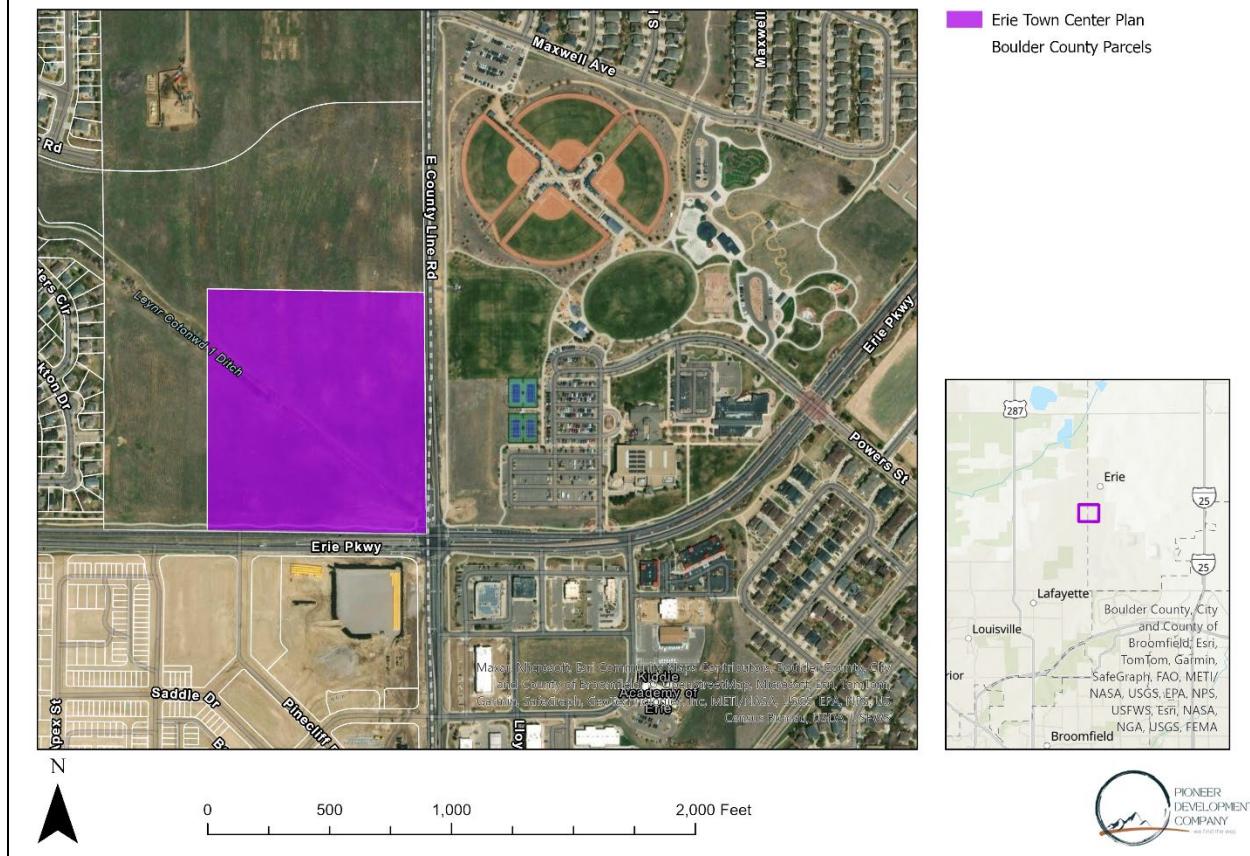


Erie Town Center  
Urban Renewal Plan  
November 25<sup>th</sup>, 2024



Prepared by:  
TOEURA  
Town of Erie  
Economic Development Department

# Erie Town Center Urban Renewal Plan Area



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## **Definitions**

**The Terms used in this Urban Renewal Plan shall have the following meanings:**

**Act** means the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, of the Colorado Revised Statutes.

**Area or Urban Renewal Area** means the area of the Town included within the boundaries of this Urban Renewal Plan as depicted in Exhibit A and described in Exhibit B.

