



Downtown Lamar

Urban Renewal Plan

City of Lamar, Colorado

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Prepared for:

Lamar, Colorado City Council

Prepared by:

Leland Consulting Group

DRAFT



Downtown Lamar

URBAN RENEWAL PLAN

City of Lamar, Colorado

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Downtown Lamar

Urban Renewal Plan

City of Lamar, Colorado

1.0 Introduction

1.1 Preface

This *Downtown Lamar Urban Renewal Plan* (the “**Plan**” or the “**Urban Renewal Plan**”) has been prepared by the City of Lamar Redevelopment Authority (the “**Authority**”) for the City of Lamar (“**City**”). It will be carried out by 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 and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.”



The *Downtown Lamar Conditions Survey*, prepared by Leland Consulting Group, dated January, 2009, which is attached hereto as **Attachment 1** (the "**Blight Study**"), demonstrates that the Downtown Lamar Conditions Survey Area ("**Study Area**"), as defined in the Blight Study, is a blighted area under the Act.

1.3 Other Findings

The Area is appropriate for one or more urban renewal projects and other undertakings authorized by the Act to be advanced by the Authority.

One or more projects could require the demolition and clearance of certain public and private improvements within the Area as provided in this Plan. If this is the case, such actions will be determined to be necessary to prevent the spread of deterioration and/ or eliminate unsafe, obsolete and other uses detrimental to the public welfare.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives of this Plan. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. This Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the City Council.



1.4 Urban Renewal Area Boundaries

The proposed Downtown Lamar Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) includes all properties within the City limits as delineated in **Figure No. 1** and described in the legal description presented in the **Appendix**. The boundaries of the Area include 292 acres of land generally defined to include properties adjacent to and in the vicinity of Main and Poplar Streets, east of 5th and 6th Streets, north of Park Street, south of County Road JJ@ and west of County Road 9. For the purposes of this analysis, the parcels were aggregated into survey blocks. A description of the Area by subarea is presented as follows:

Subarea A: This subarea can be described as a continuation of Main Street with retail uses extending south of the railroad tracks. Dominated by its auto-orientation, specific retailers include parts, repair and used car dealers. Other uses include industrial, light industrial, warehouse and storage yards. Vacant lots and structures are present, along with several motel properties, national chains and local independents. Off of Main Street there are older detached homes. Newer detached low-income housing can be found east of Main Street.

Subarea B: The primary Main Street district, Subarea B includes the Amtrak station, community Welcome Center and Chamber of Commerce offices. Main Street itself hosts a concentration of retail storefronts – mostly in older structures. Municipal, cultural, quasi-governmental and institutional land uses include the County Courthouse, Municipal Building, Library, Jail, Cultural Center, Lamar Middle School, economic development offices, churches and social service providers. Blocks beyond Main Street tend to feature detached housing units, with some attached and multi-family housing to the west. Various auto-oriented



and light industrial uses can be found, primarily along Olive Street; while, private commercial and professional office uses can be found along Main Street and on properties within one block of Main Street.

Subarea C: Subarea C is primarily industrial in nature, with light industry, storage yards and repair businesses. The new coal power plant is being built in the center of the area, while very low density “horse property” dominates the eastern portion. Vacant lots and structures can also be found along with a vacated WPA-construction housing project.

As per the Statute, the legal description controls the boundary description in case of any conflict.

1.4.1 Map of Urban Renewal Area (Figure 1)

The Urban Renewal Area map is presented as **Figure No. 1** on the following page.

