

1 ORDINANCE NO. O-2006- 87

2 AN ORDINANCE MAKING CERTAIN LEGISLATIVE FINDINGS
3 AND APPROVING THE URBAN RENEWAL PLAN FOR THE SOUTHEAST LONGMONT
4 URBAN RENEWAL PROJECT
5

6 WHEREAS, Leland Consulting Group (the Consultants) have been retained by the Urban
7 Renewal Authority of Longmont, Colorado (the Authority) to conduct studies and surveys of the
8 area (Area) described in Exhibit A, attached to and incorporated herein, to determine if the Area
9 contains factors included in the definition of "blighted area" in the Colorado Urban Renewal
10 Law Sections 31-25-101, *et seq.*, C.R.S., (the Act); and

11 WHEREAS, the Consultants prepared, submitted and presented to the City Council a
12 document entitled "Southeast Longmont Conditions Survey" (the Survey) dated September 20,
13 2004 and updated July, 2005, which Survey is incorporated herein by this reference, and which
14 describes in detail the conditions in the Area; and

15 WHEREAS, the Longmont City Council found and determined that the Area is a
16 "blighted area" as defined in Section 31-25-103(2) of the Act; and

17 WHEREAS, the Authority has prepared and approved the Southeast Longmont Urban
18 Renewal Plan (the Plan), a copy of which has been approved as to form by the City Attorney and
19 is attached hereto and incorporated herein; and

20 WHEREAS, the aforesaid Plan is a matter of public record in the custody of the City
21 Clerk and is available for public inspection during business hours of the City; and

22 WHEREAS, notice of the public hearing on the Plan was published as required by
23 Section 31-25-107(3), C.R.S., at least thirty days prior to the public hearing; and

24 WHEREAS, written notice was mailed or delivered to each property owner, business,
25 and resident of the area included in the Plan informing them of the public hearing at least thirty
26 days prior to the public hearing; and

27 WHEREAS, the Longmont Planning and Zoning Commission has determined that the
28 Plan complies with the Longmont Area Comprehensive Plan (the Comprehensive Plan), which is
29 the general plan for the development of the City as a whole; and

30 WHEREAS, on November 14, 2006, the City Council conducted a public hearing and
31 reviewed said Plan pursuant to the procedural and notice requirements of the City Charter, the

1 Act, and the City Council having considered the evidence presented in support of and in
2 opposition to the Plan, the Survey, the City's Comprehensive Plan, and staff recommendations
3 and so having considered the legislative record and given appropriate weight to the evidence.

4 NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO,
5 HEREBY ORDAINS:

6 Section 1

7 The Urban Renewal Area described in the Plan is found and declared to be a blighted
8 area as defined in the Act. This is a legislative finding by the City Council based upon the
9 Survey and other evidence presented to City Council.

10 Section 2

11 The boundaries of the Urban Renewal Area have been drawn as narrowly as the City
12 Council determines feasible to accomplish the planning and development objectives of the Plan.

13 Section 3

14 The Plan has been submitted to the Board of County Commissioners of Boulder County,
15 Colorado, (the County) together with the information required by Section 31-25-107(3.5) of the
16 Act.

17 Section 4

18 St. Vrain Valley School District RE-1J has been permitted to participate in an advisory
19 capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by
20 Section 31-25-107(9) of the Act.

21 Section 5

22 It is not expected that any relocation of individuals and families will be required in
23 connection with the Plan, but to the extent that any such relocation may be required, a feasible
24 method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling
25 accommodations within their means and without undue hardship to such individuals and
26 families.

27 Section 6

28 It is not expected that any relocation of business concerns will be required in connection
29 with the Plan, but to the extent that any such relocation may be required, a feasible method exists
30 for the relocation of such business concerns in the Urban Renewal Area or in other areas that are
31 not generally less desirable with respect to public utilities and public and commercial facilities.

1 Section 7

2 The City Council has taken reasonable efforts to provide written notice of the public
3 hearing prescribed by Section 31-25-107(3) of the Act to all property owners, residents and
4 owners of business concerns in the proposed Urban Renewal Area at their last known addresses
5 of record at least thirty days prior to the public hearing on the Plan.

6 Section 8

7 Section 31-25-107(4)(d) of the Act does not apply because no more than 120 days have
8 passed since the commencement of the only public hearing on the Plan.

9 Section 9

10 Section 31-25-107(4)(e) of the Act does not apply because the City Council did not fail to
11 previously approve this Plan.

12 Section 10

13 The Plan conforms with the Longmont Area Comprehensive Plan, which is the general
14 plan for the development of the City of Longmont as a whole.

15 Section 11

16 The Plan will afford maximum opportunity, consistent with the sound needs of the
17 municipality as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area
18 described in the Plan by private enterprise.

19 Section 12

20 All of the Urban Renewal Area is within the corporate limits of the City. Construction of
21 public improvements and provision of services in the Urban Renewal Area will be the primary
22 responsibility of the City, the Authority, special districts and public entities other than the
23 County, and private enterprise.

24 Section 13

25 To the extent that the Urban Renewal Area described in the Plan may constitute open
26 land within the meaning of Section 31-25-107(5) of the Act, it is found and determined that a
27 shortage of housing of sound standards and design that is decent, safe, and sanitary exists in the
28 City; the need for housing accommodations has been or will be increased as a result of the
29 clearance of substandard and dilapidated housing in the City; the conditions of blight in the
30 Urban Renewal Area described in the Plan and the shortage of decent, safe, and sanitary housing
31 cause or contribute to an increase in and spread of disease and crime and constitute a menace to

1 the public health, safety, morals, or welfare; and, if necessary to carry out the Plan, the
2 acquisition of the area for residential uses (to the extent authorized in the Plan) is an integral part
3 of and essential to the program of the City.

4 Section 14

5 To the extent that the Urban Renewal Area described in the Plan may constitute open
6 land within the meaning of Section 31-25-107(6) of the Act, it is found and determined that the
7 nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth
8 and development of the community in accordance with sound planning standards and local
9 community objectives and, if necessary to carry out the Plan, the contemplated acquisition of the
10 area (to the extent authorized in the Plan) may require the exercise of governmental action, as
11 provided in and subject to the requirements of the Act, because of being a blighted area.

12 Section 15

13 The Southeast Longmont Urban Renewal Plan has been duly reviewed and considered
14 and is hereby approved. The Authority is hereby authorized to take any and all actions pursuant
15 to the Act to carry out the Plan.

16 Section 16

17 To the extent only that they conflict with this ordinance, the Council repeals any
18 conflicting ordinances or parts of ordinances.

19 Introduced this 28th day of November, 2006.

20 Passed and adopted this 12th day of December, 2006.

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27 ATTEST:

28
29 Valeria H. Shuts
30
31 CITY CLERK



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34 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
35 7:00 P.M. ON THE 12th DAY OF December, 2006, IN THE
36 LONGMONT COUNCIL CHAMBERS.

1 APPROVED AS TO FORM:
2
3

4 James W. Roub
5 DEPUTY CITY ATTORNEY

11/17/06
DATE

6
7
8 Julie A. Wefer
9 PROOF READ

11-17-06.
DATE

10
11 APPROVED AS TO FORM AND SUBSTANCE:
12

13 Carl DeW...
14
15 ORIGINATING DEPARTMENT

11/20/06
DATE

16
17 CA File:5773