**Authority** means the Urban Renewal Authority of the Town of Erie, Colorado (TOEURA).

**Town** means the Town of Erie, Colorado.

**Planning Division** means the Planning Department at the Town of Erie, Colorado.

**Comprehensive Plan** means the Town of Erie Comprehensive Plan revised 2024.

**County** means Boulder County, Colorado.

**Plan or Urban Renewal Plan** means this urban renewal plan as it may be amended in the future.

**Project or Urban Renewal Project** means all activities and undertakings described in this Plan.

**TIF** means Tax Increment Financing.

## **I. Introduction**

The purpose of this Plan is to implement those provisions of the Town of Erie's Comprehensive Plan that apply to the Urban Renewal Area. The provisions of this Plan are intended to help to help eliminate and prevent conditions of blight by providing important services to the Area, attracting private investment, utilizing underdeveloped land, and leveraging public investment and funding mechanisms to promote redevelopment and rehabilitation of the area by private enterprise, and, where necessary, provide necessary public infrastructure to serve the Area.

This Urban Renewal Plan has been proposed for consideration by the Town Board of the Town pursuant to the provisions of the Act. The administration of the Project and the implementation of the Plan shall be the responsibility of the Authority.

## **II. Urban Renewal Area Boundary**

An urban renewal plan area has been created that includes property within the Town of Erie's municipal limits. The plan includes one parcel with an approximate area of 20.3 acres. At the time of this Plan's adoption, the subject parcel is owned by the Town of Erie and is assessed by the Boulder County Assessor as Tax Exempt. A map of the Plan Area and its specific legal description have been included as Exhibit A and Exhibit B.

## **III. Summary of Statutory Criteria**

The Authority commissioned a Conditions Survey to evaluate blighted area factors present within the Plan's boundaries. Relevant conditions were researched, documented, photographed, and compared with the blight factors pursuant to the Act. The result of the survey is included in a document entitled "Erie Town Center Conditions Survey" (the Conditions Survey) dated November 5<sup>th</sup>, 2024, consisting of 24 pages, related exhibits, a description of existing conditions, and numerous photographs. The Conditions Survey is incorporated herein in its entirety by this reference.

The Conditions Survey shows that the following factors listed in the Act are present in the Area and that these conditions qualify the Area as a "blighted area" as defined in the Act:

Conditions Survey – Blighting Factors Catalogued	
Blighted Area Factor # (C.R.S. 31-25-103.2 List Label)	Definition
Factor 2 (b)	Predominance of Defective or Inadequate Street Layout
Factor 3 (c)	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
Factor 4 (d)	Unsanitary or Unsafe Conditions
Factor 6 (f)	Unusual Topography or Inadequate Public Improvements or Utilities
Factor 10 (j)	Environmental Contamination
Factor 11 (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

#### **IV. Description of Urban Renewal Project**

This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Urban Renewal Area. The Authority and the Town, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Conditions Survey while supporting the Comprehensive Plan. Although there are other adopted Plan's both locally and regionally not listed, the Goals and Policies of these plan's are assumed to be subsumed under the Comprehensive Plan.

## A. Urban Renewal Plan Goals and the Plan's Relationship to Local and Regional Objectives

1. **Goals of the Plan** – This Plan has been adopted to achieve the following goals in the Area:

