

RESOLUTION 2023-052
OF THE CITY COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE BOUNDARIES OF A PROPOSED AREA OF THE CITY TO BE
SUBMITTED TO THE DIRECTOR OF THE COLORADO OFFICE OF ECONOMIC
DEVELOPMENT FOR DESIGNATION AS A CHIPS ZONE UNDER THE COLORADO
CHIPS ZONE ACT

WHEREAS, in 2022, the United States Congress enacted and President Biden signed the “Creating Helpful Incentives for Producing Semiconductors and Science Act” (the “CHIPS Act”); and

WHEREAS, the CHIPS Act will provide over \$50 billion to be spent to strengthen and revitalize the Country’s position in semiconductor research, development, and manufacturing; and

WHEREAS, this past May, the Colorado General Assembly adopted House Bill 23-1260 and in it added a new Article 36 to Title 39 of the Colorado Revised Statutes to be known as the CHIPS Zone Act; and

WHEREAS, the CHIPS Zone Act has been enacted to maximize the opportunity for Colorado businesses involved in the research, development, and manufacturing of semiconductors to access the federal dollars to be spent under the CHIPS Act and to also provide these businesses with certain state tax-credit incentives; and

WHEREAS, in order for such businesses in the City to obtain the benefits provided under the CHIPS Zone Act, the City must file with the Director of the Colorado Office of Economic Development (the “OED Director”) the boundaries of a proposed area within the City to be designated as a “CHIPS Zone” and, with this proposed CHIPS Zone, to submit a “development plan” for the Zone containing the information required by the CHIPS Zone Act (the “Development Plan”); and

WHEREAS, the designated CHIPS Zone proposed for the City under the CHIPS Zone Act is the area south to north from Precision and Harmony Drive south to Vine Drive north and east to west from I-25 east to College Avenue west and has been chosen due to its large concentration of Employment, Harmony Corridor, and Industrial zoning which allow for the semiconductor activities intended for CHIPS Zones and depicted in the CHIPS Zone Map attached as Exhibit “A” and incorporated herein by reference (the “Proposed Zone”); and

WHEREAS, the CHIPS Zone Act provides that once the Proposed Zone and Development Plan are submitted to the OED Director, the Colorado Economic Development Commission (the “Commission”) will then consider whether to approve the Proposed Zone as a designated CHIPS Zone under the CHIPS Zone Act; and

WHEREAS, the purpose this Resolution is to approve the boundaries of the Proposed Zone and to direct the City Manager to submit the Proposed Zone to the OED Director and to prepare the Development Plan to also be submitted to the OED Director for the Commission’s designation of the Proposed Zone as a CHIPS Zone under the CHIPS Zone Act; and

WHEREAS, the City Council finds and determines that this Resolution and the designation of the Proposed Zone as a CHIPS Zone under the CHIPS Zone Act is in the City's best interest and necessary for the public's health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS, COLORADO, as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby approves the Proposed Zone and directs the City Manager to prepare the Development Plan and to submit it and the Proposed Zone to the OED Director and request that the Proposed Zone be designated by the Commission as a CHIPS Zone under the CHIPS Zone Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 20th day of June, 2023.

Mayor

ATTEST:

Chief Deputy City Clerk