



Central Leadville Urban Renewal Plan

City of Leadville, Colorado

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Prepared for:

Leadville Urban Renewal Authority
Leadville City Council

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Central Leadville Urban Renewal Plan

City of Leadville, Colorado

1.0 Introduction

1.1 Preface

This Central Leadville Urban Renewal Plan (herein referred to as the “Plan” or “Urban Renewal Plan”) has been prepared for the City of Leadville (herein referred to as the “City”).¹ 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 (herein referred to as the “Act” or “Law”), its administration and implementation will be carried out by the Leadville Urban Renewal Authority (herein referred to as the “Authority” or “LURA”).

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for one or more Development Projects. In order for the Authority to exercise its powers within the area, the municipality’s board or council must find that the presence of blight, as defined by the Act, “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 Central Leadville Urban Renewal Plan Area Conditions Survey (herein referred to as the “Survey”), prepared by Ricker|Cunningham in October 2017 and presented to the Authority under separate cover, demonstrates that the Central Leadville Urban Renewal Plan Area (herein referred to as the “Area”, “Urban Renewal Plan Area” or “Central Leadville Area”), qualifies as a blighted area under the Act. Specifically, the Survey concluded that eleven (11) of the 11 total possible factors are present at

¹ When the word “city” is used as a proper noun, it should be capitalized. When it is used as a common noun, it should not be capitalized, even if previously referred to by name.

varying degrees of intensity, but all at a level of intensity considered significantly adverse.