- a) To eliminate and prevent conditions of blight within the Plan Area
- b) To encourage renewal throughout the Plan area by attracting additional investment and redevelopment within the project boundary.
- c) To leverage Tax Increment Financing to assist with the funding of Infrastructure that will help advance the remediation and redevelopment goals of the Plan area.
- d) To leverage Tax Increment Financing to assist with the remediation of the undermining and other blighting factor present within the Plan area.
- e) To incentivize and invest in catalytic developments to remediate blighting conditions and spur additional community minded development throughout the Plan area.
- f) To facilitate redevelopment that creates a destination for the Town of Erie and surrounding communities, that is defined by walkability, a sense of place, commercial amenities, civic spaces, and entertainment options.
- g) To generate a diverse mix of development that is also low impact on the environment.
- h) To encourage redevelopment within the subject area that aligns with the Community's desires for new development as indicated by the Town's future land use designations, zoning districts, Planned Development Districts and the Town Center Master Plan.
- i) To leverage Tax Increment Financing to help attract new commercial and residential investments within the Plan area that will alleviate blighting conditions.
- j) To leverage Tax Increment Financing to attract retail development that will assist the Town in its goal to mitigate retail leakage.
- k) To improve the streetscapes in ways that promotes on-street bike and pedestrian travel while also enhancing lighting, sidewalks, pedestrian safety, parking, signage, landscaping, bike racks and bus shelters.
- l) To invest in cultural and community spaces and facilitate a legacy development for the Erie Community.

## **2. Relationship to Comprehensive Plan**

The Plan conforms with and is designed to help implement the Vision, Goals, and Policies detailed in the Town of Erie's Comprehensive Plan, revised and adopted 2024. In particular, the Plan will facilitate development that abides by the Comprehensive Plan's Vision Statement, Key Principle, and Core Values:

**Vision:** Erie is a sustainable, livable, and connected community that creates positive, memorable, and lasting impressions for its residents and visitors. The Town is committed to collaboratively managing our diverse natural, cultural, fiscal, social, and capital resources.

**Key Principle:** Embracing and celebrating our differences, the Town recognizes the power of open dialogue in addressing challenging topics and making informed decisions that create an equitable community. Erie is committed to the creation of space, accessibility, and opportunity that leads to equal human experiences.

**Core Values:** Core Values are the root beliefs that guide Erie when making decisions, solving problems, and navigating challenges and opportunities. Sustainability, livability, and connectivity are woven into the Plan's policies.

- **Sustainability: Erie is Resilient and Adaptable**
- **Livability: Erie is tailored to the community's needs.**
- **Connectivity: Erie is connected physically and socially.**

**The Erie Town Center Urban Renewal Plan will also advance the Comprehensive Plan's Future Land Use Plan, Goals and Policies:**

*a) The Plan will advance the following **Community Building Blocks' Goals and Policies:***

*(1) The Plan will facilitate development that accomplishes the Community Building Block's Goals for Neighborhoods, Destinations, Public Realm, Rural Character, and Growth Management –*

The Plan intends to remove conditions arresting sound development within a planned development area. The proposed development includes a mix of uses, blended residential and commercial development to be compatible with surrounding development. The Plan will also remediate blighted area factors and help advance plans for public spaces. The Plan will spur development in an area designated by the town for future development.

*(a) See Town of Erie Comprehensive Plan, Page 32.*

*(2) The Plan will remediate conditions arresting sound development with an Area of Special Consideration –*

The Plan will alleviate conditions arresting sound development and incentivize private investment to attract higher quality development to the Erie Town Center Area. This area is highlighted by the Comprehensive Plan as an area to "Establish Erie Town Center as a Walkable, Mixed-Use Neighborhood that Serves as a Commercial and Entertainment Hub" (C.2.2.). The Plan will advance development that meets this goal and associated policies.

*(a) See Town of Erie Comprehensive Plan, Page 42.*

*(3) The Plan will help Promote Sustainable Development Pattern –*

The Plan will remediate blighting conditions and attract new investment that will reverse retail leakage and help anchor the Town of Erie's Town Center. This Plan is required to align with the Comprehensive Plan Vision, thereby meeting this goal and its associated policies.

*(a) See Town of Erie Comprehensive Plan, Page 45.*

*b) The Plan will advance the following **Public Facilities, Services, and Infrastructure Goals and Policies:***

*(1) The Plan will provide efficient and reliable utility:*

The Plan will remediate conditions such as inadequate public infrastructure within its boundaries by incentivizing new development that can provide this public infrastructure. This strategy aligns with the Comprehensive Plans P1.1 policy to continually plan for utility infrastructure needs, including short and long-term financial and sustainability planning.

