

Southeast Longmont Urban Renewal Plan

City of Longmont, Colorado

Approved December 12, 2006

Southeast Longmont Urban Renewal Plan

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Attachments

1. Exhibit A – Legal description of Urban Renewal Area
2. Urban Renewal Plan Map

Southeast Longmont Urban Renewal Plan

Longmont, Colorado

Prepared for: City of Longmont Urban Renewal Authority

1.0 Preface and Background

1.1 Preface

This *Southeast Longmont Urban Renewal Plan* (the “Plan” or the “Urban Renewal Plan”) has been prepared for the Longmont Urban Renewal Authority (i.e. Longmont City Council) of the City of Longmont, (the “Authority”) pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “Act”). The administration of this project and the enforcement of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Description of Urban Renewal Area

According to the Colorado Urban Renewal Law, the jurisdictional boundaries of the urban renewal authority shall be the same as the boundaries of the municipality. Additionally, within the municipal boundaries there may be one or more urban renewal areas.

Under this law, an Urban Renewal Authority is allowed to prepare plans for an urban renewal area provided it meets statutory requirements as a blighted area. These blighted areas may then be designated for an urban renewal project. In each urban renewal area, conditions of blight must be present at a level defined by the urban renewal law before the Authority can legally exercise its powers. Finally, in each urban renewal area, activities of an urban renewal project are implemented as a way to eliminate the conditions of blight.

The Southeast Longmont Urban Renewal Area (referred to herein as “the Urban Renewal Area” or “the Area”) is located in the southeast portion of the City of Longmont. The site is generally bounded on the north by 3rd Avenue (north r.o.w. line), on the west by Pratt

Parkway (west r.o.w line) including the Flour Mill property, on the south by properties located proximate to St. Vrain Creek, and on the east by approximately 119th Street (east r.o.w. line). The boundaries of the Area are delineated on Figure No. 1, and described in the legal description included in Section 1.2.1. The figure controls the boundary description in case of any conflict with the legal description. The boundaries of the Urban Renewal Area are drawn narrowly to accomplish the planning and development objectives of the Urban Renewal Plan.

1.2.1 Legal Description

That certain parcel of land situated in Sections 1 & 2 & 3 & 10 & 11 & 12 of Township 2N, Range 69W of the 6th PM, City of Longmont, County of Boulder, State of Colorado, more particularly described in Exhibit A:

1.2.2 Figure 1, Urban Renewal Planning Area Map- Attachment 2

1.3 Purpose of the Plan

The purpose of the Southeast Longmont Urban Renewal Plan is to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area, generally including the Flour Mill and Sugar Factory (upon annexation and inclusion in the Urban Renewal Area) as well as the area in between, and to stimulate growth and reinvestment within the district area and surrounding neighborhoods. In particular, this Urban Renewal Plan is intended to encourage appropriate land uses, improve traffic mobility and provide other public improvements, however, such objectives shall not mean that any particular project will necessarily promote all such objectives. Specifically, the Plan promotes an environment which allows for a range of land uses, including residential, commercial and transit-oriented development, and projects which can respond to market conditions over time, further the goals and objectives of the *Longmont Area Comprehensive Plan*, and leverage the community's investment in public improvement projects in the area.

While the principal goal of the urban renewal effort is to redevelop and rehabilitate the area by private enterprise, it is not intended to replace the efforts of the Longmont Chamber of Commerce, Longmont Area Economic Council, Longmont Downtown

Development Authority, or other business development or marketing organizations but rather collaborate with all of the above entities.

The rehabilitation and redevelopment of the Urban Renewal Area will be accomplished by improving existing structures, attracting new commercial and mixed-use development, and eliminating and preventing the deterioration of properties in the area. The effort will involve the Authority and City of Longmont, with the cooperation of the private sector.

As the Urban Renewal Law authorizes the Authority to undertake zoning and planning activities to regulate land uses, densities, and building requirements in the Urban Renewal Area, for purposes of implementing this Plan; the Longmont Urban Renewal Authority shall govern the previously mentioned activities and utilize other applicable municipal standards and regulations. All development within the area will also need to comply with all applicable municipal requirements prior to receiving approval from the Authority.

1.4 Public Participation

The Plan has been made available to business and property owners located within the Plan boundaries, as well as Longmont residents at-large. Notification of the public hearing was provided to property owners, tenants, and residents of record within the Area as required by the Act. Input on the Plan's intent was solicited of Area residents, property and business owners, and tenants ("stakeholders") during five meetings held during the months of May through September 2005. Another stakeholder meeting was conducted in September 2006 to review the final draft plan.

Presentations were made to the Planning Commission and City Council in October and November of 2005 to receive comments and input on the Plan. The Planning and Zoning Commission formally reviewed the Plan at its August 16, 2006, meeting and found it to be consistent with the Longmont Area Comprehensive Plan.

1.5 Definitions

In addition to terms previously defined in the text, the following terms are used in this Urban Renewal Plan:

Cooperation Agreement – means any agreement between the Authority and the City or any other public body, as defined by the act, respecting action to be taken pursuant to any of the powers set forth in the Act or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Urban Renewal Plan.

Any such cooperation agreement may include, without limitation, agreements regarding the planning or implementation of this Urban Renewal Plan and its projects, as well as programs, public works operations, or activities which the Authority, the City or such other public body is otherwise empowered to undertake; including without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other eligible improvements within the Urban Renewal Area.

Redevelopment / Development Agreement – means an agreement between the Authority and the owner or developer(s) regarding the redevelopment or redevelopment of property within the Urban Renewal Area.