2.0 Definitions

Act - means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

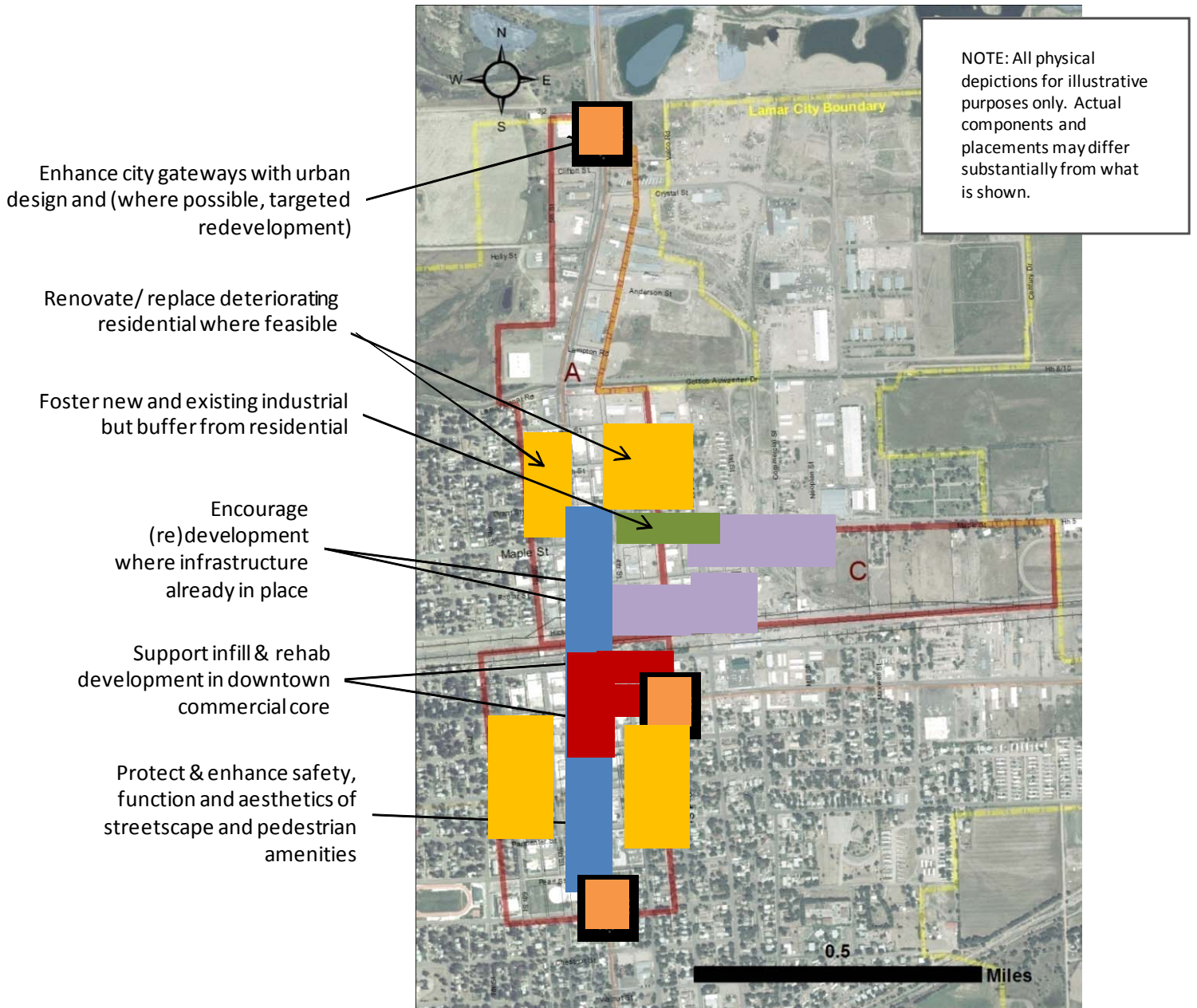
Area or Urban Renewal Area - means the Downtown Lamar Urban Renewal Area as depicted in **Figure 1** and legally described in **Appendix I**.

Authority - means the Lamar Redevelopment Authority.

Blight Study - means the *Downtown Lamar Conditions Survey*, prepared by Leland Consulting Group, dated January, 2009, attached hereto as **Attachment 1** and incorporated herein by this reference.



Figure 1:





City Council - means the City Council of the City of Lamar.

City Tax or **City Taxes** - means, collectively, the tax imposed by the City on certain transactions.

Comprehensive Plan - the *City of Lamar Comprehensive Plan 2004* (the "Comprehensive Plan").