*(a) See Town of Erie Comprehensive Plan, Page 48.*

*c) The Plan will advance the following **Natural Resources, Conservation, and Resilience Goals and Policies:***

*(1) The Plan will promote Brownfield Remediation of Vacant or Underutilized Industrial/Commercial Properties:*

Although the Plan area is not considered a Brownfield per EPA standards, the site does exhibit vacancy and underutilization largely because of historic undermining. This is an environmental concern, and the Plan will help remediate these conditions to ensure future development is environmentally safe. See Policy N.1.4.

*(a) See Town of Erie Comprehensive Plan, Page 56*

*(2) The Plan will remediate conditions arresting sound development with an Area of Special Consideration –*

The Plan will alleviate conditions arresting sound development and incentivize private investment to attract higher quality development to the Erie Town Center Area. This area is highlighted by the Comprehensive Plan as an area to "Establish Erie Town Center as a Walkable, Mixed-Use Neighborhood that Serves as a Commercial and Entertainment Hub" (C.2.2.). The Plan will advance development that meets this goal and associated policies.

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*(a) See Town of Erie Comprehensive Plan, Page 45.*

*d) The Plan will advance the following **Livability and Social Health Goals and Policies:***

(1) The Plan will facilitate development that will better connect the community through a network of public and private parks, open space, greenways, and trails: The Plan is designed to facilitate development that will introduce a mixed-use concept that includes public spaces and pedestrian connectivity. Due to the Plan's location, these pedestrian facilities will be designed to connect with the existing pedestrian facilities within and throughout the surrounding neighborhoods. See Policy L.1.2.

(a) *See Town of Erie Comprehensive Plan, Page 62*

(2) The Plan represents a partnership with Education, Health and Safety taxing entities that collectively are remediating this property to facilitate community minded development. The Plan will alleviate conditions arresting sound development and incentivize private investment to attract higher quality development to the Erie Town Center Area. This effort requires Tax Increment Financing that must be collectively negotiated between impacted taxing entities, such as those outlined in this Comprehensive Plan chapter. See Goal L2 and its associated policies.

(a) *See Town of Erie Comprehensive Plan, Page 64*

**e) The Plan will advance the following *Housing Goals and Policies*:**

(1) The Plan will facilitate development that increases the diversity of housing types: The Plan is designed to facilitate development that will attract multi-family development within Erie's Town Center, helping to add rental product to the existing housing stock that is higher density. See Policy H.1.1 and H.3.1.

(a) *See Town of Erie Comprehensive Plan, Page 70*

**f) The Plan will advance the following *Economic Vitality Goals and Policies*:**

(1) The Plan will promote economic development incentives in response to market challenges and opportunities by remediating blighting conditions through tax increment financing: The Plan specifically aligns with Policy E.1.1. in that it will "promote existing incentives like Town of Erie Urban Renewal Authority (TOEURA) and Tax Increment Financing (TIF)".

(a) *See Town of Erie Comprehensive Plan, Page 76*

(2) The Plan will encourage infill development and adaptive reuse of existing properties.

The Plan will advance the Erie Town Center Master Plan and PD and remediate a vacant and underutilized commercial property surrounded by development. See Policy E.1.2 and its associated policies.

(a) *See Town of Erie Comprehensive Plan, Page 76*

(3) The Plan will proactively facilitate development through acquisition, visioning, and public private partnerships. The Plan represents the P3 stage of this goal and policy. The Town has already acquired the property and completed community engagement and planning via Planned Development Districts and Master Plans. The Plan essentially fulfill this Goal and Policy. See E.1.3.

(a) *See Town of Erie Comprehensive Plan, Page 76*

(4) The Plan will promote mixed-use neighborhoods and diverse housing opportunities near employment. The Plan will remediate conditions arresting the development of a mixed-use development that provides higher-density housing near commercial businesses. See Policy E.2.1

(a) *See Town of Erie Comprehensive Plan, Page 76*

**g) The Plan will advance the following *Transportation and Mobility Goals and Policies*:**

(1) The Plan will promote multimodal transportation options throughout its area: See Goal T1 and its associated policies.