Tax Increment Area – means the Urban Renewal Area from which tax increments will be derived for the financing described in the Plan and implemented in anticipation of actual redevelopment projects.

2.0 Qualifying Conditions

The *Southeast Longmont Conditions Survey*, dated September 2004 (the “Survey”), and updated in July 2006, was completed by the Denver, Colorado office of Leland Consulting Group. The 22 page Survey includes an Appendix and 12 exhibits which illustrate the location of qualifying conditions, a final map synthesizing the number of qualifying conditions by parcel, and the supporting field survey. The Survey contains

the evidence of blight for the Southeast Longmont Urban Renewal Plan Area. The Survey is incorporated into this Urban Renewal Plan by reference.

The legal term “blighted area” describes a wide array of urban problems, which range from physical deterioration of buildings and the environment, to health, social and economic problems in a particular area. Based on the Survey completed in connection with the adoption and approval of the Urban Renewal Plan, at least four qualifying conditions of blight, as defined in the Act, are present within the proposed Urban Renewal Area. These conditions, which are summarized as follows, are evidence of a “blighted area” as defined in the Act.

- a) Slum, deteriorated, or deteriorating structures;
- b) Predominance of defective or inadequate street layout;
- c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- d) Unsanitary or unsafe conditions;
- e) Deterioration of site or other improvements;
- f) Unusual topography or inadequate public improvements or utilities;
- g) Defective or unusual conditions of title rendering the title non-marketable;
- h) The existence of conditions that endanger life or property by fire or other causes;
- i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- j) Environmental contamination of buildings or property;
- k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical and underutilization of vacancy of sites, buildings, or other improvements.
- l) If there is no objection of such property owner or owners and the tenant or tenants of such owner or owners, if , to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of this subsection (2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare. For purposes of this paragraph (1), the fact that an owner of an interest in

such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing eminent domain.

As discussed in the Survey, 10 of 11 qualifying blight conditions specified by State Statute were found in the study area. The only qualifying condition, which was not identified, was "*defective or unusual conditions of title rendering the title non-marketable.*" In all, there were 59 parcels totaling 436 acres (out of the total 584 acres) with at least five qualifying conditions present. Sixteen (16) parcels totaling 244 acres were located in parcels outside of Longmont's current city limits.

3.0 Relationship to Comprehensive Plan

A general plan for the City, known as the *Longmont Area Comprehensive Plan*, was updated in 2003. That plan specifically states "support the redevelopment of older, obsolete industrial areas with a mix of uses in new activity centers, including residential, employment, commercial, recreational and entertainment uses;" and, "eliminate conditions that would deter or inhibit future growth and revitalization efforts." This Urban Renewal Plan supports, implements, and is in conformance with the goals of, the revised Comprehensive Plan of the City. Specific goals and policies of the Comprehensive Plan that this Plan will further include the following:

Policy G-1.3 Continue to plan for the growth of Longmont in a manner that clearly establishes the mutual expectations between the city and landowner/developer and that encourages private investment that furthers the city's goals.

Strategy G-1.5 (a) Consider annexation of land contiguous to the city limits in accordance with the *Longmont Area Comprehensive Plan* and applicable state and local law when residents and property owners stress interest in annexing to Longmont, strongly discourage flagpole annexations.

Strategy G-1.5 (b) Annexation of enclaves consistent with all applicable policies and regulations.

Policy LUD-4.2: Encourage revitalization and redevelopment of areas showing signs of decline and/or disinvestment.

Strategy LUD-4.2 (a): Evaluate new and flexible approaches that both encourage redevelopment and infill development and that remain sensitive to the surrounding neighborhoods' needs.

Strategy LUD-4.2 (b): Invest in areas that show signs of decline and/or disinvestment in cooperation with other agencies and the private sector.

Strategy LUD-4.2 (c): Cooperate with other agencies to encourage businesses to locate in areas with significant vacancies in order to foster the redevelopment of commercial and industrial areas.

Strategy LUD-4.2 (d): Encourage mixed-use development patterns in revitalizing areas as a way of energizing neighborhoods and commercial areas by achieving multiple types of activity (living, working, shopping).

Goal LUD-5: Develop a mix of interdependent, compatible, and mutually supportive land uses to support multiple means of transportation.

Strategy LUD-5.1 (b): Develop criteria as part of the Development Standards in the Land Development code that address the integration of mixed-use in areas of new development, in redevelopment and infill development within existing neighborhoods.

Strategy LUD-8.2 (c): Consider financial and other incentives to encourage the preservation, maintenance, and rehabilitation of Longmont's historic districts and landmarks.

4.0 Land Use Plan and Plan Objectives

4.1 General Description

Properties located within the total proposed urban renewal planning boundary comprise approximately 583 acres. However, because only “annexed” properties are able to participate in an Urban Renewal –Tax Increment Financing Plan, 157 privately owned and 148 City owned acres are included. The site is generally bounded on the north by 3rd Avenue (north r.o.w. line), on the west by Pratt Parkway (west r.o.w line) including the Flour Mill property, on the south by properties located proximate to St. Vrain Creek, and on the east by approximately 119th Street (east r.o.w. line). A breakdown of acreages by property classification is summarized in the table presented below.

Privately Owned and Annexed Properties	157 acres
City of Longmont Properties Currently Annexed	148 acres
City of Longmont Properties Un-Annexed	55 acres
Unincorporated Private Properties (Boulder County)	226 acres

City-owned land is included in this Plan to: ensure proper land use planning practices are followed, particularly connected street systems and consistent and continuous infrastructure; and, allow for the possible exchange or transfer of public land in order to implement the Plan. One example where a public land transfer might assist in advancing the objectives of the plan includes locating a post secondary education facility in the vicinity of the future transit station planned near the Sugar Factory property on city-owned property.