Cooperation Agreement - means any agreement between the Authority and City, or any public body (the term "public body" being used in this Plan 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 Plan.

C.R.S. - means the Colorado Revised Statutes, as amended from time to time.

Impact Report - means the *Downtown Lamar Prowers County Impact Report* prepared by Leland Consulting Group, dated May, 2009, attached hereto as **Attachment 2** and incorporated herein by this reference.

Improvement District - means a special district created to make improvements, typically to public space infrastructure, in a given area.

Plan or **Urban Renewal Plan** - means this *Downtown Lamar Urban Renewal Plan*.

Property Tax Increment Area - means that portion of the Area designated as a property tax increment area, as defined and pursuant to the procedures set forth in this Plan.

Redevelopment / Development Agreement - means one or more agreements between the Authority and developer(s) and / or property owners or such other



individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Sales Tax – means the municipal sales tax imposed by the City on certain transactions.

Sales Tax Increment Area – means any portion of the Area designated as a sales tax increment area, as defined and pursuant to the procedures set forth in **Section 7.3** of this Plan.

Study Area – means the geographic territory defined for the Blight Study, the boundaries of which are coterminous with the Area boundaries.

Tax Increment Area – means a portion of the Area designated as a Property Tax and/or Sales Tax Increment Area, as defined and pursuant to the procedures set forth in this Plan.

3.0 Purpose of the Plan

The purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area and to stimulate growth and investment within the Area boundaries. To accomplish this purpose, the Plan promotes local objectives expressed in adopted community plans with respect to appropriate land uses, private investment and public improvements, provided that the delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives. Specifically, the *Downtown Lamar Urban Renewal Plan* seeks to advance the vision of the priorities of the *City of Lamar Comprehensive Plan 2004*. This plan speaks to significant portions of the Urban Renewal Area and addresses a comprehensive list of goals and objectives related to community revitalization. (See Section 5.2)



Within the Urban Renewal Area, uses and product types which can respond to market conditions over time; further the goals and objectives of the *City of Lamar Comprehensive Plan 2004*, and other community adopted plans, as well as any other relevant policy documents; leverage the community's investment in public improvement projects; and, contribute to redevelopment and elimination of blight within the Area will be encouraged.

While the principal goal of the urban renewal effort, as required by the Act, is to afford maximum opportunity, consistent with the sound needs of the City as a whole and to develop and rehabilitate the Area by private enterprise; it is not intended to replace the efforts of area business development or marketing organizations.

The rehabilitation and redevelopment of properties within the Area will be accomplished through the improvement of existing, and construction of new, structures and infrastructure, attraction of new investment and reinvestment, and prevention of deterioration of properties in the Area. The effort will involve the Authority and City Council with participation and cooperation by the private sector.

3.1 Urban Renewal Plan Vision Statement

Redevelopment of the Urban Renewal Area represents a unique opportunity to create a destination that is region-serving, yet locally supportive. The Urban Renewal Plan provides for quality design; strong internal and external connections for pedestrians, vehicles and bicyclists; and host environments for public events and cultural venues.

New uses and redevelopment of existing uses will be developed in mixed-use and multi-use formats where feasible, in an architectural style that is regionally-relevant. Commercial offerings outside of Downtown will complement



Downtown tenants, rather than compete with them. Improvements in the physical realm will be consistent and communicate a unified identity and brand.

Downtown Lamar will continue to be the center of commerce, meetings, learning and cultural arts for the community and region. Surrounding industry will continue to co-exist with Downtown uses, and together they will provide the principle economic development engines for new and existing businesses.

3.2 Development and Design Objectives

All development in the Plan Area shall conform to the Zoning Code and any site-specific zoning regulations or policies which might impact properties in the Area, all as in effect and as may be amended from time to time. While the Act authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum densities, and building requirements in the Area, the City will regulate land use and building requirements. At a minimum, all projects of the Authority within the Area shall comply with applicable municipal requirements as determined by the City Council and / or Planning Commission according to the code.