(a) *See Town of Erie Comprehensive Plan, Page 84*

## **B. Land Use Regulations and Building Requirements**

The Plan will provide a comprehensive and unified plan to promote and encourage high quality development and redevelopment of the Area by cooperative efforts of private enterprise and public bodies. Notwithstanding anything in the Plan to the contrary, the development and use of the property within the Urban Renewal Area described in the Plan including, without limitation, land area, land use, design building requirements, timing or procedures applicable to the property, shall be subject to the Town of Erie's Municipal Code, Unified Development Code and secondary codes therein adopted by reference, and other applicable standards and regulations of the Town of Erie ("Town Regulations"). Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the Town of Erie Municipal Code and Unified Development Code.

## **V. Project Activities**

The following provisions shall apply to the Area. In accordance with the Act, the Authority may undertake these activities directly or, to the extent authorized by applicable law, contract with third parties to do so:

### **A. Land Acquisition**

To carry out this Plan, the Authority may exercise any and all of its rights and powers under the Act and any other applicable law, ordinance or regulation. The Authority may acquire any interest in property by any manner available. The Authority may acquire property in the Area for the following reasons: To eliminate or prevent conditions of blight; to carry out one or more objectives of the Plan; to assemble property for redevelopment by private enterprise; for needed public improvements; and for any other lawful purpose authorized by the Plan, the Act or any other applicable law.

Acquisition of property by eminent domain is not authorized unless the Town Board approves, by majority vote, the use of eminent domain by the Authority in accordance with the Act and other applicable laws.

### **B. Relocation**

If acquisition of property displaces any individual, family, or business concern, the Authority may assist such party in finding another location, and may, but is not obligated to, make relocation payments to eligible residents and businesses in such amounts and under such terms and conditions as it may determine and as may be required by law.

### **C. Demolition, Clearance, and Site Preparation**

The Authority may demolish and clear those buildings, structures, and other improvements from property it acquires if such buildings, structures, and other improvements are not to be rehabilitated in accordance with this Plan. The Authority may provide rough and finished site grading and other site preparation services as part of a comprehensive redevelopment program.

### **D. Property Management**

During such time as any property is acquired by the Authority, for disposition for redevelopment, such property shall be under the management and control of the Authority and may be rented or leased by it pending disposition for redevelopment or rehabilitation. Notwithstanding the foregoing, the Authority may acquire property, develop, construct, maintain, and operate thereon buildings, and facilities devoted to uses and purposes as the Authority deems to be in the public interest.

### **E. Public Improvements**

The Authority will cooperate with the Town and other public bodies to install, repair or replace necessary public infrastructure including, but not limited to, public streets, ADA accessible routes, central water and sewer services, stormwater improvements, bicycle and pedestrian infrastructure, parks and recreation amenities and multi-use recreational trails in the Area.

#### **F. Land Disposition, Redevelopment and Rehabilitation**

The Authority may dispose of property it acquires by means of a reasonable competitive bidding procedure it establishes in accordance with the Act and pursuant to redevelopment agreements between the Authority and such purchasers.

The Authority may also enter into owner participation agreements with property owners in the Area for the development, redevelopment, or rehabilitation of their property. Such agreements will provide for such participation and assistance as the Authority may elect to provide to such owners.

The Authority may develop, construct, maintain, and operate buildings and facilities devoted to uses and purposes as the Authority deems to be in the public interest.

All such redevelopment, owner participation and other agreements shall contain, at a minimum, provisions requiring:

- Compliance with the Plan and, if adopted by the Authority, the Design Guidelines and Standards and Town codes and ordinances.
- Covenants to begin and complete development, construction, or rehabilitation of both public and private improvements within a period of time deemed to be reasonable by the Authority.
- The financial commitments of each party (but nothing herein shall obligate the Authority to make any such financial commitment to any party or transaction).

