



Historic Old Town Erie

Urban Renewal Plan

Town of Erie, Colorado

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Prepared for:

Town of Erie Urban Renewal Authority
Town of Erie Board of Trustees

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1.0 Introduction

1.1 Preface

This *Historic Old Town Erie Urban Renewal Plan* (the “**Plan**”) has been prepared by the Town of Erie Urban Renewal Authority (the “**Authority**”) for the Town of Erie (the “**Town**”). 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 Board of Trustees (the “**Board of Trustees**”) 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 Town of Erie Area Conditions Survey, prepared by RickerCunningham, dated February, 2012 and which is attached hereto as **Attachment 1** (the “**Survey**”), demonstrates that the Survey Area (the “**Survey Area**”), generally defined as “Superblock No. 5” in the Survey and the Historic Old Town Erie

Urban Renewal Area (the “**Area**”) here, qualifies as a blighted area under the Act.

1.3 Other Findings

Based on the findings of the Survey, the Area is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority. It is the intent of the Board of Trustees in adopting this Plan that the Authority exercise those powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein, with the exception of eminent domain. 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, excluding the above referenced exception.

As explained in the Act, the powers conferred are for public uses and purposes for which public money may be expended. Additionally, the Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the Board of Trustees.

1.4 Urban Renewal Area Boundaries

The Area includes all properties within the Town limits as delineated in **Figure No. 1** and described in the legal description presented in the Appendix. The boundaries of the Area include approximately 319 acres of land generally defined to include 570 legal parcels and adjacent rights-of-way. Geographically, it is generally situated in the southeast quadrant of Evans Street and County Line Road, west of Coal Creek and mostly north of Perry Street, as illustrated in **Figure No. 1**. In case of conflict, Figure No. 1 shall control.

1.4.1 Map of the Urban Renewal Area (Figure No. 1)

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

Figure No. 1: Historic Old Town Erie Urban Renewal Area



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 – means the Historic Old Town Erie Urban Renewal Area and Historic Old Town Erie Urban Renewal Plan Area as depicted in Figure No. 1 and legally described in Appendix II.

Authority – means the Town of Erie Urban Renewal Authority.

Town Board of Trustees – means the Town Board of Trustees of the Town of Erie.

Comprehensive Plan – the *Town of Erie Comprehensive Plan* adopted 2005.

Cooperation Agreement – means any agreement between the Authority and Town, 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 Historic Old Town Erie Weld County Impact Report prepared by RickerI Cunningham, dated October, 2013, 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.

Municipal Sales Tax Increment Revenue - means the municipal sales tax increment revenue allocated to the Authority as defined in Section 7.3.3 of this Plan.

Plan – means this Historic Old Town Erie Urban Renewal 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.

Survey – means the Town of Erie Area Conditions Survey, prepared by Ricker/Cunningham, dated February, 2012, attached hereto as Attachment 1 and incorporated herein by this reference.

Survey Area – means the geographic territory defined for the Survey, the boundaries of which are larger than the Area boundaries.

Tax Increment Area – means a portion of the Area designated as a Property and Sales Tax Increment Area, as defined and pursuant to the procedures set forth in Section 7.3 of this Plan.

Tax Increment Financing (TIF) – means the net new tax revenue generated within the Area after adoption of the Plan and certification of the base.

Tax Increment Revenue – means the property tax increment revenue allocated to the Authority by the Act as defined in Section 7.3.3 of this Plan.

Urban Renewal Project – means any work or undertaking carried out under the Act.

3.0 Purpose of the Plan

The purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area by stimulating growth and investment within its boundaries. To accomplish this purpose, the Plan is intended to promote 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 Plan seeks to advance the vision and priorities of the Town of Erie Comprehensive Plan (the “**Comprehensive Plan**”).

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 Town as a whole, 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 development 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 investment in the Area through the involvement of the Authority and Town with participation and cooperation by the private sector.

3.1 Development and Design Objectives

All development shall conform to the Zoning Code and any site-specific zoning regulations or policies which might impact properties within 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, establish maximum or minimum densities, and define building requirements in the Area, the Town will regulate land use and building requirements through existing municipal codes and ordinances as may be amended from time to time.

General objectives for the Area include -- advancing development for the purpose of generating revenues sufficient to fund public improvements that address conditions of blight -- while facilitating development and redevelopment in the Area and on adjacent properties -- in a manner that furthers the Town's objectives to be a community *"which offers its residents ... a high quality of life; a balanced community with a diverse range of housing, employment, educational, shopping and recreational opportunities."* (Town of Erie Comprehensive Plan 2005)

Specific objectives include the following:

1. Eliminate and prevent blight by facilitating development and redevelopment.
2. Implement elements of the Comprehensive Plan.
3. Support and advance actions identified in existing plans prepared by the Town of Erie related to development of vacant and under-utilized parcels that are consistent with the vision of this Plan.

4. Improve the relationship between this area and the balance of the community.
5. Encourage a mix of land uses and product types that foster vitality within the Area and compatibility with used in surrounding areas.
6. Provide infrastructure that encourages non-vehicular movement within and to the Area.
7. Increase property values and strengthen the City's economic base.
8. Provide uses supportive of and complementary to planned improvements.
9. Encourage the continued presence of existing viable downtown business.
10. Support local businesses.
11. Increase the capacity and quality of infrastructure in the Area.
12. Support the preservation of historic and other structures deemed significant.
13. Balance infill and fringe development in an effort to keep both healthy.
14. Develop and enhance gateways to Old Town.
15. Enhance established neighborhoods.
16. Support landscaping standards for properties located along Briggs and Wells Streets.
17. Improve the public realm including streetscape amenities.
18. Incorporate safe, convenient pedestrian linkages between the Area and other centers of activity.
19. Advance uses that can leverage public investment in planned improvements.
20. Provide a range of financing mechanisms for improvements.
21. Facilitate public-private partnerships.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by the Town, 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 (or five in cases where the use of eminent domain is anticipated), of the following factors (see below) 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; and
- (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 condition and use and, by reason of the presence 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 general methodology for conducting the Survey is to: (i) define the Survey Area; (ii) gather information about properties, infrastructure and other improvements within the Area; (iii) evaluate evidence of blight through field reconnaissance, review of aerial photography, discussions with representatives of various Town departments; and, (iv) record observed and documented conditions as per the Statute.

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

- (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;
- (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
- (j) Environmental contamination of buildings or property
- (k5) 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

Within Superblock No. 5, the Survey identified the presence of all of these factors.

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

5.1 General Description

Implementation of this Plan supports the objectives and requirements of the Comprehensive Plan with respect to connectivity to neighborhoods, accessibility to open space, completion of infrastructure including activity centers, preservation of natural features and quality design that promotes Erie's unique identity. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates; the Town of Erie Unified Building 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, Town-approved site, drainage, and public improvement plans; and, any applicable Town design standards, all as in effect and as may be amended from time to time. Finally, existing conditions present within the Area will be remedied by the proposed Plan and funded in part by tax increment revenues and improvements phased as the market allows.

5.2 Relationship to Erie Comprehensive Plan

A general plan for the Town, known as the *Town of Erie Comprehensive Plan* was adopted in 2005. The Authority, with the cooperation of the Town, 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 Comprehensive Plan and any subsequent updates. Specific elements of the Comprehensive Plan which this Plan advances, include the following (taken verbatim).

GUIDING PRINCIPLES

The following statements describe the community's aspirations and set the direction for the Comprehensive Plan. They demonstrate the general ideals to be sought for the Town within its planning area over the next 20 years, building on the Vision established for the community.