The development objectives for the Urban Renewal Area include establishment of uses that will allow projects to respond to changing market conditions. Potential land uses within the Urban Renewal Area include a range of retail, business, residential, institutional, lodging, civic, cultural and parking. Generally, development objectives promote flexibility, adaptability to a range of uses and product types and consistency with prevailing market conditions. Specifically, project goals and objectives, identified by the community in collaboration with impacted property owners that investment within the Urban Renewal Area will aspire to, individually and collectively, include the following:



1. Eliminate and prevent blight
2. Implement elements of the *City of Lamar Comprehensive Plan* related to urban renewal and the vision of this Plan
3. Stimulate development of under-utilized land in the Urban Renewal Area
4. Improve relationships between the Urban Renewal Area and surrounding areas
5. Increase property values and strengthen the City's economic base
6. Provide uses supportive of and complementary to planned improvements
7. Encourage the continued presence of existing viable downtown business
8. Support local businesses
9. Grow and protect the existing agricultural industry base
10. Support capital investments including expansion of existing utility infrastructure
11. Advance cultural art programs and capital investments
12. Promote "green" development standards (environmentally sensitive)
13. Improve the public realm including streetscape amenities
14. Increase the capacity and quality of infrastructure in the Urban Renewal Area
15. Underground overhead utility lines
16. Support the preservation of historic structures
17. Balance infill and fringe development in an effort to keep both healthy
18. Develop and enhance gateways
19. Preserve existing neighborhoods
20. Support landscaping standards for properties located along Main Street
21. Encourage growth in primary jobs in the downtown core and along commercial corridors
22. Grow the City's multi-modal options (bike routes, trails, pedestrian access)
23. Promote Lamar's cultural heritage
24. Provide a range of financing mechanisms for private property (re) investment
25. Encourage public-private partnerships
26. Facilitate cooperation among government agencies (taxing entities)
27. Expand service facilities as needed



4.0 Blight Conditions

Before an urban renewal plan can be adopted by the City, the area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act, which provides that, in its present condition and use, the presence of at least four of the following factors in the area, 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:

- (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 nonmarketable;*
- (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 underutilization or vacancy of sites, buildings, or other improvements; or*
- (l) *If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present conditions and use and, by reason of the presences of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(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.*

The Act also provides that, if private property is to be acquired by the Authority by eminent domain, at least five of the factors specified in Section 31-25-103(2)(a) to (2)(l) must be present.



The general methodology for conducting the Blight Study is to: (i) define the Study Area; (ii) gather information about the Study Area, such as right-of-way and parcel boundaries, aerial photography, etc.; (iii) evaluate evidence of blight through field reconnaissance of the Study Area to document observed physical conditions of blight; and, (iv) collect data about blight factors that are not visually observable.

Among the 11 qualifying factors identified in the Act, the Blight Study identified the presence of the following ten blight factors in the Study Area:

- (a) Slum, Deteriorated and 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
- (h) Existence of Conditions that Endanger Life or Property by Fire or Other Causes
- (i) Building That Are Unsafe or Unhealthy for persons to Live or Work
- (j) Environmental Contamination of Buildings or Property
- (k.5) Existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings, or Other Improvements

The condition, (g) of Section 31-25-103(2), defective or unusual conditions of title rendering the title non-marketable, was not investigated.



5.0 Plan's Relationship to Local Objectives and Appropriate Land Uses

5.1 General Description

Implementation of this Urban Renewal Plan supports the objectives and requirements of the *City of Lamar Comprehensive Plan 2004* with respect to development and redevelopment. As development occurs in the Area, it shall conform to the *Comprehensive Plan* and any subsequent updates, the City Building and Zoning Code and any rules, regulations, and policies promulgated pursuant thereto, any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans, and any applicable City design standards, all as in effect and as may be amended from time to time.

Existing conditions present within the Area will be remedied by the proposed Plan, but will need to first be identified as a priority public investment item by the Authority in consultation with the City and community. Improvements will be phased as the market allows and funded in part by tax increment revenues.