The cornerstone of the stakeholder’s vision for revitalization of the area is creation of high quality commercial and industrial business development, medium-density infill residential, a mixed-use transit oriented enclave (associated with the Flour Mill and/or the Sugar Factory property) and modest property improvements in established business areas including those located contiguous to the Main Street corridor. A combination of uses is proposed all of which will further promote redevelopment of the Sugar Factory Area as a gateway to the City from the east.

Existing inadequate infrastructure conditions present within the Area could be remedied by the proposed plan, but will need to first be identified as a priority public investment item by the stakeholders and community. These improvements will be partially funded by tax increment financing or by the City considering the creation of a special district to serve as a potential supplemental funding source. Additionally, the City could make its annual Private Activity Bond allocation available for financing infrastructure improvements, as well as environmental clean up projects.

Land use designations and proposed transportation improvements (roadway improvements, pedestrian and open space connections, etc.) are consistent with recommendations contained in City-approved plans including the Longmont Multi-

Modal Transportation Plan and Regional Transportation District (RTD) Transit-Oriented Development (TOD) Station Location Analysis which impact properties within the Area. It should be mentioned that the RTD/TOD plans are currently subject to an environmental assessment that will not be finished until the middle of 2007. After the EA is completed it is believed that RTD will officially amend its Fastracks plan and recognize Longmont's designated station.

Definitions of land use designations presented in the Plan follow:

Mixed-Use – any combination of uses, residential and non-residential, integrated vertically and/or horizontally into a single project program. Parking requirements associated with mixed-use projects are often adjusted for shared parking opportunities and densities typically exceed traditional single use projects with similar product components.



Business Industrial – employment uses, office, industrial and institutional, located independently or within a formalized business park setting, with supporting residential and commercial uses. Residential uses located in a business setting are often “industrial” in character (i.e., loft) and generally attached ownership and rental products.

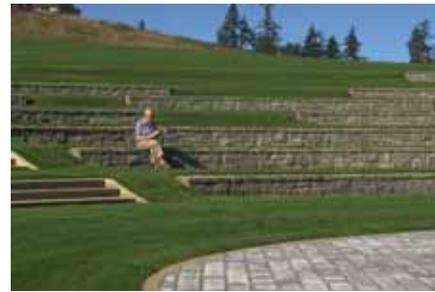
Transit Village – a mix of uses, integrated vertically and/or horizontally, and programmed to reflect the role of the village relative to other stations on the same transit line, as well as surrounding uses in the area, and designed to leverage their proximity to multiple transit modes.



Commercial – neighborhood- and community-serving commercial operations, freestanding and integrated into other non-residential commercial and employment centers. Densities tend to reflect traditional commercial facilities typically located in suburban and fringe locations.



District Park – undevelopable open space, formal and informal, set aside for public recreation use.



Proposed land use designations reflected in the Plan will require formal approval as part of a future Longmont Area Comprehensive Plan amendment. Properties affected by a new designation will require rezoning (petition-based or city-initiated) in order to implement the Plan in accordance with forecasted revenue assumptions.

4.2 Development Objectives

The development objectives for the Urban Renewal Area include establishment of a variety of land uses and densities that will allow projects to respond to changing market conditions. Proposed land uses within the Urban Renewal Area include employment, commercial, industrial, office, public, parking, and open space. Other objectives include:

- a) eliminate and prevent blight,
- b) improve relationship between this area and surrounding uses and areas including the Longmont Downtown Development Authority (LDDA),
- c) increase property values,
- d) provide land uses supportive of and complementary to planned improvements,
- e) provide ease of vehicular and pedestrian circulation ,

- f) encourage continued presence of businesses consistent with the Plan vision,
- g) provide a range of financing mechanisms for private property re-investment and investment,
- h) mitigate impacts to businesses needing future transportation improvements,
- i) encourage public-private partnerships to implement the Plan, and
- j) take advantage of transit oriented development at two sites located within the Plan area.

4.2.1 Redevelopment Opportunities—Catalyst Projects

A key concept associated with implementation of the Plan is targeted investment in strategic locations that will serve to catalyze redevelopment throughout the Area. The Sugar Factory and Flour Mill properties, given their size, position east and west within the study area, and favorable ownership, suggest eligibility as future catalyst project sites. Redevelopment of the Flour Mill site in particular presents an early opportunity to demonstrate successful redevelopment of a historic rehabilitation mixed-use infill property positioned to take advantage of transportation-oriented improvements related to the future Fastracks commuter rail station.

The City initially approved a conditions survey that identified the Golden West Flour Mill area as a potential catalyst location which could benefit from being in a new urban renewal area. Although City Council indicated that this Urban Renewal Plan should proceed without these properties because of their current commitment to the Longmont Downtown Development Authority (LDDA) area, implementation of this Urban Renewal Plan is expected to further enhance opportunities for investment in both planning areas and potentially lead to inclusion of the property in this Urban Renewal Area. Because of that situation, the City Council believes the Flour Mill area should be added to this Urban Renewal Plan. The Council acknowledges that Tax Increment Financing will continue to flow to the LDDA until 2012 which is when the TIF authority is scheduled to expire.

The Sugar Factory property presents a similar opportunity to the Four Mill property, historic rehabilitation, mixed-use and transit-oriented, but will require annexation to the City to inclusion within the Urban Renewal Area and therefore eligibility for tax increment financing.