Our Vision includes the following key principles:

☉ A Coordinated and Efficient Pattern of Growth

The Town will have a compact pattern that encourages urban growth to locate within the Planning Area Boundary, fosters the efficient provision of infrastructure and services, and balances development and conservation of the natural environment.

☉ Quality Design and Development

Erie will promote a high standard of design for all new development, renovation, and rehabilitation to reinforce and enhance its unique nature for residential neighborhoods, public places, and commercial businesses.

☉ Overall Economic Vitality

The Town will promote a healthy, thriving economy that provides opportunities for quality employment with livable wages for its residents.

© **Downtown Vitality**

The Town considers the maintenance and enhancement and expansion as appropriate of Old Town’s vitality to be important to the health and wellbeing of the community as a whole. The plan promotes development and continued enhancement of this core community area as the “center” of the community.

© **A Comprehensive, Integrated Transportation System**

Erie has a safe, efficient, and innovative transportation system that reduces neighborhood isolation and promotes a sense of community by connecting all areas of town, accommodates various modes of public and private transit, and facilitates travel to regional centers.

© **Stewardship of the Natural Environment**

The Town will identify and conserve its natural, scenic, and environmentally sensitive areas including important wildlife habitat, waterways, and visually sensitive areas. Erie will strive to be a clean, sustainable, environmentally-friendly town.

© **Trails, Parks and Recreation Opportunities**

The Town will provide a diverse range of recreational opportunities to include facilities and programming for all ages and varying interests, both passive and active. Trails, parks, and recreation opportunities will be connected with and integrate open space into and between neighborhoods and other areas of the community.

© **Protected Lands Program**

Lands that are permanently protected as open space will be used to maintain the small town atmosphere that has made Erie an attractive place.

© **Balanced Land Use Mix**

The Town will work to diversify and balance the mix of land uses as the Town grows. Particular emphasis will be placed on enhancing the local economic base to provide employment opportunities for residents, seeking to achieve a better balance as a place to work as well as live. In so doing, the community will seek a balance between the enhancement of Old Town's vitality and other existing areas of the community and the identification of opportunities for commercial and employment in outlying areas.

© **Stable, Cohesive Neighborhoods Offering a Variety of Housing Types**

The Town will promote new neighborhoods that contain a mix of land uses and diversified housing options that meet the varying needs of its residents, including single family, attached homes (duplexes, townhomes), multifamily dwellings, and housing included as part of mixed-use developments. The Town will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods in the Planning Area. New housing and neighborhoods should be appropriate in size, scale, design and use. New housing areas should be located where residents will have access to the full range of infrastructure, facilities and services that are needed for healthy, livable neighborhoods.

© **Provide Infrastructure and Public Services Efficiently and Equitably**

Erie will coordinate future development and/or provision of capital facility projects and infrastructure, including water, wastewater, fire protection, emergency management services, police protection, schools, parks, and other utilities that affect the quality of life and economic stability of the community.

Additional excerpts are presented in Appendix I.

5.3 Relationship to Other Community Plans

Implementation of this Plan will be consistent with development objectives expressed in all community adopted and accepted plans that pertain to development in the Area.

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 financial assistance and public improvements 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.

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 may cooperate with others to, finance, install, construct, and reconstruct any public improvements. Additionally, the Authority may, or may cooperate with others to, demolish and clear existing improvements for the purpose of promoting the objectives of the Plan and Act. It is the intent of this Plan that the combination of public and private investment that may be necessary to advance the objectives stated herein will contribute to the overall economic well-being of the community, not just the Area.

As described in Section 4.0 of this Plan, ten qualifying conditions of blight are present within Superblock No. 5 within which the Area is located, as defined in Section 31-25-103(2) of the Act. This Plan proposes addressing those conditions described in detail in the Survey and summarized below.

(a) Slum, deteriorated, or deteriorating structures

While no interior inspections were conducted as part of this Survey, close external observations indicated that among the structures present within the Survey Area, a significant number (particularly in the Old Town area) suffer from various levels of deterioration and neglect. Both primary and secondary structures exhibited signs of peeling paint, broken windows, crumbling foundations, roof damage and overall property neglect. Some mechanical equipment located outside of select commercial buildings is not enclosed and shows signs of rust.

(b) Predominance of defective or inadequate street layout

Predominance of defective or inadequate street layout can be considered present when existing roads are insufficient to meet the needs of improvements within the Area, or there is a lack of streets or the streets that are in place are deteriorating. Within the Old Town Area, while there is a network of existing streets, many lack appropriate lighting, complete and level sidewalks, and parking areas (the latter being a concern for commercial properties). In addition, many roads and parking areas are a combination of gravel and pavement and exhibit signs of deterioration.

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Because lot constraints associated with access are typically a byproduct of inadequate streets, the Survey Area suffers from this blight factor for the reasons explained under (b) above. In Old Town, several lots are limited in their usefulness because of size and / or shape, being either too small for redevelopment or too irregular to support a marketable improvement and parking.

(d) Unsanitary or unsafe conditions

Multiple factors contribute to unsafe conditions in the Survey Area; among them is a lack of complete streets. As explained under (b) above, complete streets provide a safe environment for both vehicular and non-vehicular traffic. Unsanitary and unsafe conditions result when streets lack appropriate accommodations for both vehicular and non-vehicular movement. In the Old Town Area, a combination of insufficient lighting, as well as roads without bike lanes and incomplete and deteriorating sidewalks makes it unsafe for non-vehicular movement.

In addition to roadway conditions, additional threats to persons and property include the presence of environmental concerns, a flood zone and high incidence of crime. According to an Environmental Protection Agency (EPA) report (October 2011), there are two areas of concern within the Survey Area and one of them is located in the vicinity of Old Town. According to a FEMA-issued flood map, several parcels located along the Area's eastern border lie within a 100-year (1 percent annual) flood hazard zone. Finally, according to the Town of Erie Police Department, Old Town has historically generated on average 19% of all calls for service, a level considered to be disproportionately high. Specifically, this represents the second highest number of police reports taken for all subdivisions or districts within the community.

(e) Deterioration of site or other improvements

Properties throughout the Survey Area include a mix of maintained and poorly maintained residential and commercial properties, along with vacant and unimproved tracts. While most of the properties within the Old Town Area are improved, many exhibit signs of deterioration, landscaping improvements are inconsistent and in several instances unkempt and there are numerous examples of damage to signs and fences. In some instances, particularly among properties located along the Area's northern, eastern and southern edges, the lack of fencing or presence of damaged fencing presented an unsafe condition whereas

the type of outdoor storage that was present could have presented a threat to people or animals.

(f) Unusual topography or inadequate public improvements or utilities

Public improvements and utilities include streets, curbs, lighting, sidewalks, bicycle paths and trails; as well as water, sewer and storm water systems and both above and below ground electrical wires. When these improvements either lack capacity or are deteriorating or substandard, it can deter development and redevelopment. According to the Town of Erie Public Works Department, overhead utilities (considered substandard and suboptimal) are present throughout and there are numerous infrastructure deficiencies particularly as they relate to roads and storm drainage.

(h) The existence of conditions that endanger life or property by fire or other causes

This factor applies to threats to site users from fire, flooding, environmental contamination and other causes. With regard to fire, according to officials for the Mountain View Fire Protection District, several commercial properties within the Old Town Area are not sprinklered. While the building code does not require that all non-residential buildings be sprinklered (sprinklering requirements are based on classification, size, and presence of possible hazardous materials.), the lack of fire protection infrastructure is considered a threat to users.

