax increment and private financing to engage in county revitalization projects (“**Projects**”) in accordance with an adopted county revitalization plan (“**Plan**”). Any taxing entity, other than a school district, that levies taxes in an area that would fall under a Plan may file a petition requesting to join the Authority pursuant to C.R.S. 30-31-104(6), which petition may be approved by the Authority after a public hearing.

The County may designate areas of the County as “**Revitalization Areas**,” which are areas that, upon implementation of a Plan, substantially promote the sound growth of the County, improve economic and social conditions, and further the health, safety, and well-being of the public by the actualization of one of several Opportunity Factors defined in Section 30-31-103(14). The process for designating a “**Revitalization Area**” set forth in the CR Law generally includes the following steps:

1. Revitalization Study. Commissioning of a revitalization study (“**Study**”) to determine the presence of any Opportunity Factors described in Section 31-30-103(14) of the CR Law, and provision of notice of the Study to all property owners within the Study area within 30 days after the Study is commissioned.
2. Impact Report. Preparation of an impact report for any municipality located within one mile of the proposed Revitalization Area (“**Impact Report**”), which must be provided to such municipality at least 30 days prior to the Board of County Commissioners (“**BOCC**”) hearing for approval of the Plan.
3. Preparation of Plan. Preparation of a proposed Plan that includes the proposed Revitalization Area (including an opportunity for participation by the school district in an advisory capacity, if the proposed Plan includes TIF (defined below) and the proposed Revitalization Area includes single and multi-family residences), which proposed Plan must be finalized and ready for inspection at least 30 days prior to the BOCC hearing for approval of the Plan.
4. Planning Commission Review. Review of the proposed Plan by the County Planning Commission for consistency with the County comprehensive plan, and recommendation to the BOCC as to the proposed Plan’s interaction with applicable municipal plans for the development of unincorporated territory.
5. Hearing and Approval by BOCC. Hearing by the Board of County Commissioners (“**BOCC**”) on the designation of the Revitalization Area and approval of the Plan after statutorily required 30-day notices.

In the discretion of the County, a Plan may authorize the use of tax increment finance (“**TIF**”), such that property tax and sales taxes of taxing entities that have joined the Authority, levied for the benefit of the taxing entity after the effective date of the approval of the Plan, must be divided for a thirty-year (30) period. When TIF is authorized, property and sales taxes generated prior to the adoption of the Plan, or the “base,” continue to benefit the original taxing entities that levy a mill levy in the Revitalization Area, ensuring they receive the revenue they would have received without the adoption of the Plan. The tax increment—the difference generated by the increase in property values or sales—is available to fund the Project described in the Plan. Thus, for thirty years, the Authority has the opportunity to use the additional revenue generated by its efforts to support Projects, while the taxing entities still get their expected share.

A Plan may also authorize the use of other powers by an Authority as part of a Project, including the acquisition or disposition of property, demolition and removal of buildings and improvements, installation or construction of streets, utilities, parks, playgrounds, and other improvements, and repair or rehabilitation of buildings or other improvements.

This policy document will govern consideration by Douglas County and the DCEDC of all requests for designation of a Revitalization Area as part of a Project in a Plan.

B. Intent

The purpose of this policy is to:

- Delegate to the DCEDC the authority to perform initial review and analysis of proposed designations of Revitalization Areas and proposed approvals of Plans.
- Provide guidance as to the process for designating a Revitalization Area and approving a Plan.
- Provide guidance on what factors, information, and criteria shall be taken into consideration as the County and DCEDC review requests for designation of a Revitalization Area and approval of a Plan for a Project.
- Provide guidance to the public as how the County and DCEDC review and consider all requests for designation of a Revitalization Area and approval of a Plan for a Project within its jurisdiction.

C. Eligibility

A proposed Revitalization Area must meet the following eligibility criteria:

1. The Revitalization Area must actualize one or more of the Opportunity Factors set forth in C.R.S. Section 30-31-103(14).
2. No part of the Revitalization Area can be located within an existing urban renewal area.
3. No part of the Revitalization Area may overlap with a municipality at the time the Plan is approved, unless the municipality agrees to its inclusion pursuant to C.R.S. § 30-31-118.
4. All Revitalization Areas must comply with C.R.S. Title 30, Article 31.