5.2 Relationship to Lamar Comprehensive Plan

A general plan for the City, known as the *City of Lamar Comprehensive Plan*, was adopted in 2004. The Authority, with the cooperation of the City, private enterprise and other public bodies, will undertake projects and activities described in this Plan in order to eliminate the conditions of blight identified herein while implementing the goals and objectives of the *City of Lamar Comprehensive 2004* and subsequent updates. Specific elements of the *City of Lamar Comprehensive Plan 2004*, and any subsequent



updates, which this Plan advances, include the following (taken verbatim).

City of Lamar Comprehensive Plan 2004

Chapter 4: Goals and Objectives

Intergovernmental Coordination (Page 4-1)

Goal 1: Coordinate with the County on land use and infrastructure issues within the LJPA.

Objective 1.1: Draft and execute an intergovernmental agreement between Lamar and the County to address issues within the LJPA.

Objective 1.3: Coordinate infrastructure improvements and/or provisions between Lamar and the County within the LJPA.

Objective 1.4: Promote an open dialogue between Lamar and the County on land use and infrastructure issues.

Transportation (Page 4-1)

Goal 3: Promote an aesthetically pleasing, effective and safe transportation system.

Objective 3.3: Design pedestrian-friendly corridors, especially within Downtown and along Memorial Drive.

Goal 4: Encourage coordination between the City, County and CDOT on transportation improvements within the LJPA.

Objective 4.3: Provide quality “gateway” elements at the major intersections of existing and future highway junctions leading into town.

Services and Infrastructure (Page 4-2)

Goal 5: Locate new development on existing adequate infrastructure systems, where appropriate, to minimize tax effects on current residents.

Objective 5.1: Examine ways in which new development can pay its fair share of the costs of community improvements and facilities that are necessary to serve that development.

Objective 5.2: Direct growth to areas with provisions for adequate utility service.



Objective 5.3: Leverage the ability to provide services (such as electricity, sewer and water) to accomplish Plan goals and objectives.

Objective 5.4: Coordinate with local water and sewer providers to promote the balanced and intelligent extension and maintenance of utilities and infrastructure.

Economy (Page 4-2)

Goal 8: Promote economic development within the City by creating reasonable and positive incentives for new development.

Objective 6.2: Evaluate various incentive packages to attract commercial development to desired areas within the City.

Land Use (Page 4-3)

Goal 8: Preserve, protect and improve core neighborhoods.

Objective 8.1: Provide incentives and establish standards for in-fill residential development, especially within declining neighborhoods.

Objective 8.2: Allow for the creation of residential communities that encompass a range of housing types that are visually attractive and compatible in intensity, dwelling unit size, and structural design to meet the lifestyles of present and future residents.

Objective 8.3: Target rehabilitation funds and tax incentives to neighborhoods in the greatest need.

Chapter 6: Implementation

Transportation Recommendations (Page 6-1)

4: Commission and adopt a Corridor Plan for Main Street within the Downtown Core.

Economy Recommendations (Page 6-3)

9: Develop incentives to attract commercial and industrial development.

Land Use Recommendations (Page 6-3)

14: Develop incentives for redevelopment and infill of blighted neighborhoods.



Funding Sources (Page 6-5)

Tax Increment Financing

The basic concept behind TIF is that the redevelopment of the area approved as a redevelopment district will increase the equalized assessed valuation of the property, thereby generating new revenues to a municipality that can be used to pay for specified costs of a redevelopment project. These costs may include construction of public facilities within a redevelopment area. Property taxes and other revenues generated by the existing development in a legislatively-defined redevelopment district are frozen when the redevelopment is approved by the local government and the increased property tax and a portion of other revenues generated by the new development are captured and placed in a special fund to pay for the costs of redeveloping the area.

5.3 Relationship to Other Community Plans

Implementation of this Urban Renewal Plan will be consistent with development objectives expressed in all community adopted and accepted plans..

6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to provide incentives to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will be key to the Authority's strategy for preventing the spread of blight and eliminating existing blight conditions. Reliance on powers such as eminent domain will only



be considered as a final option, as determined by the City Council, to achieve the objectives of this Plan.

6.1 Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or cause others to, install, construct, and reconstruct any public improvements.