(i) Buildings that are unsafe or unhealthy for persons to live or work in

As explained above, there is a significant inventory of residential and commercial properties in various states of disrepair in the Old Town Area, many of which have boarded up and / or broken windows, façade and roof damage, and insufficient fencing to protect pedestrians from unprotected trash and outdoor storage. In addition to physical

deterioration, many of these buildings are also lacking fire protection (sprinklers).

(j) Environmental contamination of buildings or property

As identified above, at the time the Survey was completed, the EPA reported two areas of concern within the larger Survey Area, one of which was located in the Old Town Area.

(k5) 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

Also explained above, the Old Town Area has historically generated more than 3,100 or 19% of all calls for service, a level considered disproportionately high. In addition to high levels of municipal services, there are also a substantial number (relative to the inventory) of vacant and / or underutilized buildings and / or sites.

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 to the extent authorized by the Act.

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 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 Town 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 the Board of Trustees, any such standards and requirements adopted by the Authority shall be consistent with all other Town zoning and development policies and regulations.

6.5 Variations in the Plan

The Authority may propose, and the Board of Trustees may make, such modifications to this Plan as may be necessary provided they are consistent with the Comprehensive Plan 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 Board of Trustees may make such modifications as may be necessary provided they are

consistent with the Comprehensive Plan and any subsequent updates, as well as the Act.

- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and Town staff operating in support of the Authority and advancement of this Plan.

6.7 Property Acquisition and Land Assemblage

The Authority may acquire property by negotiation or any other method authorized by the Act, excluding eminent domain. The Authority may temporarily operate, manage and maintain property acquired 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.

6.8 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.

6.9 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 or to cooperate with others to 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 are not to 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.

6.10 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 activities in accordance with the provision of this Plan and the Act.

6.11 Redevelopment and Rehabilitation Actions

Development and redevelopment actions within the Area may include such undertakings and activities as are in accordance with this Plan and the Act, including without limitation: installation, construction and reconstruction of public improvements; elimination of unhealthful, unsanitary or unsafe conditions; 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 improve the Area.

6.12 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 allowed for under the Act. The Authority may further provide for such undertakings including financial assistance, as may be necessary for achievement of the objectives stated herein or as may otherwise be authorized by the Act.

Any existing agreements between the Town and other parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

6.13 Cooperation Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. The Town and 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 and implementation of projects within its boundaries, as well as programs, public works operations, or activities which the Authority, the Town, or such other public body otherwise empowered to undertake and including without limitation agreements respecting the financing, installation, construction and reconstruction of public improvements, storm water detention, environmental remediation, landscaping and / or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

6.14 Creation of Tax Increment Areas

The boundaries of the Area shall be as set forth in **Appendix II**. As more fully set forth herein **Section 7.3** below, it is the intent of the Board of Trustees in approving this Plan to authorize the use of Tax Increment Financing (TIF) by the Authority as part of its efforts to undertake its implementation. Pursuant to the provisions of Section 31-25-107(9) of the Act, the Board of Trustees in approving this Plan contemplates that separate property and sales tax increment areas ("**Tax Increment Areas**") shall be created within the Area as development and

redevelopment occurs. At the time of adoption of this Plan, the Authority only anticipates the creation of one Tax Increment Area. Notwithstanding such distinction, the Authority is specifically authorized to expend the revenue from property and sales tax increments to the extent authorized by the Act.

If new Tax Increment Areas are needed, this Plan may be amended to reflect the boundaries of that new Tax Increment Area. The process for creating a new Tax Increment Area shall be initiated by the Authority as set forth in the Act.

6.15 Map of Tax Increment Financing Area No. 1 (Figure No. 2)

A legal description for the first **TIF District** (the “District”) to be established with adoption of this Plan is presented in **Appendix II**. A map illustrating the boundaries of the District is presented as **Figure No. 2** on the following page.

7.0 Project Financing

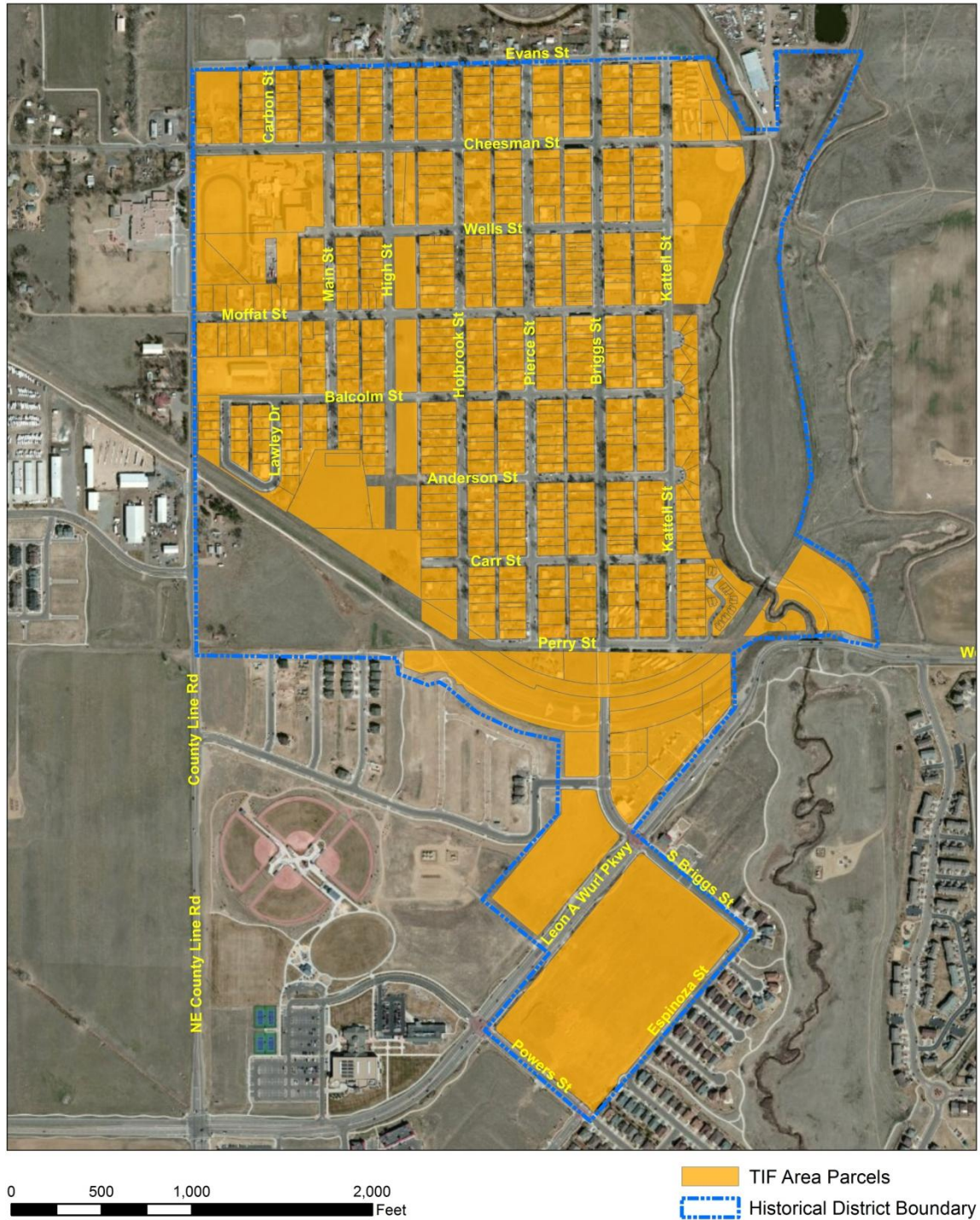
7.1 Public Investment Objective

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: improving streets and public spaces; providing other infrastructure improvements; completing roads and utilities; completing streetscape elements; improving access and circulation; improving buildings with life safety equipment; demolishing buildings; acquiring property; and, supplementing various 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 as defined in the Act in an amount sufficient to finance all or part of this Plan; borrowing of funds and

Figure No. 2: Tax Increment Financing Area No. 1



creation of indebtedness; 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 Tax Increment Financing

Activities may be financed by the Authority under the TIF provisions of the Act. Such tax incremental revenues may be used for a period not to exceed the statutory requirement, which is presently 25 years after the effective date of adoption of this Plan, calculated in accordance with applicable rules of the Property Tax Administrator of the State of Colorado.