D. Project Criteria

In their analyses of any proposed request for the use of TIF, the BOCC and the DCEDC shall consider the following criteria when evaluating the proposed Project and Plan for the proposed Revitalization Area. At least four of these criteria must be met before the proposed Revitalization Area may be designated and the Plan for the Project adopted.

Does the Project:

1. Conform with the Douglas County Comprehensive Master Plan or other Douglas County strategic plans?
2. Demonstrate consistency with any applicable municipal plans for the development of unincorporated territory?
3. Substantially promote the sound growth of the county?
4. Improve economic and social conditions?

5. Further the health, safety, and well-being of the public?
6. Demonstrate significant public benefit, including but not limited to:
  - a. Significantly expanding employment, especially primary employment;
  - b. Enhancing the current sales tax base and property tax base within Douglas County by stimulating the increases of assessed valuation and sales tax collections;
  - c. Providing affordable or attainable housing opportunities; or
  - d. Enhancing recreational opportunities.
7. Strengthen the proposed Revitalization Area's identity?
8. Involve the construction of new local or regional infrastructure?
9. Have the potential to encourage future development within the designated Areas?
10. Remediate flood zones and/or environmental contamination?

E. Application Requirements

Applications for designation of a Revitalization Area and approval of a Plan shall include the following:

1. A completed application form.
1. A general description and depiction of the proposed Revitalization Area.
2. A brief narrative illustrating how the Project meets the eligibility criteria described in Section C above and the Project criteria described in Section D above.
3. The estimated duration of time to complete the Project.
4. A substantiation of the need for funding requested via a proposed Project budget.
5. The annual estimated property tax increment (and, if applicable, sales tax increment) to be generated by the proposed Project.
6. Information demonstrating the financial and managerial capacity and experience of the developer to execute the Project.
7. Information indicating financial commitments of debt or equity to support the Project.
8. A list of all municipalities located within 1 mile of the Project and all municipalities located within 3 miles of the Project.
9. The applicant must either, at the applicant's election, (a) submit with the application a proposed draft Study, Impact Report, and Plan or (b) request that the DCEDC commission a draft Study, Impact Report, and Plan at the applicant's sole cost and expense.

F. Evaluation Process

After submittal of an application for a proposed Revitalization Area and Project, the application will be evaluated by the DCEDC to assist the BOCC in determining whether the proposed Revitalization Area should be designated, and a Plan for the

Project adopted, according to the eligibility criteria described in Section C and the Project criteria described in Section D.

The DCEDC shall consider the results of the Study and Impact Report (if applicable) when evaluating the application. The DCEDC, in its discretion, may also ask any other questions of the applicant it deems pertinent and important to the DCEDC in evaluating the application and consider any other information the DCEDC determines appropriate.

The DCEDC shall also provide a copy of the application, Study, and Impact Report to the office of the County Assessor and an opportunity for the County Assessor to provide feedback and comments with respect to the same.

After evaluation of the application, the DCEDC shall deliver the application, Study, Impact Report (if applicable), and Plan to the County and shall make a written recommendation to the BOCC of approval or disapproval of the designation of the Revitalization Area and approval of the Plan for the Project.

G. BOCC Evaluation and Determination.

After the required review of the Plan and recommendation by the Planning Commission pursuant to C.R.S. Section 30-31-109(2) and the delivery of all other required reports and notices pursuant to C.R.S. Section 30-31-109, the BOCC shall consider the designation of the Revitalization Area and the adoption of the Plan for the Project at a public hearing pursuant to C.R.S. Section 30-31-109(5). Notice of the Planning Commission review and the BOCC hearing shall be provided to the office of the County Assessor.

The BOCC may consider all application materials, the Study, the Impact Report (if applicable), any recommendations of the DCEDC, any recommendations of the Planning Commission, and any other information the BOCC determines appropriate when considering a request for designation of a Revitalization Area and approval of a Plan for a Project.

H. Nature of BOCC Decision regarding County Revitalization Areas.

The decision of the BOCC regarding consideration of a proposed County Revitalization Area is final, and is administrative in nature.