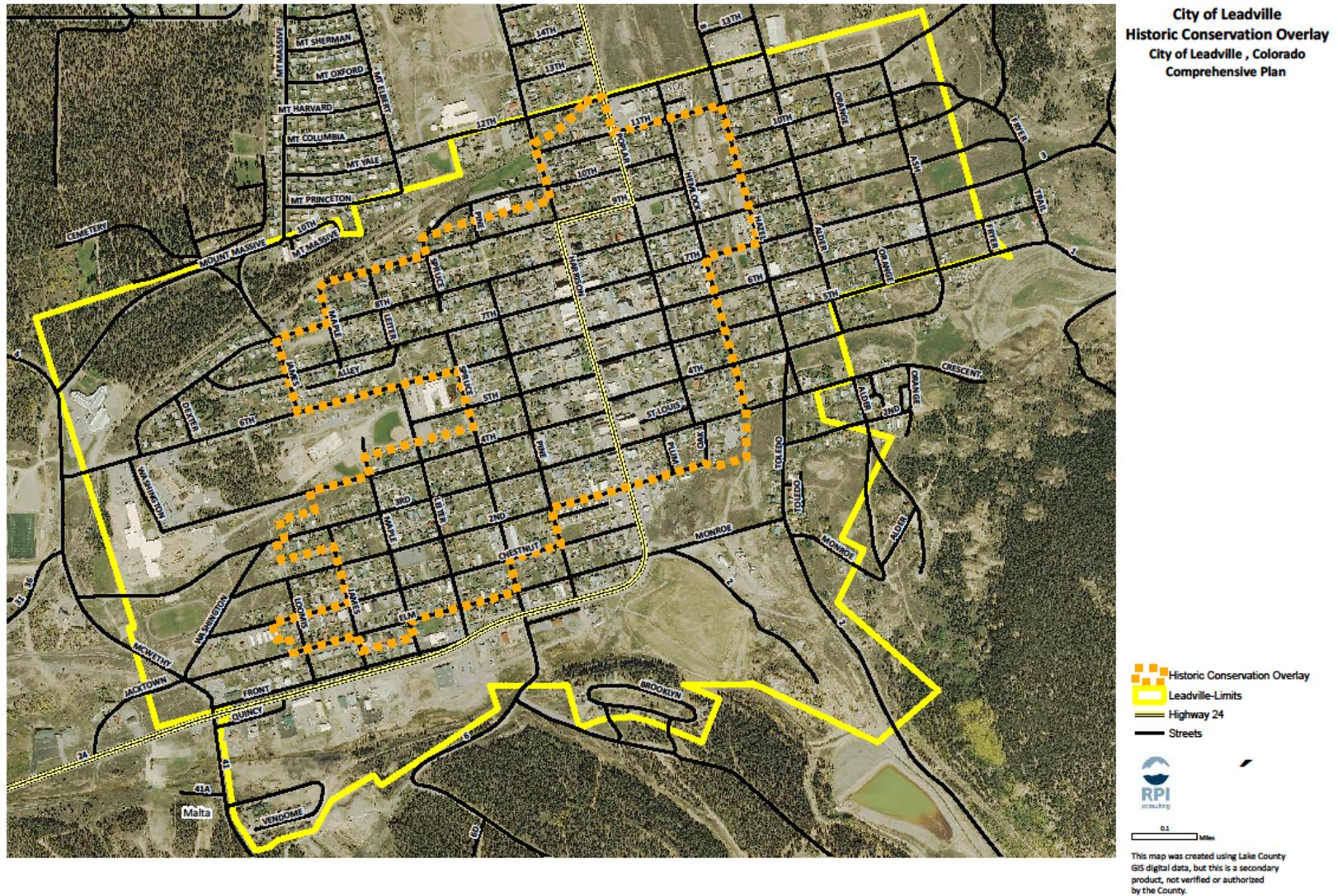
1.3 Other Findings

With an urban renewal designation, the Area will be eligible for one or more urban renewal activities and undertakings authorized by the Act, and advanced by the Authority. To this end, it is the intent of the Leadville City Council (the "City Council") in adopting this Urban Renewal Plan, that the Authority has available to it any and all powers authorized in the Act and considered necessary and appropriate to accomplish the objectives stated herein. Further, it is City Council's intent that the Authority exercise these powers for the elimination of qualifying blighting conditions and advancement of goals and objectives affirmed in the community's general plan ("City of Leadville Comprehensive Plan, March 2015"). Because powers conferred by the Act include facilitating the completion of improvements for which public money may be expended, the intentions of this Plan are considered to be in the public interest and a necessity, such finding being a matter of legislative determination by the City Council.

1.4 Urban Renewal Area Boundaries

The boundaries of the Urban Renewal Area include 372 legal parcels comprising approximately 330 acres and adjacent rights-of-way. It generally includes properties along both sides of Harrison Avenue between Elm and Monroe Streets on the south and 10th Street on the north, including the National Mining Hall of Fame and Museum; in addition to the northern extent of State Highway 24 and the railyard property located between East 12th Street and Sawmill Road. Land uses include historic structures, commercial businesses, residential structures, and vacant land. As illustrated in Figure 1, most properties are within the City of Leadville Historic Conservation Overlay District.

Figure 1: Leadville Historic Conservation Overlay District



Zoning Districts

The following zoning districts are represented in the Area:

Chapter 17.32 COMMERCIAL/ HIGHWAY BUSINESS (C) DISTRICT

17.32.010 General requirements.

This district is created for the purposes of providing for tourism and automobile oriented business and commercial, office and retail services along the city's major highway approaches, and providing for the scenic and visual enhancement of those major highway approaches to Leadville. Consequently, the visual appearance and contribution to attractiveness of Leadville's gateways shall be a significant characteristic of all new and expanded development in this district.

Chapter 17.28 RETAIL CORE (RC) DISTRICT

17.28.010 General requirements.

This district is created to encompass the principal retail and commercial core of the city, often with residential and office use on the upper floors of multi-story structures and intensive pedestrian shopping and sightseeing along the principal rights-of-way in the district. Streetscaping amenities along with rear or alleyway delivery facilities are particularly encouraged in this business and tourism oriented district.

Chapter 17.24 TRANSITIONAL RETAIL/RESIDENTIAL (TR) DISTRICT

17.24.010 General requirements.

This district is created to allow traditional residential occupation in association with commercial business uses so long as such mixed land usage does not produce significant or objectionable levels of traffic, noise, dust or other adverse side effects not compatible with residential occupation.

Future Land Use Designations

As illustrated in Figure 3, the following future land use designations are represented in the Area:

Town Site Residential

The neighborhoods included within this designation represent an opportunity for incremental residential in-fill, redevelopment and accessory dwelling units.

Town Site Mixed-Use

The development pattern in this designation is characterized by a variety of mixed uses. By directing traffic-intensive uses to the block corners and providing adequate parking and landscaping, residential and non-residential uses can continue in the area.