7.3.1 Special Fund

In accordance with the requirements of the law, the Authority shall establish a tax increment revenue fund for the deposit of all funds generated pursuant to the division of ad valorem property and municipal tax revenue described in this section.

7.3.2 Base Amount

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in the Tax Increment Area last certified prior to the effective date of approval of the Plan (or future amendments), shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

7.3.3 Increment Amount

As explained under 6.14 above, that portion of said property and municipal taxes in excess of such base amount set forth in Section 7.3.2 of this Plan shall be allocated to and, when collected paid into the tax increment revenue fund to pay the principal of, the interest on, and any other 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, the Urban Renewal Project (as defined in the Act), or to make payments authorized by the Act. Unless and until the total valuation for assessment of the taxable property in the Tax Increment Area exceeds the base valuation for assessment of the taxable property in the Tax Increment Area, all of the taxes levied upon taxable property in the Tax Increment Area shall be paid into the funds of the respective public bodies. Unless and until the total municipal sales tax collections in the Tax Increment Area exceed the base year municipal sales tax collections in the Tax Increment Area, as provided in Section 7.3.2, above, all such sales tax collections shall be paid into the funds of the City. When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this subsection 7.3.3, may be irrevocably pledged by 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 incurred by the Authority to finance the Urban Renewal Project (as defined in the Act); provided, however, any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S. The Authority shall set aside and reserve a reasonable amount as determined by the Authority of all incremental taxes paid to the Authority for payment of expenses associated with administering the Plan.

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.

7.4 Other Financing Mechanisms / Structures

The Plan is designed to provide for the use of TIF as one tool to facilitate investment and reinvestment within the Area. However, in addition to TIF, 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. It is the intent of this Plan to use or encourage the use of multiple resources either independently or in various combinations depending on the needs of individual urban renewal projects within its planning area. Given the obstacles associated with redevelopment, 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.

Historic Old Town Erie

Urban Renewal Plan

Town of Erie, Colorado

Appendix I:

Town of Erie Comprehensive Plan, adopted 2005 (excerpts taken verbatim, but formatted for emphasis)

Town of Erie Comprehensive Plan adopted 2005 (excerpts taken verbatim)

Pages 2-2 – 2-4

Chapter 2: Vision and Guiding Principles

GUIDING PRINCIPLES

The following statements describe the community’s aspirations and set the direction for the Comprehensive Plan. They demonstrate the general ideals to be sought for the Town within its planning area over the next 20 years, building on the Vision established for the community.

Our Vision includes the following key principles:

⊙ **A Coordinated and Efficient Pattern of Growth**

The Town will have a compact pattern that encourages urban growth to locate within the Planning Area Boundary, fosters the efficient provision of infrastructure and services, and balances development and conservation of the natural environment.

⊙ **Quality Design and Development**

Erie will promote a high standard of design for all new development, renovation, and rehabilitation to reinforce and enhance its unique nature for residential neighborhoods, public places, and commercial businesses.

⊙ **Overall Economic Vitality**

The Town will promote a healthy, thriving economy that provides opportunities for quality employment with livable wages for its residents.

⊙ **Downtown Vitality**

The Town considers the maintenance and enhancement and expansion as appropriate of Old Town’s vitality to be important to the health and wellbeing of the community as a whole. The plan promotes development and continued enhancement of this core community area as the “center” of the community.

- ◎ **A Comprehensive, Integrated Transportation System**

Erie has a safe, efficient, and innovative transportation system that reduces neighborhood isolation and promotes a sense of community by connecting all areas of town, accommodates various modes of public and private transit, and facilitates travel to regional centers.
- ◎ **Stewardship of the Natural Environment**

The Town will identify and conserve its natural, scenic, and environmentally sensitive areas including important wildlife habitat, waterways, and visually sensitive areas. Erie will strive to be a clean, sustainable, environmentally-friendly town.
- ◎ **Trails, Parks and Recreation Opportunities**

The Town will provide a diverse range of recreational opportunities to include facilities and programming for all ages and varying interests, both passive and active. Trails, parks, and recreation opportunities will be connected with and integrate open space into and between neighborhoods and other areas of the community.
- ◎ **Protected Lands Program**

Lands that are permanently protected as open space will be used to maintain the small town atmosphere that has made Erie an attractive place.
- ◎ **Balanced Land Use Mix**

The Town will work to diversify and balance the mix of land uses as the Town grows. Particular emphasis will be placed on enhancing the local economic base to provide employment opportunities for residents, seeking to achieve a better balance as a place to work as well as live. In so doing, the community will seek a balance between the enhancement of Old Town's vitality and other existing areas of the community and the identification of opportunities for commercial and employment in outlying areas.
- ◎ **Stable, Cohesive Neighborhoods Offering a Variety of Housing Types**

The Town will promote new neighborhoods that contain a mix of land uses and diversified housing options that meet the varying needs of its residents, including single family, attached homes (duplexes, townhomes), multifamily dwellings, and housing included as part of mixed-use developments. The Town will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is

designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods in the Planning Area. New housing and neighborhoods should be appropriate in size, scale, design and use. New housing areas should be located where residents will have access to the full range of infrastructure, facilities and services that are needed for healthy, livable neighborhoods.

© **Provide Infrastructure and Public Services Efficiently and Equitably**

Erie will coordinate future development and/or provision of capital facility projects and infrastructure, including water, wastewater, fire protection, emergency management services, police protection, schools, parks, and other utilities that affect the quality of life and economic stability of the community.

Pages 3-1- 3-2

Chapter 3: Community Building Blocks

During the Planning Process a number of distinct themes or “community building blocks” emerged as being fundamental to the ultimate success of the Plan. While each of these themes is addressed at a broad level within the Vision and Guiding Principles outlined in the previous chapter, a discussion of their role in the intended outcome and application of the Comprehensive Plan is provided below. This discussion is intended to supplement the goals and policies contained in the Plan by providing a more focused explanation of the key principles underlying each theme and the Town’s objectives in applying them to future development proposals.

Erie’s five Community Building Blocks include:

- Neighborhood Emphasis;
- Mixed-Use Development;
- Gateways and Corridors;
- Rural Character; and
- Economic Sustainability.

NEIGHBORHOOD EMPHASIS

For most of its years Erie consisted of a single, compact neighborhood in what is referred to today as Old Town. Residents of Old Town were able to (and are still able to today, in some cases) walk to meet many of their daily needs and even go to work. In recent years, the Town’s compact feel has begun to change as new development has sprung up in outlying areas of the Town’s Planning Area, far from its historic center and both visually and physically detached from

the rest of the community. The goals and policies contained in the Plan are built around Erie's desire to distinguish itself as a community of free-standing, but integrated neighborhoods, linked together—and to Old Town—by an interconnected network of pedestrian pathways, trails, and open space.