4.3 Design Objectives

Design objectives for the Urban Renewal Area also promote flexibility, adaptability to a mix of uses, and consistency with prevailing market conditions. Other objectives include:

- a) mix of land uses that promote vitality and livability
- b) variety of land use densities to address affordability
- c) higher design standards
- d) transportation improvements designed to enhance access into and out of the Area
- e) minimal pedestrian / vehicular conflict
- f) pedestrian-friendly landscaped streetscape which unifies uses and Plan components
- g) lighting and signage standards which are flexible

4.4 Building Standards

All development shall conform to the Comprehensive Plan, the Development Code, International Building Codes and any site-specific zoning for properties in the Urban Renewal Area until such time these documents are amended to reflect the intent of this document.

In conformance with the Act and Urban Renewal Plan, the Authority may adopt additional design standards and other requirements applicable to properties in the Urban Renewal Area.

4.5 Public Improvements and Facilities

The Authority may undertake certain actions to make the Urban Renewal Area more attractive for private investment. The Authority may, or cause others to, install, construct, and reconstruct any public improvements in the Urban Renewal Area, including, without limitation, streets, sidewalks, underground utility and service facilities, streetscapes, pedestrian corridors, and parking facilities. The Authority may

also, or cause others to, install, construct and reconstruct any other authorized improvements in the Urban Renewal Area, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Urban Renewal Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Urban Renewal Area. The combination of public and private investment will assist in the reinvestment and conversion of the Urban Renewal Area into a viable employment and commercial gateway area with supporting residential, institutional and public spaces contributing increased property and sales taxes to the City of Longmont, St. Vrain Valley School District and Boulder County.

Not reflected in the Plan map, yet discussed by stakeholders during the process, was the potential relocation of one or more post secondary education facilities to the Area. This concept, initially introduced in the context of another planning effort, was considered to merit additional discussion and analysis as an education presence in the Area was deemed broadly-serving and presenting the potential to complement other planned public infrastructure investments.

4.5.1 Infrastructure

New infrastructure that is required will be relocated in public rights-of-way or dedicated easements. These systems will be added to the existing infrastructure to the extent possible. Existing services may be removed or abandoned to accommodate new development in the Area.

The list below identifies some of the capital improvements currently contained in the City's Capital Improvement Program (CIP), both funded and unfunded, as well as other improvements that have been identified as part of this planning process. For the purposes of this Plan, any item currently contained within the City's CIP will not receive Tax Increment Financing generated by this Plan for completion unless the Authority and the City cooperate through an interfund loan to accelerate a needed project and then the City would repay the Authority.

4.6 Other Improvements and Facilities

There could be other non-public improvements in the Urban Renewal Area required to accommodate development. The Authority may assist in the financing or construction of these improvements.

Approved Capital Improvement Program (CIP) Projects
w/in Urban Renewal Area

Fund	Project	Funded	Projected Cost
Street	1 st Avenue / Boston Avenue / Price Road Connection	2006, 2007	\$1,924,750
Street	Martin St—KP Blvd to 3 rd Ave. - Partial $\frac{3}{4}$ cent sales tax	2006, 2007	\$5,000,000
W/WW	Wastewater Treatment Plant (WWTP) Odor Control	2006	\$750,000
W/WW	Collection System Improvements - E Rogers Rd, Lashley, 3 rd Ave	2007	\$360,000
W/WW	Collection System Improvements - near WWTPt	2009	\$636,000
W/WW	Collection System Improvements in Dickens Field west of WWTP	unfunded	\$327,000
W/WW	WWTP Final Clarifier Addition	2008, 2009	\$1,500,000
W/WW	WWTP Solids Handling Improvements	2005, 2006	\$2,640,000
W/WW	WWTP - Motor Control Centers Replacement	2006	\$150,000
W/WW	WWTP Effluent Improvements	2007, 2008	\$700,000
W/WW	WWTP - Rotating Biological Contractors Building Renovation	2007, 2008	\$700,000
W/WW	WWTP Misc Improvements	2006	\$250,000
W/WW	Water Line Replacements	2010	\$157,400
W/WW	East 2 nd Ave Sewer Line	2006	\$70,000
W/WW	St Vrain Creek Riparian Areas Protection $\frac{1}{2}$ mile east of WWTP along north bank	2006	\$100,000
All or parts of these projects would be funded by future URA/TIF revenue:			
	Environmental Cleanup		\$2,500,000
	TOD Station & surface parking		n/a
	Kimbark, east of Main Street		n/a
	Boston, east of Main Street		n/a
	Construction of District Park		n/a

Fund	Project	Funded	Projected Cost
	Under-Grounding of Utilities		n/a
	Completion of Trunk Infrastructure		n/a
	Relocation / Construction of Higher Ed Facilities		n/a
	Small Business /Property Assistance		n/a

Source: City of Longmont, Colorado

5.0 Project Implementation

Colorado's Urban Renewal Law allows for and recommends a wide range of activities be used in the implementation of an urban renewal area. It is the intent of the Longmont Urban Renewal Authority (LURA) to provide incentives to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish the objectives of the plan. Public-private partnerships and joint venture development will be key to the Authority's strategy for preventing the spread of blight and eliminating the blighting conditions. Reliance on powers such as eminent domain will only be considered as a final option as determined by the Longmont City Council, to achieve the redevelopment objectives of this Plan. Historically, when the use of eminent domain was necessary for public purpose projects such as street, sewer, and water main completion, or public buildings (Safety & Justice Center), the City of Longmont compensated property owners based on a fair market value calculation. That said, the City does not intend to use these powers in the context of implementing this urban renewal plan, to benefit private sector developers interested in assembling land for speculative development purposes particularly if they are unable to acquire property at least at fair market value.