Downtown

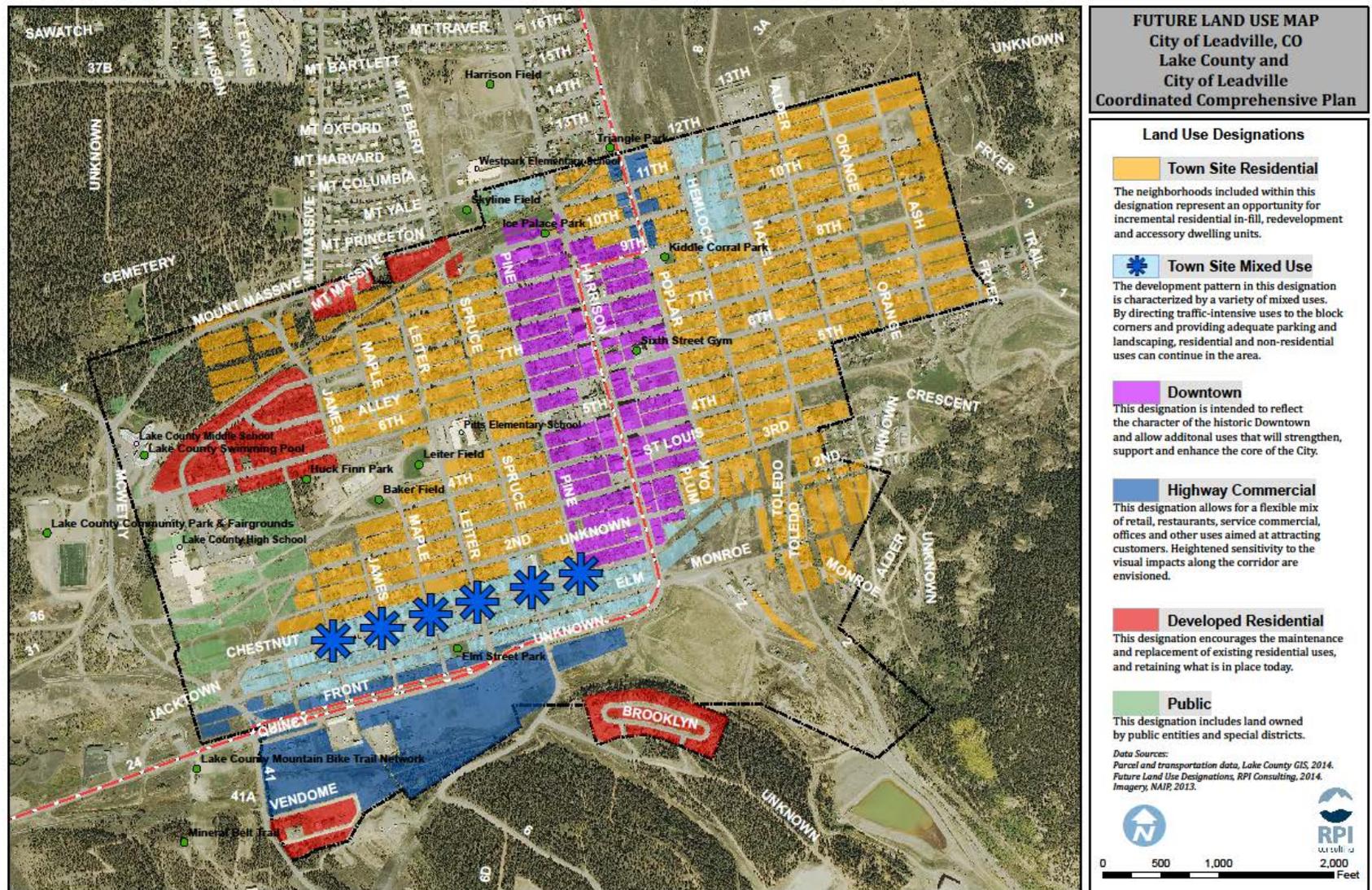
This designation is intended to reflect the character of the historic Downtown and allow additional uses that will strengthen, support and enhance the core of the City.

1.5 Public Participation

Property owners and other business interests in the Area were invited to attend an informational meeting about the urban renewal planning process and potential future Development Projects, during October 2017. Attendees were provided materials explaining the same and encouraged to contact representatives of the City with any questions.