The design of Erie's future neighborhoods is a major focus of the Comprehensive Plan. Although their scale and composition will vary from location to location, new neighborhoods should be designed using a common set of principles that include:

- A mix of uses and housing types
- An interconnected network of streets, open space, and trails;
- The preservation of natural features;
- A clear activity center; and
- A distinct identity.

Pages 3-3 – 3-4

MIXED-USE DEVELOPMENT

The Land Use Plan (Chapter 4, pg 4-17) includes a new land use category to accommodate Mixed-Use Development. At a general level these mixed-use areas are similar in that they are intended to contain a variety of activities, such as offices, retail, and multiple housing types. They differ, however, in that the scale and configuration of development will vary by its location and development context (i.e., Old Town infill/redevelopment vs. new development). Common principles for mixed-use development include:

MIX OF USES

- Depending upon their location and scale, primary uses for mixed-use development areas may include commercial, office, retail, and/or housing. However, more active uses such as retail and commercial should be placed at the ground level to provide pedestrian interest. Where activity uses are limited, they should be concentrated at key intersections or near major public spaces to maximize public exposure and increased activity levels.
- Both vertical (stacked) and horizontal (side-by-side) mixed-use is encouraged in Erie provided it is well-connected to surrounding neighborhoods.
- Vertical mixed-use refers to the integration of two or more land use types within a building, occurring on different floors, one of which is residential. Neighborhood scale mixed-use with retail, office, and residential uses in a pedestrian-friendly setting. A typical example of a vertical mixed use building would incorporate active uses, such as stores, offices, and restaurants, at the street level and residential or office uses on the upper floors.

- Horizontal mixed-use refers to a pattern where several types of uses or buildings, together with residential, are included, as part of a cohesive development in proximity to each other – but each building would contain its own separate use. They would be designed as a set of coordinated uses, with common parking areas, strong pedestrian connections, and similar design features, but would contain separate uses in each building.
- Mixed-use development should also incorporate schools, parks, and open space, and other community facilities, where appropriate, to serve the needs of neighborhood residents.

Page 3-4

TRANSITIONS FROM AND CONNECTIONS TO SURROUNDING AREAS

- In the Old Town area, mixed-use developments should be used to help revitalize major corridors into the downtown core (Briggs Street and Cheesman) and should provide transitions to surrounding neighborhoods.
- Larger mixed-use developments should be designed in conjunction with surrounding neighborhoods where possible, providing direct connections and strong development relationships.

Page 4-1 – 4-2

Chapter 4: Land Use

Goal #1: Balanced Land Use Mix

Plan for a balanced mix of commercial and residential land uses in Erie.

RESIDENTIAL

The Future Land Use Map identifies four residential use designations: Rural Residential, Low Density Residential, Medium Density Residential, and High Density Residential. Specific policies are provided for each of the categories, along with a set of general policies that apply to the three urban residential categories. The policies represent a shift towards a more flexible, neighborhood-oriented approach to residential development than is typical of more recent development patterns in the community. The intent is to encourage new neighborhoods to incorporate a diversity of housing (in terms of housing type, density, and price point) and an array of services, such as shopping, schools, and parks that can meet many residents' day-to-day needs within a close proximity. Due to Erie's rolling topography and natural features and current pattern of development, many new neighborhoods will be somewhat isolated physically for the foreseeable future. However, each neighborhood will be linked to adjoining neighborhoods and

Old Town through a comprehensive network of trails and open space corridors. This network will provide opportunities for residents to walk or bicycle to nearby services and gathering places and reduce the need for cross-town vehicle trips. Opportunities for neighborhoods that are predominately single-family will continue to exist, a balanced mix of commercial, residential, and employment uses is encouraged, but will be driven more by market demand and specific development master plans. Most single-use neighborhoods will occur within the Rural Residential designation and will be encouraged to preserve large tracts of open space through the use of clustering and other techniques.

Page 4-3

URBAN RESIDENTIAL POLICIES—ALL CATEGORIES:

UR 1.3—STREET PATTERNS

Urban neighborhoods should be organized around a system of interconnected collector and local streets, as traditionally found in Erie's Old Town neighborhood. Detached sidewalks and pedestrian and bicycle pathways will also be encouraged. Neighborhoods located adjacent to future development areas shall provide opportunities for future roadway extensions. Cul-de-sacs and other dead end streets and alleys are discouraged unless necessitated by the natural or built constraints of the development site, in order to encourage connectivity between neighborhoods. Where cul-de-sacs are used, pedestrian connections shall be provided between streets and adjacent open space areas, trails, or other common features to promote neighborhood connectivity.

Page 4-6 – 4-7

MIXED-USE

The Future Land Use Plan Map identifies two Mixed-Use Categories: The Downtown District and Mixed-Use. The Downtown District incorporates Erie's historic commercial downtown, and is largely focused on ensuring the compatibility of infill and redevelopment within the area's historic context. The Mixed-Use category is primarily focused on the creation of mixed-use development in areas that are currently undeveloped; however, it also addresses the extension of mixed-use development along downtown's primary gateway corridors. The addition of the Mixed-Use category represents a more flexible approach to development within the Town largely driven by the Town's desire to establish itself as a community of neighborhoods.

DOWNTOWN DISTRICT POLICIES:

DD 1.1—CHARACTERISTICS

The Downtown District designation incorporates Erie’s historic downtown commercial core also known as Old Town. The area, focused along Briggs Street between Cheesman and Moffat, and extending west to Holbrook Street between Cheesman and Wells, has a unique historic character and importance to the broader community. The area has traditionally consisted of a variety of civic, retail, commercial, and office uses in a compact, pedestrian-friendly setting central to the Town’s historic residential neighborhoods.

DD1.2—INFILL AND REDEVELOPMENT

The Town will encourage infill and redevelopment that is in keeping with the historic character and scale of Erie’s downtown. Infill and redevelopment should be designed in a manner that is sensitive to and reflects the character of the surrounding residential neighborhood. All infill and redevelopment will be required to comply with the Downtown Design Standards contained in the Unified Development Ordinance. Important design considerations include: building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements.

DD 1.4—MIX OF USES

A mix of retail, restaurants, employment, commercial, office, and civic uses should continue to be encouraged in the downtown. Retail and restaurant uses should be encouraged at the street level to promote pedestrian activity. Residential uses above retail and restaurant uses are also encouraged to further increase the area’s vitality. The area addressed by the 1999 Wells Street “Old Town Center” Master Plan should continue to be emphasized as the Civic Core of the downtown.

DD 1.5—RENOVATION AND REUSE

The continued renovation and reuse of existing structures within the downtown, is strongly encouraged.

DD 1.6—OUTDOOR SEATING

The provision of outdoor dining and seating areas along the sidewalk edge is strongly encouraged to create activity along the street and increase the overall vitality of the downtown. Outdoor seating areas should be located so as not to impede pedestrian circulation.

DD 1.7—PARKING DESIGN AND LOCATION

New surface parking should be sited and designed in a manner that is compatible with the historic character of the downtown and its surrounding neighborhoods. To the extent feasible, off-street parking areas should be located to the side or rear of structures and should be screened with a low masonry wall and landscaping. The continued renovation and reuse of existing structures within the downtown is strongly encouraged.

DD 1.6—OUTDOOR SEATING

The provision of outdoor dining and seating areas along the sidewalk edge is strongly encouraged to create activity along the street and increase the overall vitality of the downtown. Outdoor seating areas should be located so as not to impede pedestrian circulation.

DD 1.7—PARKING DESIGN AND LOCATION

New surface parking should be sited and designed in a manner that is compatible with the historic character of the downtown and its surrounding neighborhoods. To the extent feasible, off-street parking areas should be located to the side or rear of structures and should be screened with a low masonry wall and landscaping.

