

RESOLUTION NO. 19- __

(Series of 2019)

A RESOLUTION OF THE TOWN OF ERIE URBAN RENEWAL AUTHORITY APPROVING THE CONDITIONS SURVEY FOR THE INTERSTATE 25 (“I-25”) URBAN RENEWAL AREA, FINDING BLIGHT EXISTS WITHIN THE AREA, AND APPROVING AND ADOPTING THE I-25 URBAN RENEWAL PLAN

WHEREAS, the Town of Erie Urban Renewal Authority (the “Authority”) is a duly constituted urban renewal authority, established and operating pursuant to the laws of the State of Colorado, and in particular the provisions of C.R.S. § 31-25-104; and

WHEREAS, the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31 (the “Act”) provides for urban renewal of slums and blighted areas; and

WHEREAS, the Authority has undertaken to eliminate and prevent blight and to prevent injury to the public health, safety, morals, and welfare of the residents of the Town of Erie (the “Town”); and

WHEREAS, the Authority has conducted studies and surveys to determine whether factors included in the definition of “blighted area” in the Colorado Urban Renewal Law, Sections 31-25-101, *et. seq.*, C.R.S., are present in the Urban Renewal Area (the “Area”), and the results of such studies and surveys are described in the document entitled I-25 Area Conditions Survey (the “Survey”), dated June 2019, which Survey is attached to and incorporated herein; and

WHEREAS, the Survey describes in detail the conditions in the Area, summarized in Section 2, below; and

WHEREAS, Ricker Cunningham has submitted the I-25 Urban Renewal Plan (the “Plan”), which includes a legal description of the property within the Plan, for review by the Authority, a copy of which is attached hereto as **Exhibit A** and incorporated herein; and

WHEREAS, the I-25 Urban Renewal Plan - Weld County Impact Report has been timely submitted to the Weld County Board of Commissioners and the governing bodies of all other taxing entities whose incremental property tax revenues would be allocated under the Plan pursuant to C.R.S. § 31-25-107(3.5); and

WHEREAS, on January 16, 2019, the Town of Erie Planning Commission approved Resolution No. 19-01, Series of 201[9], which found the Plan to be in conformity with the Town of Erie Comprehensive Plan, most recently updated and effective as of 2015 (the “Comprehensive Plan”) which is the general plan for the development of the Town as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF ERIE URBAN RENEWAL AUTHORITY AS FOLLOWS:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. Based on its review of the Survey, the Authority finds and determines that the Area is a “blighted area” as defined in Section 31-25-103(2) of the Act, and, by reason of the presence of the following factors, 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 Authority finds and determines that the following factors outlined in the Act (numbering follows the Act) exist in the Area:

- (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) Existence of conditions that endanger life or property by fire or other causes;
- (j) Environmental contamination of buildings or property; and
- (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.

Section 3. The Authority finds and determines the Area is appropriate for an urban renewal project pursuant to the Act and recommends such finding to the Town Board of Trustees (the “Board of Trustees”).

Section 4. The boundaries of the Area have been drawn as narrowly as is feasible to accomplish the planning and development objectives of the Plan.

Section 5. The Plan meets the requirements of the Act and furthers the public purposes of facilitating redevelopment of the Area, eliminating blight, and preventing injury to the public health, safety, morals, and welfare of the residents of the Town.

Section 6. The Plan contains a legal description of the Area.

Section 7. Although the Plan contains some agricultural land, in accordance with § 31-25-1-7(c)(II)(d), C.R.S., each public body that levies an ad valorem property tax on the agricultural land has agreed in writing to the inclusion of the agricultural land within the Area.

Section 8. It is not expected or intended that the Plan will displace or need to relocate any individuals and families in connection with implementation of the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

Section 9. It is not expected or intended that the Plan will displace or need to relocate any business concerns in connection with the implementation of the Plan, but to the extent that any such relocation may be required, a feasible method exists for the relocation of such business concerns in the Area or in other areas that are not generally less desirable with respect to public utilities and public and commercial facilities.

Section 10. No more than one hundred twenty days have passed since the commencement of the first public hearing on the Plan.

Section 11. Section 31-25-107(4)(e), C.R.S., does not apply because the Board of Trustees did not fail to previously approve the Plan.

Section 12. The Plan meets the requirements of Section 31-25-107(9.5)(a) without the need for a separate agreement.

Section 13. As previously determined by the Town of Erie Planning Commission, the Authority also finds that the Plan is in conformity with the Comprehensive Plan, which is the general plan for the development of the Town as a whole.

Section 14. The Plan will afford maximum opportunity, consistent with the sound needs of the Town as a whole, for the rehabilitation or redevelopment of the Area described in the Plan by private enterprise.

Section 15. The Authority will adequately finance, or agreements are in place to finance, any additional County infrastructure and services required to serve development within the Area for the period in which all or a portion of the property taxes described in § 31-25-107(9)(a)(II), C.R.S., and levied by the County are paid to the Authority.

Section 16. The Authority has duly considered and hereby approves and adopts the Plan.

Section 17. The Authority hereby recommends that the Board of Trustees approve and adopt the Plan.

Section 18. This resolution is effective upon its approval by the Authority.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town of Erie Urban Renewal Authority, held on July 23, 2019.

**TOWN OF ERIE URBAN RENEWAL
AUTHORITY,**

By: _____
Jennifer Carroll, Chairperson

ATTEST:

By: _____
Jessica Koenig, Town Clerk