In addition to informational meetings, the following official meetings required by the Act are scheduled as follows. The LURA will consider the Plan on **date** at a regular meeting of the Authority. The Planning and Zoning Commission will review the Plan on **date** and determine if it is consistent with the community's comprehensive planning document. Finally, City Council will consider the findings of blight, documented in the Survey, and adoption of the Plan, at a public hearing on December 5, 2017.

Figure 3: Leadville Future Land Use Map



Also in compliance with the Act, every reasonable attempt will be made to notify all property owners and owners of business interests in the Area of the public hearing. The hearing notice, including its date, time and location will appear in the Leadville Herald, the community's designated legal newspaper of general circulation, along with a description of the Plan's purpose and Area's boundaries.

2.0 Definitions

Unless otherwise stated, all capitalized and bolded terms herein shall have the same meaning as set forth in the Act.

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

Authority – means the City of Leadville Urban Renewal Authority.

Base Amount – means that portion of *property taxes* which are produced by the levy at the rate fixed each year by or for taxing entities upon the valuation for assessment of taxable property in a Tax Increment Area last certified prior to the effective date of approval of the Plan; and, that portion of *municipal sales taxes* collected within the boundaries of the Tax Increment Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan.

Lake County Impact Report – means the Central Leadville Urban Renewal Plan - Lake County Impact Report prepared by Ricker/Cunningham, dated October, 2017 and presented to the Authority under separate cover.

City – means City of Leadville.

City Council – means the City Council of the City of Leadville.

Comprehensive Plan – means the City of Leadville Comprehensive Plan, adopted in 2015.

Cooperation Agreement – means any agreement between the Authority and the City, or any public body (the term “public body” being used in this Plan as defined by the Act) respecting action to be taken pursuant to any of the powers set forth in the Act or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Plan.

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

Development Project – (like an Urban Renewal Project) means an improvement, public or private that addresses the findings of blight and advances the goals of the Plan.

Plan or Urban Renewal Plan – means this Central Leadville Urban Renewal Plan.

Plan Area or Urban Renewal Plan Area – means the Central Leadville Urban Renewal Plan Area as described in Section 1.4.

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.

Central Leadville Tax Increment Area – means those properties or portions of properties portion of property and / or municipal sales taxes in excess of the Base Amount set forth in Section 7.3.2 of this Plan allocated to and, when collected paid into the Authority’s Tax Increment Revenue Fund.

Survey – means the Central Leadville Conditions Survey, prepared by RickerCunningham, dated October, 2017 and presented to City Council under separate cover.

Tax Increment – that portion of incremental revenues in excess of the Base Amount as set forth in Section 7.3.2 of this Plan, allocated to and when collected, paid into the Authority’s Tax Increment Revenue Fund.

Tax Increment Areas – means one or more properties or areas designated as a Tax Increment Area and defined pursuant to the procedures set forth in Section 6.12 of this Plan.

Tax Increment Finance (or Financing) (TIF) - means a financing mechanism which uses future revenues resulting from private investment within an established area (Tax Increment Area) to fund improvements for the public benefit.

Tax Increment Revenue Fund - means a fund supervised by the Authority and the resources of which include incremental ad valorem property and municipal sales tax revenue resulting from investment and reinvestment in an established urban renewal area.

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

Urban Renewal Plan or Plan – means this Central Leadville Urban Renewal Plan.

Urban Renewal Plan Area or Plan Area – means the Central Leadville Urban Renewal Plan Area as described in Section 1.4.

Urban Renewal Project – is defined by the Act, but generally means an improvement, public or private that addresses the findings of blight and advances the goals of the Plan.

3.0 Plan Purpose

As explained in the Act, the intent of any and all urban renewal plans is to “eliminate and prevent the spread of blight, and to further the growth and investment goals of the community as expressed in their officially adopted plans.” To this end, the purpose of this *Central Leadville Urban Renewal Plan* is to *reduce and remove blighting conditions adversely impacting properties and businesses in the Area; and advance objectives expressed in Leadville Comprehensive Plan and presented herein*. References from related resources which align with these goals are presented in Appendix A.

3.1 Plan Approach

The proposed approach to eliminating and preventing the spread of blighting conditions in the Area, as reported in the Survey, is active promotion of private development and redevelopment, prioritization of public investment; and where necessary, the use of financial resources available to the Authority for the express purpose of the same. The approach to advancing local objectives is to ensure alignment of the community's and Plan's vision for the Area. To this end, they are presented as one in the same below.