MIXED-USE POLICIES:

MU 1.1—CHARACTERISTICS

Mixed-Use development provides a mix of residential, commercial, retail, and office uses in a compact, pedestrian-oriented environment. These areas should incorporate pedestrian-friendly design elements through management of location, scale and orientation of parking facilities, driveways, connective sidewalks and trails, public plazas, and storefronts.

MU 1.2—LOCATION

Mixed-Use Development may be located near the intersections of arterials and collector streets, but may also be used to provide a transition between commercial or employment centers and residential neighborhoods. It is also encouraged along the Briggs and Cheesman Street Corridors in downtown.

MU 1.3—INTEGRATION OF USES

Mixed-use development can occur in two primary configurations – Vertical Mixed- Use or Horizontal Mixed-Use. Vertical mixed-use refers to the integration of two or more land use types within a building, occurring on different floors. A typical example of a vertical mixed use building would incorporate active uses, such as stores and restaurants, at the street level and residential or office uses on the upper floors. Horizontal mixed-use refers to a pattern where several types of uses or buildings are included, as part of a cohesive development in proximity to each other – but each building would contain its own separate use. Either pattern should be designed as a set of coordinated uses, with common off-street parking areas, strong pedestrian connections and similar design features.

MU1.4—BRIGGS AND CHEESMAN STREET CORRIDORS

The Town will encourage a transition towards a more mixed-use pattern of development along the Briggs and Cheesman Street Corridors outside of the Downtown District in order to strengthen visual and physical linkages to the surrounding community. Mixed-use development in these locations should maintain a more residential character and scale that is compatible with the surrounding neighborhoods. The conversion of existing residences to lower intensity non-residential uses such as small offices and live/work units will be encouraged, as these uses typically have reduced parking requirements and generate less traffic. Infill and redevelopment may occur at higher densities than exist today, but should be designed to be compatible with existing front setbacks, average building heights, etc.

Page 11 – 1 – 11-2

Chapter 11: Transportation and Mobility

POLICY FRAMEWORK

Goal #1: Balanced, Multi-Modal Transportation System

Ensure that new development patterns are designed to achieve safety, connectivity, and mobility for all modes of transportation in established as well as developing areas of the community.

POLICIES:

TM 1.8 BICYCLE AND PEDESTRIAN MOBILITY

The Town's sidewalk and off-street path system provides multiple facilities for pedestrian travel throughout the Town. Although often overlooked, the pedestrian mode of travel is significant because virtually every type of travel involves a walking component, usually in the form of connections between modes and activity centers. Pedestrian improvements should be focused on two priorities – (1) providing connections between developments and travel modes and (2) establishing pedestrian-friendly areas throughout the Town to improve quality of life with more mobility choices and new activity areas to live, work, shop, and play. In addition, pedestrian districts should be established for the downtown and other locations of high pedestrian activity and strategic bike/pedestrian grade separations and intersection improvements

Chapter 12: Housing and Neighborhoods

Erie strives to be a community of independent, but interrelated neighborhoods. A continuing goal of the Town is to maintain the high quality and established character of existing neighborhoods throughout the community while promoting the development of new neighborhoods that contain a variety of housing types and densities, with amenities, services and retail to ensure opportunities for a variety of household income levels.

As an important means of meeting demand for housing variety and affordability, infill and redevelopment will also be promoted in Old Town neighborhoods, as long as it can be achieved in a manner that is compatible with the existing urban fabric.

Goal #2: Protect Existing Neighborhoods

Foster the stabilization and enhancement of Erie's established and older core neighborhoods.

POLICIES:

HN 2.1—OLD TOWN RESIDENTIAL INFILL

The Town will encourage the improvement and revitalization of Old Town neighborhoods. The Town will encourage residential infill and redevelopment that preserves key characteristics and historic features of Old Town neighborhoods and preserves existing housing stock where appropriate. Development standards for infill and redevelopment projects, remodeling, and

additions to existing structures will be established to ensure new residences are compatible with existing neighborhood scale and character.

Page 13-1 – 13-2

Chapter 13: Community Character and Design

Erie's citizens take pride in the attractiveness and livability of their community. The Town will promote a high standard of design for all new development as well as for renovation and rehabilitation in the Old Town area to reinforce and maintain the established visual character of the community and the quality of life of its residents. In addition, the Town will promote the preservation of the community's natural character by encouraging the retention of open space in all new development.

Goal #1: Maintain and Enhance Erie's Character

Guide the appearance, scale, and location of development to enhance and maintain Erie's unique character.

POLICIES:

CCD 1.1—OLD TOWN

The Town will encourage infill and redevelopment that is in keeping with the historic character and scale of Erie's downtown. Infill and redevelopment should be designed in a manner that is sensitive to and reflects the character of the surrounding residential neighborhood. All infill and redevelopment will be required to comply with the Downtown Design Standards contained in the Unified Development Ordinance. Important design considerations include: building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements.

CCD 1.2—OLD TOWN NEIGHBORHOODS

Enhance older neighborhoods (e.g., Old Town) by maintaining recent public facilities enhancements, by preserving trees, and only approving infill that respects the distinct neighborhood character. New residential infill development should be compatible in terms of density, scale, setbacks, uses, and design. (Note: Unified Development Code will contain a separate district for Old Town Residential Neighborhoods to support this policy.)

Page 13-4

CCD 1.6—OLD TOWN GATEWAYS

The intersections of Cheesman / County Line Road and Briggs Street / Leon Wurl Parkway serve as the two primary gateways to Old Town. Development in these locations should be designed to emphasize the gateway through reduced building setbacks, increased building heights at the corner, additional landscaping, and/or the use of other design features.

Page 14-1 - 14-2

Chapter 14: Economic Development

Employment opportunities and commercial services within Erie are currently very limited. The Town recognizes that expanding opportunities for employment and commercial development is important to enhance tax revenues generated in the Town as well to reduce the need for residents to travel to neighboring communities to work, shop, and meet other daily needs.

Goal #1: Diverse Economic Base

Expand and diversify the Town's economic base to create primary jobs as well as retail opportunities, in order to increase the Town's fiscal capacity to meet the needs of its citizens.

POLICIES:

ED 1.4—OLD TOWN

The Town will continue and strengthen its support of existing businesses in the Old Town area and the addition of new businesses, such as restaurants, small retail stores, galleries, and others that are in keeping with the small-town character of the area. The town will also encourage the enhancement of surrounding neighborhoods through the revitalization of existing housing stock and the incorporation of residential infill on vacant or underutilized parcels.

Page 15-1

Chapter 15: Action Plan

This Action Plan identifies a number of priority items that the Town should implement as soon as possible, to ensure that future land use actions and decisions are aligned with the policies contained in this Plan and with the classifications on the Future Land Use Plan. These are summarized below.

HOUSING & NEIGHBORHOODS

The policies proposed in this plan are intended to create an opportunity for individuals who work in the community to live in the community on a permanent basis as well as to address the general issues of balance and quality of housing.

The following priority actions are intended to accomplish this goal:

1. CONSIDER ADDITIONAL STRATEGIES TO INCREASE THE SUPPLY OF ATTAINABLE HOUSING

The Town recognizes the importance of establishing a diversity of housing types within the community and to ensure that housing is available to a variety of income levels. This objective is reflected by policies of this plan and implementing regulations contained in the UDC; however, the Town will continue to evaluate strategies that would increase the supply of affordable housing as opportunities arise, such as through the development of inclusionary zoning requirements that require a minimum number of affordable housing units to be built in new developments, regional partnerships, or other strategies as appropriate, including:

- Varied lot sizes (including small lots);
- Varied lot configurations;
- Clustering;
- Mix of builders; and
- Efficiency standards.