#### **G. Cooperation Agreements**

For the purposes of planning and carrying out this Plan in the Area, the Authority may enter into one or more cooperation agreements with the Town, County or other public bodies. Without limitation, such agreements may include project financing and implementation; design, location and construction of public improvements; and any other matters required to carry out this Project. It is recognized that cooperation with the Town, County, other municipalities and other public and private bodies may be required to coordinate such issues as the design, construction, maintenance, operation, and timing of public and private improvements within and outside of the Area to properly and efficiently carry out the goals and objectives of this Plan.

#### **H. Other Project Undertakings and Activities**

Other Project undertakings and activities deemed necessary by the Authority to carry out the Plan in the Area may be undertaken and performed by the Authority or pursuant to agreements with other parties or public bodies in accordance with the authorization of the Act and any and all applicable laws.

## **VI. Project Financing**

The Authority is authorized to finance activities and undertakings under this Plan by any method authorized by the Act or any other applicable law, including without limitation, appropriations, loans or advances from the Town or County; federal loans and grants; state loans and grants; interest income; pay as you go arrangements; annual appropriation agreements; agreements with public and private parties or entities; sale of securities; loans, advances and grants from any other available source.

Any and all financing methods legally available to the Town, the County, the Authority, any private developer, redeveloper or owner may be used to finance in whole or in part any and all costs, including without limitation, the cost of public improvements described or anticipated in the Plan or in any manner related or incidental to the development of the Urban Renewal Area. Such methods may be combined to finance all or any part of activities and undertakings throughout the Urban Renewal Area. Any financing method authorized by the Plan or by any applicable law, including without limitation, the Act, may be used to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Authority or the Town or the County to finance activities and undertakings authorized by the Act and this Plan in whole or in part.

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Urban Renewal Plan. The Authority is authorized to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest, and any premiums due on or in connection with such indebtedness may be paid from any funds available to the Authority.

The Project may be financed by the Authority under the tax allocation financing provisions of the Act. Under the tax allocation method of financing the Project, property taxes levied after the effective date of the approval of this Plan upon taxable property in the Urban Renewal Area each year by or for the benefit of each public body that levies property taxes in the Area, shall be divided for a period not to exceed twenty-five (25) years after the effective date of the adoption of this tax allocation provision, as follows:

### **Base Amount**

That portion of the taxes which are produced by the levy at the rate fixed each year by or for such public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan or, as to an area later added to the Urban Renewal Area, and the effective date of the modification of the Plan shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

For sales tax, the base will be that portion of municipal sales taxes collected within the boundaries of the Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan.

#### **Increment Amount**

The increment amount is that portion of property taxes and sales taxes in excess of the base amount as defined above. That portion of said property taxes and said municipal sales taxes in excess of such base amount shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by (whether funded, refunded, assumed or otherwise) the Authority for financing or refinancing, in whole or in part, the Project.

Unless and until the total valuation for assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

Unless and until the total municipal sales tax collections in the Urban Renewal Area exceed the base year municipal sales tax collections all such sales tax collections shall be paid into the funds of the Town.

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.

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all municipal sales taxes upon retail sales within the Urban Renewal Area shall be paid into the Funds of the Town of Erie.

The increment portion of the taxes, as described in this subparagraph 2, 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 Project.

### **VII. Changes in Approved Plan**

This Plan may be modified pursuant to the provisions of the Act governing such modifications, including Section 31-25-107, C.R.S.

### **VIII. Minor Variations**

The Authority may in specific cases allow minor variations from the provisions of the Plan if it determines that a literal enforcement of the provisions of the Plan would constitute an unreasonable limitation beyond the intent and purpose of the Plan.

EXHIBIT A

LEGAL DESCRIPTION

Tract A, Ranchwood Minor Subdivision. Located in the East Half of the Northeast Quarter of Section 24, Township 1 North, Range 69 West of the 6th Principal Meridian, Town of Erie, County of Boulder, State of Colorado.

FOR INFORMATIONAL PURPOSES ONLY:

Boulder County Assessor Parcel No. R0511537 / 146524110001

Erie Town Center Urban Renewal Plan Area

**EXHIBIT B**