3.1.1 Plan Vision

Several excerpts from the Leadville Comprehensive Plan are presented in the text that follows.

Aligning Economy, Infrastructure, and Land Use

Achieving a sustainable future requires simultaneous and ongoing planning with implementation that aligns economic growth strategies with infrastructure/asset planning and with future land use.

Diversifying and expanding the base of businesses and organizations that generate wealth and local employment is critically important for Leadville and Lake County's future sustainability. The solution to these challenges is largely the same: grow and diversify the local economy.

The goals in the Comprehensive Plan seek to build more local employment and even recruit businesses from the I-70 resort corridor to locate their base of operations in Leadville and Lake County.

According to the community survey, over 80% of respondents are not satisfied with the quality and variety of goods, foods and other day-to-day necessities offered by local serving businesses.

These factors call for a coordinated strategy for expanding and diversifying the economic base and creating jobs locally that will attract new residents and retain the people who live here today.

The City of Leadville serves a critical role in the economy, with the historic downtown as the heart of the city and the center of historic and community identity. In addition to containing the southern Highway 24 commercial corridor entrance to Leadville, the city also functions as the regional center for schools, government and public services. There are historic mixed-use neighborhoods in Leadville that with careful long-range planning and rehabilitation could be great assets for small businesses. Because retail sales are such a critical component of city revenues, retail, restaurants/bars and lodging deserve special consideration. Retail options should fit with the small-town character of Leadville and be feasible and sustainable from an economic and market perspective.

The Climax Molybdenum Company mine also generates significant severance-tax and property-tax revenues for local government. Mining is an important industry today, making up 13% of the economic base. While mining is an important component of the economic base now and in the future, diversifying the economic base will fortify the overall economy so that future market fluctuations in mining are not felt as sharply.

Economic Growth Strategy

With these economic realities acknowledged, Chapter 2 of the Comprehensive Plan articulates a set of economic growth focus areas, each with general goals and specific strategies that aim to diversify the economy and expand livelihoods in Leadville and Lake County.

- Business Support
- Downtown Support and Revitalization
- Local Government Role in Physical Asset Development
- Tourism Marketing

- Attract New Businesses That Build the Economic Base

City Assets and Core Infrastructure

Leadville provides streets and drainage, police, and maintenance facilities and City Hall. Public-services and infrastructure partners such as Lake County, Parkville Water District, Leadville Sanitation District, Lake County School District, Colorado Mountain College and public lands agencies all contribute to the public assets and services that support the community. The Comprehensive Plan integrates strategies for improving city assets and core infrastructure organized by type of asset.

Water

Parkville Water District currently serves the City of Leadville and unincorporated lands in the Leadville Periphery and is the most important entity in the county for current and future domestic water supply.

Sanitary Sewer

While the Leadville Sanitation District boundary covers the City of Leadville and the adjacent unincorporated lands around it, the collection system is much larger and serves roughly the same areas as the Parkville Water District. Improvements have been made to the collection system in recent years that will accommodate future growth, but ongoing improvements to the aging collection system are needed. The Leadville Sanitation District operates a wastewater-treatment plant (WWTP) serving approximately 3,014 Equivalent Single Family Residences (EQR), which is 70% the permitted capacity of 4,300 (EQR). This means the wastewater-treatment plant meets current demand, but a future growth period could trigger the need for a significant upgrade to the existing plant or the need for a new treatment plant. Ideally, a new plant would be sited further downhill and allow for expansion of the service area.

Transportation

Leadville is in need of an objective analysis and prioritization schedule for systematic maintenance of city streets and associated drainage and sidewalk improvements. A survey of the streets right-of-way is an important early step. The assessment would include a streets conditions rating and assign a prioritized program for surface, drainage and sidewalk improvements. 57% of respondents to the community survey said that street driving surface and drivability needs improvement.

Bike and pedestrian facilities including sidewalks, street crossings and the grid-pattern streets are of critical importance. Safe crossings downtown and continuous sidewalks connecting neighborhoods in and around the City of Leadville to destinations in the city such as schools, parks, trails and downtown are all needed. In the long term, adding a sidewalk along the southern Highway 24 corridor is also a key improvement. Other recommendations include:

- connecting and completing sidewalks along key routes
- need for continuous and adequate sidewalks along major pedestrian corridors

Planning for a transportation system that accommodates automobiles, cyclists and pedestrians is a critical component of transportation planning in the Leadville area. Expanding bus and/or shuttle service is also an important component of planning for the future of transportation options in the county. Existing service include the Summit Stage/Lake County Link which provides commuter busses to Summit County and ECO Transit which provides commuter busses to Eagle County. The elderly and children have no transit options to get around inside of Lake County and Leadville today.