EFFICIENCY STANDARDS.2. POLICIES TO BE IMPLEMENTED BY THE UDC

The following is a list of additional Housing policies that are being implemented in the UDC:

- HN 1.2 – Neighborhood Connectivity
- HN 2.1 – Old Town Residential Infill
- HN 3.1 – Mix of Housing Types and Densities

COMMUNITY CHARACTER AND DESIGN

During the preparation of the Plan, citizens of the community expressed a strong desire to see the Town implement stronger measures to preserve the community's character and image through design, planning, and community-based events. To implement this aspect of the Plan, the following priority actions are recommended:

2. POLICIES TO BE IMPLEMENTED BY THE UDC

The following is a list of additional community design policies that are being implemented in the UDC:

- CCD 1.1 – Old Town
- CCD 1.3 – Cluster Development
- CCD 1.5 – Community Gateway Corridors
- CCD 1.8 – Setbacks and Design of Oil and Gas Facilities

Page B-1

Appendix B: Issues Summary

The Town of Erie Comprehensive Plan Update was prepared as a series of distinct tasks. Initial tasks focused on the identification and verification of key issues and conditions that served as the foundation for the updated Plan. A variety of issues and conditions were identified as having a significant impact on the future of the Town and region. These issues served as focal points in the development and refinement of the associated elements of the Comprehensive Plan Update and the associated physical, social, and economic consequences. The following issues represent observations based upon discussions with Town Staff, the Citizen's Advisory Committee, and personal interviews with community resource persons. This summary was used to expand the framework for the planning process and for the development of the goals and policies that will guide future growth and development in the Town.

The issues summarized below have been grouped into the following categories: Land Use and Growth Management, Natural Resources and the Environment, Housing and Neighborhoods, Public Facilities and Services, Transportation, Economic Development, Regional Coordination, and Community Character and Design. Key issues can be summarized as follows:

Page B-2

ECONOMIC DEVELOPMENT

- Downtown Vitality
- I-25 Corridor Development
- Jobs / Housing Balance

HOUSING AND NEIGHBORHOODS

HOUSING AND NEIGHBORHOOD ISSUE #1:

PRESERVATION OF OLD TOWN NEIGHBORHOODS

Old Town Erie is home to the town's earliest residential neighborhoods, which in addition to containing many historic single-family homes contain a wide variety of housing types, including apartments, duplexes, and mobile homes. Reinvestment has been occurring within Old Town's neighborhoods at both public and private levels, with many historic homes undergoing renovation and with the recent implementation of a streetscape improvement plan that included the addition of sidewalks and tree lawns on all of Old Town's streets. On the flip side, however, private reinvestment has not been evenly distributed and properties on some blocks remain in various states of disrepair, detracting from the community's image. The preservation of and continued improvement of Old Town's neighborhoods is a priority for the community as it continues to grow outward.

ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT ISSUE #1:

DOWNTOWN (OLD TOWN) VITALITY

In recent years a significant amount of reinvestment has occurred in Old Town Erie. Streetscape improvements, façade renovations have improved its appearance and new restaurants have brought an increased activity to the area. The community acknowledges that its desire for new commercial development cannot be achieved solely within downtown due to a lack of available land and the established character of the area. A balance will need to be sought between the maintenance and enhancement of Old Town's vitality and the identification of opportunities for commercial development in emerging market areas such as the south, where several major housing developments are being developed and the east, where the presence of the I-25 corridor presents numerous opportunities. Also, the limits and boundary of the core area will need to be defined and described.

COMMUNITY CHARACTER AND DESIGN

COMMUNITY CHARACTER AND DESIGN ISSUE #1:

MAINTAINING CHARACTER UNIQUE TO ERIE

Erie's character is often described as being comprised of "a little of everything" meaning that in its most established areas, such as Old Town, neighborhoods feature homes representing a broad spectrum of architectural styles, sizes, types, and ages. Many residents have emphasized the need to value and protect this diversity as the community grows by incorporating its key features into newly developing areas and have expressed concern regarding the uniformity and segregation of much of the housing developed in recent years.

Historic Old Town Erie

Urban Renewal Plan

Town of Erie, Colorado

Appendix II:

Urban Renewal Plan Area Legal Description

LEGAL DESCRIPTION – HISTORIC OLD TOWN ERIE URBAN RENEWAL AREA BOUNDARY

A TRACT OF LAND LOCATED IN SECTIONS 18 AND 19, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT B, ERIE COMMONS FILING NO.1, REPLAT D, RECORDED AT RECEPTION NO. 3399887;

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID TRACT, 684 FEET TO A POINT AT THE NORTHERN MOST CORNER OF TRACT M, ERIE COMMONS FILING NO. 4, RECORDED AT RECEPTION NO.3413827;

THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID ERIE COMMONS FILING NO. 4 AND ITS EXTENSION ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF ERIE PARKWAY, 1021 FEET TO A POINT ON THE EXTENSION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BRIGGS STREET;

THENCE ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SAID ERIE COMMONS FILING NO. 4 AND ITS EXTENSION ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BRIGGS STREET AND ITS EXTENSION, 581 FEET TO A POINT AT THE SOUTHEAST CORNER OF BLOCK 7, OF SAID ERIE COMMONS FILING NO. 4;

THENCE CONTINUING ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BRIGGS STREET AND ALONG THE SOUTHWESTERLY BOUNDARY LINE OF ERIE COMMONS FILING NO. 2, 137 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY, 85 FEET TO A POINT OF CURVATURE ON THE EASTERLY BOUNDARY LINE OF LOT 1, BLOCK 5, OF SAID ERIE COMMONS FILING NO. 4;

THENCE ALONG THE SAID EASTERLY BOUNDARY LINE OF LOT 1 AND ITS EXTENSION, 1357 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF POWERS STREET;

THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID POWERS STREET AND ITS EXTENSION, 859 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID ERIE PARKWAY;

THENCE NORTHEASTERLY ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ERIE PARKWAY, AND ALONG THE SOUTHEASTERLY BOUNDARY LINE OF ASSESSOR PARCEL 146719249003 AND ITS EXTENSION, 605 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 1A, ERIE COMMONS FILING NO. 3, 1ST AMENDMENT;

THENCE ALONG THE WESTERLY BOUNDARY LINES OF SAID LOT 1A, 1204 FEET TO A POINT AT NORTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH ALONG THE EASTERLY BOUNDARY LINE OF BLOCK 9, ERIE COMMONS FILING NO. 5 2ND AMENDMENT AND THE EXTENSION THEREOF, 323 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF TRACT F OF SAID ERIE COMMONS FILING NO. 5 2ND AMENDMENT;

THENCE NORTHWEST ALONG THE SAID SOUTH BOUNDARY LINE OF TRACT F, 1108 FEET TO A POINT ON THE SOUTH LINE OF SECTION 18;

THENCE WEST ALONG THE SAID SOUTH LINE OF SECTION 18 AND THE EXTENSION THEREOF, 1220 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 1;

THENCE NORTH ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 1, 1018 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF A RAILROAD;

THENCE SOUTHEAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, 50 FEET TO A POINT ON THE WEST FLOWLINE OF SAID COUNTY ROAD NO. 1;

THENCE NORTH ALONG THE WEST FLOWLINE OF SAID COUNTY ROAD NO. 1, 2275 FEET TO A POINT ON THE EXTENSION OF THE NORTH FLOWLINE OF EVANS STREET;