5.1 Property Acquisition and Land Assemblage

The Authority, through purchase or eminent domain in accordance with the Act and the Urban Renewal Plan, may acquire property. Any property acquired under the power of eminent domain must be approved by a majority vote of the Longmont City Council. The Authority may temporarily operate, manage and maintain property acquired in the Urban Renewal Area. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

5.2 Relocation Assistance

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority shall adopt a relocation plan consistent with specific objectives which will be identified in that plan, including relocation necessitated by acquisitions by RTD, as part of this Plan, to the extent that RTD is unable to provide such assistance.

5.2.1 Mitigate Inconvenience and Expense

Development of any relocation program for the Area will be designed to mitigate the inconvenience and expense of individuals, families and business concerns that may be displaced by acquisition of property by the Authority.

5.2.2 Information Program

Any relocation program will be accompanied by an information program to keep all affected parties advised of relocation activities on a continuing basis and to encourage all such parties to keep the Authority informed of their needs and requirements.

5.3 Demolition, Clearance, and Site Preparation

In carrying out this Urban Renewal Plan, it is not anticipated that the Authority will be required to demolish and clear buildings, structures and other improvements from property in the Urban Renewal Area. However, development activities consistent with this Plan may require such demolition and clearance to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of blight. They may also be necessary to alleviate identified hazardous environmental conditions.

With respect to property acquired by the Authority, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements from property pursuant to this Urban Renewal Plan if, in the judgment of the Authority, such buildings, structures and other improvements can not be rehabilitated in accordance with

this Urban Renewal Plan. The Authority may also undertake such additional site preparation activities, as it deems necessary, to facilitate the disposition and redevelopment of such property. In all case, these practices will occur with the consent of the property owner and after just compensation, if applicable.

5.4 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to redevelop such property. All property and interest in real estate acquired by the Authority in the Urban Renewal Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

5.5 Redevelopment and Rehabilitation Actions

Redevelopment and rehabilitation actions within the Urban Renewal Area may include such undertakings and activities as are in accordance with this Urban Renewal Plan and the Act, including without limitation: demolition and removal of buildings and improvements as set forth herein; installation, construction and reconstruction of public improvements as set forth herein; elimination of unhealthy, unsanitary or unsafe conditions; elimination of obsolete or other uses detrimental to the public welfare; prevention of the spread of deterioration; and provision of land for needed public facilities.

5.6 Redevelopment Agreements

The Authority is authorized to enter into Redevelopment Agreements or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Authority to be necessary or desirable to carry out the purposes of this Urban Renewal Plan. Such Redevelopment Agreements, or other contracts, may contain such terms and provisions as shall be deemed necessary or appropriate by the Authority for the purpose of undertaking the activities contemplated by this Urban Renewal Plan and the Act, and may further provide for such undertakings by the Authority, including

financial assistance, as may be necessary for the achievement of the objectives of this Urban Renewal Plan or as may otherwise be authorized by the Act.

6.0 Project Financing

6.1 Public Investment Objective

As reflected in the Plan, it is the intent of the Authority that the public sector continues to play a significant role in revitalization efforts as a strategic partner. Experience has proven that a critical component to the success of any revitalization strategy is participation by both the public and private sectors. Leveraging of resources will be key, as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include any or all of the following: unifying streetscape elements, access and circulation improvements, parking, utilities, and creation of special districts.

6.2 Authorization

The Authority may finance this Urban Renewal Plan by any method authorized under the Act or any other applicable law, including without limitation, the following:

The Authority is authorized to issue notes and bonds in an amount sufficient to finance all or part of this Plan. The Authority is authorized to borrow funds and create indebtedness in carrying out this Plan. The principal, interest, costs and fees on such indebtedness are to be paid for with any lawfully available funds of the Authority and are not the responsibility of the City of Longmont.

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created. Pursuant to the Olson decision of the Colorado Court of Appeals, Article X, and Section 20 (TABOR) of the Colorado Constitution does not limit the debt options of an urban renewal authority in Colorado.

6.3 Project Revenues

Tax Increment Financing

The Urban Renewal Plan contemplates that a primary method of financing this project to be the use of municipal sales (exclusive of X %) and/or property tax increment, however the use of the tax increment financing provisions of the Act will be effective only upon

adoption of an amendment to this Plan that specifically implements such financing. The City Council may consider the authorization of a sales tax increment when the Longmont Urban Renewal Authority submits a financing plan outlining the proposed amounts and purpose for which the municipal sales tax increments are to be used. Upon City Council approval, the municipal sales tax increment will be distributed in accordance with the tax increment financing provisions of Section 31-25-107 (9), C.R.S. which is by this reference incorporated herein as if set forth in its entirety. If there is any conflict between the Act and this Urban Renewal Plan, the provisions of the Act shall control, and the language in the Plan will be automatically deemed to conform to the statute.

All property and sales taxes collected within the Tax Increment Area, by or for the benefit of any public body, and that portion of the municipal sales taxes within the Tax Increment Financing Area agreed to by the City Council, shall be divided for a period not to exceed 25 years as follows:

- a) That portion of the taxes which are produced by the levy at the rate fixed each year by, or for, each such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified, prior to the effective date of approval of the Urban Renewal Plan, or as to an area later added to the Urban Renewal Area, the effective date of the modification of the Plan or that portion of municipal sales tax collected within the boundaries of said Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan, or both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.
- b) That portion of said property taxes and that portion of said sales taxes in excess of such amounts in subparagraph a) shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or in part, urban renewal projects within the Urban Renewal Area. Any excess municipal sales tax

collections not allocated pursuant to this subparagraph shall be paid into the funds of the municipality.