Additionally, the Authority may, or cause others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act. Finally, the Authority may, or may cause others to, install, construct and reconstruct any other authorized improvements in the Area, including, without limitation, other authorized undertakings or improvements for the purpose of promoting the objectives of this Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Area. The combination of public and private investment will assist in the investment and reinvestment of the Area with a greater intensity and quality of viable residential, commercial, employment and mixed-use sub-areas supported by multiple forms of transportation and public spaces contributing to the overall economic well-being of the community.

As described in **Section 4.0** of this Plan, ten qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, are evident in the Area. This Plan proposes addressing each of these conditions through potential completion of the following public improvements and facilities:

- (a) Slum, Deteriorated and Deteriorating Structures: building improvements including facades, fencing, and roof repairs;



- (b) Predominance of Defective or Inadequate Street Layout: improved access and circulation within interior parcels; completion of incomplete streets; and, roadway repairs;
- (c) Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness: (see Predominance of Defective or Inadequate Street Layout);
- (d) Unsanitary or Unsafe Conditions: pedestrian improvements; ADA improvements; lighting; bike paths; and deferred maintenance items including cracked and buckled sidewalks;
- (e) Deterioration of Site or Other Improvements: improvements to parking surfaces, curbs and gutters;
- (f) Unusual Topography or Inadequate Public Improvements or Utilities: undergrounding of overhead utilities; increasing water flow and infrastructure capacity where necessary; completion of curbs, gutters and sidewalks;
- (h) Existence of Conditions that Endanger Life or Property by Fire and Other Causes: sprinklering of commercial buildings; enhanced water flow capacity; and, improved access for emergency vehicles;
- (i) Buildings That Are Unsafe or Unhealthy for Persons to Live or Work: demolition of substandard structures;
- (j) Environmental Contamination of Buildings or Property: assistance with site and building environmental clean-up;
- (k.5) Existence of Factors Requiring High Levels of Municipal Services or Substantial Physical Underutilization or Vacancy of Sites, Buildings or Other Improvements: site assemblage; site prep; and, assistance with post-development leasing strategies.



6.2 Other Improvements and Facilities

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

6.3 Development Opportunities – Catalyst Projects

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund future public improvements. The aggregate impact of potential investment within the Area is reflected in the Impact Report in **Attachment 2**.

6.4 Development Standards

All development in the Area shall conform to applicable rules, regulations, policies and other requirements and standards of the City and any other governmental entity which has jurisdiction over all or any portion of the Area.

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority in the Area. Unless otherwise approved by City Council, any such standards and requirements adopted by the Authority shall be consistent with all other City zoning and development policies and regulations.



6.5 Variations in the Plan

The Authority may propose, and the City Council may make, such modifications to this Urban Renewal Plan as may be necessary provided they are consistent with the *City of Lamar Comprehensive Plan 2004* and any subsequent updates, as well as the Act, or such amendments made in accordance with this Plan and as otherwise contemplated by this Plan.

The Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.6 Urban Renewal Plan Review Process

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

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

- (a) The Authority may propose modifications, and the City Council may make such modifications as may be necessary provided they are consistent with the *City of Lamar Comprehensive Plan 2004* and any subsequent updates, as well as the Act.
- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and City staff operating in support of the Authority and advancement of this Plan.



- (c) A 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.

6.7 Project Financing and Creation of Tax Increment Areas

While projects within the Area are planned to be primarily privately financed, it is the intent of the City Council in approving this Urban Renewal Plan to authorize the use of tax increment financing by the Authority to assist with the development of these projects. Urban renewal authorities in Colorado are authorized by statute (C.R.S 31-25-105) to borrow money and accept advances, loans, grants and contributions from public or private sources, and to issue bonds to finance their activities or operations. In practice, an accepted method for financing urban renewal projects is to utilize incremental property tax and / or municipal sales tax revenues attributable to redevelopment in the project area 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 the Authority.

The boundaries of the Urban Renewal Area shall be as set forth in **Appendix I**. As more fully set forth herein this **Section 6.7**, it is the intent of City Council in approving this Plan to authorize the use of tax increment financing by the Authority as part of its efforts to undertake and advance the Plan.