THENCE EAST ALONG THE SAID NORTH FLOW LINE OF EVANS STREET AND ITS EXTENSION, 2993 FEET TO A POINT ON THE EAST BOUNDARY LINE OF ASSESSOR PARCEL 14671800030;

THENCE SOUTH, EAST, NORTH AND EAST AGAIN ALONG THE BOUNDARY LINE OF SAID ASSESSOR PARCEL 14671800030, 1176 FEET TO A POINT ON THE WESTERLY RAIL ROAD RIGHT-OF-WAY LINE FOR THE REGIONAL TRANSPORTATION DISTRICT;

THENCE SOUTHWEST ALONG THE SAID WESTERLY RAILROAD RIGHT-OF-WAY LINE, 2845 FEET TO A POINT ON THE EXTENSION OF THE SOUTHWEST BOUNDARY LINE OF TRACT 20, BRIDGEWATER MASTER SUBDIVISION, RECODED AT RECEPTION NO. 3811552;

THENCE ALONG THE SAID SOUTHWEST BOUNDARY LINE OF TRACT 20 AND ITS EXTENSION, 808 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID LOT 20;

THENCE SOUTHEAST, 174 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 319 ACRES.

Historic Old Town Erie

Urban Renewal Plan

Town of Erie, Colorado

Appendix III:

Tax Increment Financing Area No. 1 Legal Description

LEGAL DESCRIPTION – HISTORIC OLD TOWN ERIE TAX INCREMENT FINANCING AREA BOUNDARY

A TRACT OF LAND LOCATED IN SECTIONS 18 AND 19, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT B, ERIE COMMONS FILING NO.1, REPLAT D, RECORDED AT RECEPTION NO. 3399887;

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID TRACT, 450 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT B, AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF SAID TRACT B, 234 FEET TO A POINT AT THE NORTHERN MOST CORNER TO TRACT M, ERIE COMMONS FILING NO.4, RECORDED AT RECEPTION NO. 3413827;

THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID ERIE COMMONS FILING NO. 4 AND ITS EXTENSION ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF ERIE PARKWAY, 1021 FEET TO A POINT ON THE EXTENSION OF THE NORTHERLY RIGHT-OF-WAY LINE OF BRIGGS STREET;

THENCE ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SAID ERIE COMMONS FILING NO. 4 AND ITS EXTENSION ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BRIGGS STREET AND ITS EXTENSION, 581 FEET TO A POINT AT THE SOUTHEAST CORNER OF BLOCK 7, OF SAID ERIE COMMONS FILING NO. 4;

THENCE CONTINUING ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BRIGGS STREET AND ALONG THE SOUTHWESTERLY BOUNDARY LINE OF ERIE COMMONS FILING NO. 2, 137 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY, 85 FEET TO A POINT OF CURVATURE ON THE EASTERLY BOUNDARY LINE OF LOT 1, BLOCK 5, OF SAID ERIE COMMONS FILING NO. 4;

THENCE ALONG THE SAID EASTERLY BOUNDARY LINE OF LOT 1 AND ITS EXTENSION, 1357 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF POWERS STREET;

THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID POWERS STREET, AND ITS EXTENSION, 859 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID ERIE PARKWAY;

THENCE NORTHEASTERLY ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ERIE PARKWAY, AND ALONG THE SOUTHEASTERLY BOUNDARY LINE OF ASSESSOR PARCEL 146719249003 AND ITS EXTENSION, 605 FEET TO A POINT AT THE SOUTHEAST CORNER OF LOT 1A, ERIE COMMONS FILING NO. 3, 1ST AMENDMENT;

THENCE ALONG THE WESTERLY BOUNDARY LINES OF SAID LOT 1A, 1204 FEET TO A POINT AT NORTHWEST CORNER OF SAID LOT 1A;

THENCE NORTH ALONG THE EASTERLY BOUNDARY LINE OF BLOCK 9, ERIE COMMONS FILING NO. 5 2ND AMENDMENT AND THE EXTENSION THEREOF, 323 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF TRACT F OF SAID ERIE COMMONS FILING NO. 5 2ND AMENDMENT;

THENCE NORTHWEST ALONG THE SAID SOUTH BOUNDARY LINE OF TRACT F, 1108 FEET TO A POINT ON THE SOUTH LINE OF SECTION 18 AND A POINT ON THE SOUTH BOUNDARY LINE OF ASSESSOR PARCEL 146718300024

THENCE EAST, NORTH AND EAST AGAIN ALONG THE SOUTHERLY BOUNDARY LINE OF SAID ASSESSOR PARCEL 146718300024, 313 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, ASSESSOR PARCEL 146718300007

THENCE NORTHWEST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, 200 FEET TO A POINT AT THE SOUTHEAST CORNER OF ASSESSOR PARCEL 146718300026 AND A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT;

THENCE NORTH ALONG THE EAST BOUNDARY LINE OF SAID ASSESSOR PARCEL 146718300026, 116 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT;

THENCE NORTHWEST ALONG THE SAID NORTHERN RIGHT-OF-WAY LINE AND ITS EXTENSION THEREOF, 1518 FEET TO A POINT ON THE WEST FLOWLINE OF COUNTY ROAD NO. 1

THENCE NORTH ALONG THE WEST FLOWLINE OF SAID COUNTYLINE ROAD, 2152 FEET TO A POINT ON THE EXTENSION OF THE NORTH FLOWLINE OF EVANS STREET;

THENCE EAST ALONG THE SAID NORTH FLOW LINE OF EVANS STREET AND ITS EXTENSION, 2993 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF ASSESSOR PARCEL 14671800030;

THENCE SOUTH ALONG THE SAID WESTERLY BOUNDARY LINE OF SAID ASSESSOR PARCEL 14671800030, 491 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF ASSESSOR PARCEL 146718400005;

THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID ASSESSOR PARCEL 146718400005, 2551 FEET TO A POINT AT THE NORTHEAST CORNER OF THE SECOND SUPPLEMENTAL CONDOMINIUM MAP (THIRD PHASE) OF HUNTLEY CREEK CONDOMINIUMS, RECORDED AT RECEPTION NO. 2587749;

THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID HUNTLEY CREEK CONDOMINIUMS, 285 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT, ASSESSOR PARCEL 146718400025;

THENCE NORTHEAST ALONG THE SAID THE NORTHERLY RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT, 74 FEET TO A POINT AT THE SOUTH END OF SAID ASSESSOR PARCEL 146718400005;

THENCE SOUTHEAST ACROSS THE SAID NORTHERLY RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT, 101 FEET TO A POINT AT THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID

REGIONAL TRANSPORTATION DISTRICT AND A POINT AT THE NORTHEAST CORNER OF THE WESTERLY ASSESSOR PARCEL 146718400007;

THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID ASSESSOR PARCEL 146718400007, 87 FEET TO A POINT AT THE NORTHEAST CORNER OF THE WESTERLY ASSESSOR PARCEL 146718400006;

THENCE ALONG THE EASTERLY BOUNDARY LINE OF THE WESTERLY ASSESSOR PARCEL 146718400006, 115 FEET TO A POINT AT THE NORTHWEST CORNER OF THE SOUTHERLY ASSESSOR PARCEL 146718400007;

THENCE ALONG THE EASTERLY BOUNDARY LINE OF THE SAID SOUTHERLY ASSESSOR PARCEL 146718400007, 274 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ERIE PARKWAY;

THENCE SOUTH 261 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 263 ACRES.