- c) The portion of taxes described in subparagraph b may be irrevocably pledged to the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances, and indebtedness.
- d) The City and the Authority may enter into agreements with other public bodies and private parties to provide financial assistance in support of development projects consistent with this Plan as may be more fully set forth in the provisions of such agreements. Existing agreements between the City and private parties that are consistent with this plan are intended to remain in full force and effect.

6.4 Financing Mechanisms / Structures

The Authority recognizes that tax increment financing is one tool which can be made available to facilitate investment and that others are needed. The Authority is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this Plan to use the tools either independently or in various combinations. Given the obstacles associated with infill and “brownfield” development, the Authority recognizes that it is imperative that solutions and resources be used in places which are comprehensive, flexible and creative. Among those deemed reasonable for the Urban Renewal Area are improvement district(s) and a mixed-use (e.g., PUD) overlay district.

6.5 Authority Participating Interest in Private Development Projects

The Authority may require a participating interest in private development projects in which it provides financial support. The philosophy behind this is that public support is frequently needed for projects of this nature, in order to fill a gap left by available traditional financing. In the event the project(s) produces revenues in excess of a market rate of return, the public sector might become a partner and share in the success of the project. In this event, the Authority may also require an excess profits provision. The

terms of the participating interest and excess profits provisions will be negotiated in the Redevelopment Agreement(s).

7.0 Changes and Minor Variations from Adopted Plan

7.1 Changes in the Approved Urban Renewal Plan

This Urban Renewal Plan may be modified pursuant to the provisions of the Act governing such modification, including Section 31-25-107 thereof, as the same may be amended from time to time. To the extent that those modifications result from a property owner's requests to be included in a Plan Area, the cost of such modifications shall be the responsibility of that owner if the owner's property was previously removed from the Plan Area at the owner's request.

7.2 Minor Variations

In specific cases, where a literal enforcement of the provisions contained in the Urban Renewal Plan constitutes an unreasonable limitation beyond the intent and purpose of these provisions, the Authority may allow minor variances from these provisions.

7.3 Inter-Agency Cooperation

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements with the City or other public bodies pursuant to the Act. The City and Authority recognize the need to cooperate in the implementation of this Urban Renewal Plan for, but not limited to, such items as project financing and administering the construction of public improvements. This paragraph shall not be construed to require any particular form of cooperation.

7.4 Urban Renewal Plan Review Process

The review process for the Urban Renewal Plan is intended to provide a mechanism to allow those parties responsible for implementing the Plan to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing the recommended urban renewal activities.

The following steps are intended to serve as a guide for Plan review:

- a) The Authority may propose modifications, and the Authority shall make such modifications as may be necessary provided they are consistent with the LACP and the Urban Renewal Law.
- b) Modifications may be developed from suggestions of the Authority, property and business owners, and Staff operating in support of the Authority.
- c) As series of joint workshops may be held by, and between, the Authority and property and business owners to direct and review the development of Plan modifications.

8.0 Authority Governance

In actions leading up to the creation of the Authority, the Longmont City Council agreed to accept the responsibility of governance of the Authority as the ex-officio commission. The Authority (City Council) will consider budgetary controls, and other related fiscal controls if governance is shifted to an appointed citizen commission. At the same time, the Authority (City Council) will consider the need to employ permanent employee(s) to administer the Plan.

9.0 Plan Administration

The Authority may employ technical experts, agents, and employees, permanent and temporary, and it shall determine their qualifications, duties and compensation. Until such time that it is determined by the Authority that administration of the Plan requires the commitment of permanent employee(s), it is intended that the City of Longmont Community Development Department staff will fill the role of Plan administrators, and shall not be compensated above their existing salary or hourly wages as provided by their primary employer, the City of Longmont

9.1. Executive

The Community Development Department Director of the City of Longmont is authorized by the City Manager to serve in the capacity as Secretary of the Authority (Executive Director), until such time that the Authority determines it is necessary to employ a full time Secretary.

9.2 Directorate-Liaison

The City of Longmont Community Development Department is authorized to provide the Authority and Secretary with directorate-liaison support. Community Development will coordinate Authority activities necessary to implement the Plan, such as:

- a) Public hearing notifications;
- b) Affected party notification;
- c) Public information and outreach efforts;
- d) Report preparation;
- e) Record keeping;
- f) Management of technical experts and other agents;
- g) All other requirements deemed necessary to implement the Plan.

9.3 Legal Counsel

According to the Urban Renewal Law, the Authority may call upon the municipal counsel or chief legal officer of the City for such legal services that it may require, or it may employ its own counsel and legal staff.