6.8 Property Acquisition and Land Assemblage

The Authority may acquire property by negotiation or any other method authorized by the Act, except that any proposal to acquire property under the power of eminent domain must be approved by the City Council in accordance with the Act. The Authority may temporarily operate, manage and maintain property in the Area. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

6.9 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 will adopt a relocation plan in conformance with the Act.

6.10 Demolition, Clearance, Environmental Remediation, and Site Prep

In carrying out this Plan, it is anticipated that the Authority may, on a case-by-case basis, elect to demolish and clear buildings, structures and other improvements. Additionally, development activities consistent with this Plan, including but not limited to Development or Cooperation Agreements, 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 deterioration.

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 pursuant to this Plan, if in the judgment of the



Authority, such buildings, structures and other improvements cannot be rehabilitated in accordance with this Plan. The Authority may also undertake such additional site preparation activities as it deems necessary to facilitate the disposition and development of such property.

6.11 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 develop such property. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan. All property and interest in real estate acquired by the Authority in the 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.

6.12 Redevelopment and Rehabilitation Actions

Redevelopment and rehabilitation actions within the Area may include such undertakings and activities as are in accordance with this 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; elimination of unhealthful, 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. The Authority may enter into Cooperation Agreements and Redevelopment /Development Agreements to provide assistance or undertake all other



actions authorized by the Act or other applicable law to redevelop and rehabilitate the Area.

6.13 Redevelopment / Development Agreements

The Authority is authorized to enter into Redevelopment/Development 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 Plan. Such Redevelopment/Development 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 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 Plan or as may otherwise be authorized by the Act.

Existing agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect.

6.14 Cooperation Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. The City and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperation Agreements may include, without limitation, agreements regarding the planning or implementation of this 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 and 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. This paragraph shall not be construed to require any particular form of cooperation.

7.0 Project Financing

7.1 Public Investment Objective

It is the intent of the Plan that the public sector play a significant role in urban renewal efforts as a strategic partner. However, experience has proven that a critical component to the success of any urban renewal 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, but are not limited to: unifying streetscape elements (but for specific modifications made on private property); improving access and circulation; improving streets and parks; providing for infrastructure improvements; completing utilities; and, creating special districts or other financing mechanisms.

7.2 Authorization

The Authority may finance undertakings pursuant to this Plan by any method authorized under the Act or any other applicable law, including without limitation: issuance of notes, bonds and other obligations in an amount sufficient to finance all or part of this Plan; borrowing of funds and creation of indebtedness; advancement of reimbursement agreements; and / or utilization of the following: federal or state loans or grants; interest income; annual appropriation agreements; agreements



with public or private entities; and loans, advances and grants from any other available sources. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority.

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

7.3 Project Revenues

7.3.1 Tax Increment Financing

The Plan contemplates that a primary method of financing projects within the Area will be through the use of property tax and City Tax increments. The Authority shall be authorized to pledge all or any portion of such property tax and City Tax increment revenues for financing public infrastructure that benefits the Area pursuant to one or more Cooperation Agreements.

7.3.2 Distribution of Tax Revenues

As specified in any amendment to this Plan which creates a new Tax Increment Area as set forth herein, property taxes and/or City Taxes levied after the effective date of the approval of such amendment shall be divided for a period commencing on the date of City Council approval of such amendment and continuing for a period not-to-exceed twenty-five years in accordance with Section 31-25-107(9) of the Act and the terms of any applicable Cooperation Agreement.



7.4 Other Financing Mechanisms / Structures

The Plan is designed to provide for the use of tax increment financing as one tool to facilitate investment and reinvestment within the Area.

However, in addition to tax increment financing, the Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act. 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 development, the Authority recognizes that it is imperative that solutions and resources be put in place which are comprehensive, flexible and creative.

8.0 Severability

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



Downtown Lamar

Urban Renewal Plan

City of Lamar, Colorado

Appendix I:

Urban Renewal Legal Description

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