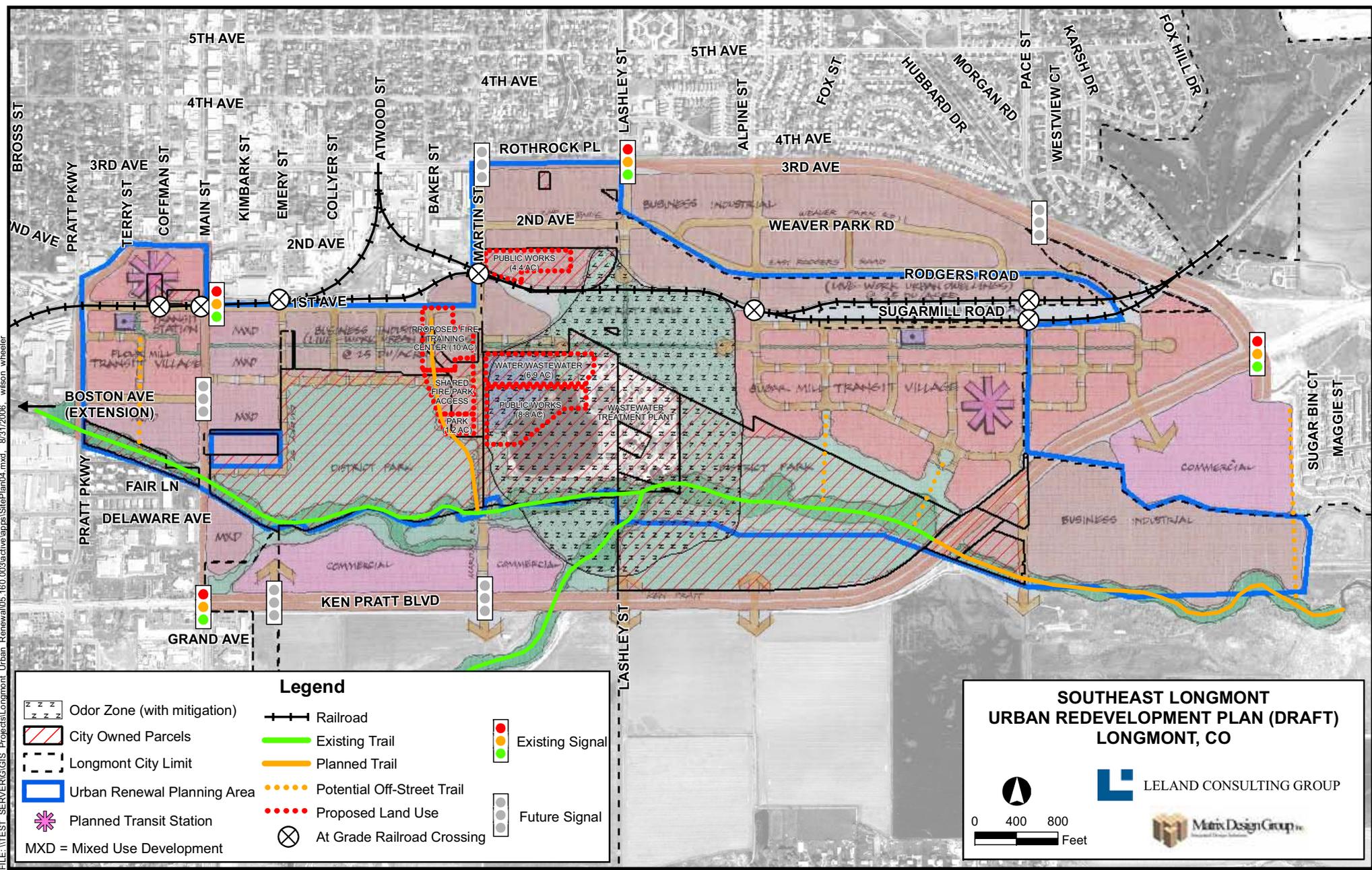
10.0 Severability

If any portion of the Urban Renewal Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of this Urban Renewal Plan.

11.0 Term

The Term of this Plan and the use of Tax Increment Financing are twenty-five (25) years from its effective date, unless the Authority deems that all projects have been accomplished and all debts incurred to finance those projects and all expenses of the Authority have been repaid. In that event, the Authority may declare the plan fully implemented and the total tax collections derived from the Urban Renewal Area shall be paid into the funds for the appropriate taxing entity.

FILE: \\NTTEST_SERVER\GIS\Projects\Longmont\Urban_Renewal\05_160_003\active\aprs\SitePlan04.mxd, 8/31/2008, wilson, wheeler



Legend

	Odor Zone (with mitigation)		Railroad		Existing Signal
	City Owned Parcels		Existing Trail		Future Signal
	Longmont City Limit		Planned Trail		
	Urban Renewal Planning Area		Potential Off-Street Trail		
	Planned Transit Station		Proposed Land Use		
	MXD = Mixed Use Development		At Grade Railroad Crossing		

**SOUTHEAST LONGMONT
URBAN REDEVELOPMENT PLAN (DRAFT)
LONGMONT, CO**

LELAND CONSULTING GROUP

0 400 800
Feet

EXHIBIT A

DESCRIPTION OF THE LONGMONT URBAN RENEWAL AREA

That certain parcel of land situated in Sections 1 & 2 & 3 & 10 & 11 & 12 of Township 2N, Range 69W of the 6th PM, City of Longmont, County of Boulder, State of Colorado, more particularly described as follows:

Beginning at the point of intersection of the south right of way (ROW) line of 2nd. Ave. and the west ROW line of Main St. Thence westerly along said south ROW line of 2nd. Ave. to a point approximately 235 feet east of the east ROW line of Pratt St. Thence southerly approximately 109 feet to the northwesterly ROW line of the Pratt/Terry overpass. Thence southwesterly along said northwesterly ROW line to the east ROW line of Pratt St. Thence southerly along said east ROW line to the south bank of the St. Vrain River. Thence southeasterly along said south bank to the west ROW line of Main St. Thence southeasterly to the intersection of the south bank of the St Vrain River and the east ROW line of Main St. Thence northerly along the east ROW of Main St. to the centerline of the St. Vrain River. Thence southeasterly along the centerline of the St. Vrain River to the west line of the east 1/2 of the northwest 1/4 of said section 11. Thence northerly along said west line 47.43 feet to the southwest corner of that land described by deed, reception number 1059214. Said southwest corner being the southwest corner of the Longmont waste water treatment plant. Thence S 89° 26' 55" E a distance of 304.16 feet. Thence S 87° 28' 05" E a distance of 223.61 feet. Thence S 71° 09' 11" E a distance of 78.31 feet to the southeast corner of said Longmont waste water treatment plant. Thence N 00° 13' 18" W along the east line of said treatment plant a distance of 972.10 feet to the southern ROW line of the BN&SF RR. Thence N 63° 57' 28" W along said southern ROW line of the BN&SW RR a distance of 670.83 feet to the said west line of the east 1/2 of the northwest 1/4 of section 11. Thence N 00° 13' 18" W along said west line a distance of 83.63 feet. Thence N 63° 57' 28" W along said southern ROW line of said BN&SF RR a distance of 526.98 feet. Thence S 00° 20' 04" E a distance of 210.17 feet. Thence S 89° 26' 49" W a distance of 829.00 feet to the west line of said section 11. Thence northerly along said west line a distance of 210.17 feet to the northwest corner of said section 11. Thence westerly along the north line of section 10, T2N, R69W a distance of 40.00 feet. Thence southerly, parallel with the said west line of section 11 a distance of 304.50 feet. Thence westerly, parallel with the north line of said section 10 a distance of 60.00 feet to the west ROW line of Martin St.. Thence northerly along the west ROW line of Martin St. to the intersection of the west ROW line of Martin St. and the southerly ROW line of 1st Ave. Thence westerly along the south ROW line of 1st. Ave. to the intersection of the south ROW line of 1st. Ave. and the west ROW line of main St.. Thence northerly along the westerly ROW of Main St. to the south ROW line of 2nd. Ave. and the point of beginning.

Except lot 1, as shown on the plat of "Dickens Homestead", reception number 2679447, of the records of Boulder County.

ura3
09-26-06 MY

**Eastside/Conner/Factory/Waste
Urban Renewal Area**

A parcel of land in the SW1/4 of section 2, T2N, R69W, of the 6TH. PM, City of Longmont, County of Boulder, State of Colorado, containing all of Eastside subdivision lying south of the south ROW line of State Highway 119, and block 4 of Factory Place Addition, and Conner subdivision, and East 2nd. Ave. from Martin St. to Lashley St., and East Rodgers Rd. from Martin St. to Lashley St., and the Longmont solid waste facility. The boundary of said parcel being more particularly described as follows.

Beginning at the southwest corner of Conner subdivision, said corner is approximately 770 feet north of the southwest corner of said section 2. Thence southerly along the east ROW line of Martin St. approximately 185 feet to the northern ROW line of the Burlington Northern Railroad. Said northern line being the southerly line of the Longmont solid waste facility. The following 4 courses are along the southerly and easterly boundary of said solid waste facility. 1) Thence S 63° 43' 28" E a distance of 472.67 feet to a point of curve to the left. 2) Thence easterly 245.63 feet along said curve. 3) Thence S 88° 44' 29" E 271.42 feet to a compound curve to the left. 4) Thence northeasterly along said compound curve 629.03 feet to the southeast corner of said Conner subdivision. Thence northerly along the east line of said Conner subdivision to the northeast corner thereof. Said northeast corner being on the south right of way (ROW) line of East Rodgers Rd.. Thence continuing northerly, crossing East Rodgers Rd. to the southeast corner of block 4 of Factory Place Addition. Said southeast corner being on the west ROW line of Lashley St.. Thence continuing northerly along the west ROW of Lashley St. to the south ROW line of State Highway 119. Thence westerly along said south ROW line to the east ROW line of Martin St.. Thence southerly along said east ROW line, crossing East Rodgers Rd. and East 2nd. Ave. to the southwest corner of said Conner subdivision and the point of beginning.

9-27-06 MY

**Hilleshog
Urban Renewal Area**

A parcel of land in the southeast 1/4 of section 2 and the southwest 1/4 of section 1, all in T2N, R69W, of the 6th PM, City of Longmont, County of Boulder, State of Colorado, being more particularly described as follows.

Beginning at the point of intersection of the north right of way (ROW) line of Sugarmill Rd. and the east line of the southeast 1/4 of said section 2. Whence the southeast corner of said section 2 bears southerly 30 feet. Thence west along the north ROW line of Sugarmill Rd. approximately 796 feet. Thence N40°55'19"E

A distance of 89.8 feet to the southwesterly ROW line of East Rodgers Rd.. Thence N 49° 04' 41" W

Along the southwesterly ROW line of East Rodgers Rd. a distance of 298.10 feet to a point of curvature. Thence along the arc of a curve to the left (radius of said curve being 533 feet, chord of said arc bears N 69° 27' 11" W, 371.14 feet.) a distance of 379.08 feet. Thence westerly along the southerly ROW line of East Rodgers Rd. to the east ROW line of Sugarmill Rd.. Thence south and southeast along the west and northwest ROW line of Sugarmill Rd. to the southwest corner of parcel number 1, as shown on the map of Hilleshog Mono-Hy annexation number 1. Thence east along the north ROW of Sugarmill Rd. approximately 794.61 feet to the southeast corner of said parcel number 1. Thence north along the east line of said parcel number 1, approximately 146 feet, to the south ROW line of the Great Western Railroad. Thence easterly along the south ROW line of the Great Western Railroad, approximately 1185 feet to the east line of the southeast 1/4 of said section 2. Thence south along the east line of said section 2, approximately 146 feet, to the point of beginning.

06-20-06 MY

Southeast Urban Renewal Planning Area

-  Southeast Urban Renewal Planning Area - 583 Acres
-  Urban Renewal Area
-  Urban Renewal Area - Potential TIF Properties - 157 Acres
-  Urban Renewal Area - City of Longmont Property - 148 Acres
-  Unincorporated Boulder County - 226 Acres
-  City of Longmont Unincorporated - 55 Acres
-  Dickens Farm removed - 3 Acres