Intergovernmental Coordination

In order to plan for and finance the construction and maintenance of such capital-improvement projects, the governmental and quasi-governmental entities providing public infrastructure and

services may want to create and further define intergovernmental relations.

Future Land Use Plan

- Enhancing downtown Leadville as the historic and pedestrian-oriented heart of the community and the economic engine for the city and creating an environment where people can live downtown and add to its vitality.
- Balancing housing and commercial development so that people can live and work in Leadville.
- Re-establishing the vitality of the historic commercial and mixed-use block east and west of Harrison Avenue.
- Encouraging infill and redevelopment in the residential neighborhoods in the historic town site and creating diversity in housing types.
- Building on the neighborhood character, efficiency, convenience and pedestrian/bike friendliness offered by the historic streets and alleys grid.
- Improving the vitality, visual appearance and bike/pedestrian facilities along the southern Highway 24 corridor.
- Promoting Leadville's historically mixed-use neighborhoods along Chestnut and Elm Streets as economic assets for small businesses.
- Promoting retail and restaurants that serve both local residents and visitors and augmenting the inventory of in-town businesses that serve day-to-day needs of residents.

3.1.2 Plan Principles

Whereas an overriding goal of this Plan is to facilitate investment in the Area consistent with the community's objectives, development within its boundaries will need to reflect intentions expressed in the Leadville Comprehensive Plan. As explained therein, "Increasing economic self-sufficiency is the most important component of the vision for a diverse and sustainable economy. A healthy balance between businesses and residents will make Leadville and Lake

County more self-sufficient because people can meet daily needs and live and work in Leadville and Lake County. One of the fundamental roles for the city in furthering economic growth is to maintain and plan for improvements to the city's core infrastructure. Fiscal constraints have limited the city's ability to fund improvements and the city will need to continue working with partners to identify feasible strategies to pay for infrastructure improvements and maintenance."

Following are the Comprehensive Plan's specific goals which will be advanced by planned investment in the Central Leadville Area.

Goal 2.1 – Retain existing businesses across all sectors and help them adapt and expand.

Goal 2.2 – Better understand the business base and identify the resources needed to provide assistance for successful retention, expansion, creation and attraction of jobs and to promote economic development resources to businesses.

Goal 2.3 –provide support and resources to ensure the preservation and maintenance of historic structures and landmarks in the downtown core.

Goal 2.4 – Work with the Historic Preservation Commission to ensure that the redevelopment and infill in the Historic District are consistent and do not compromise the integrity of existing historic values.

Goal 2.5 – Continue to pursue efforts for streetscape beautification and improvements to transportation infrastructure enhancing connectivity and pedestrian circulation in the downtown core.

Goal 2.6 – Provide core infrastructure to serve existing residents and businesses and to facilitate growth and expansion: transportation, water, sanitation and communications

Goal 2.7 – Enhance and develop lifestyle, tourism, and recreation assets.

Goal 2.13 – Target and recruit businesses and organizations that can locate in Leadville and Lake County based on lifestyle or that can capitalize on the high-elevation geography and public lands.

Goal 2.14 – Promote the development of diversity of housing types providing for residents with different economic and housing needs and giving Leadville and Lake County employees the opportunity to live affordably close to where they work.

Goal 3.2 – Support the connection of the neighborhoods in and around the city to major destinations such as schools, the downtown core, parks and community facilities.

Goal 3.3 – Support Lake County’s efforts to connect the city to neighborhoods and destinations in the unincorporated county and to the region with bike and pedestrian pathways, bike/pedestrian lanes, sidewalks and other such facilities.

Goal 3.5 – Plan for and secure parking for peak season in the downtown area.

Goal 3.8 – Ensure that wastewater treatment capacity is adequate to service existing commitments and future growth in the Leadville area.

Goal 3.10 – Connect schools and neighborhoods to parks, recreation amenities and trails with bike and pedestrian improvements.

Goal 3.11 – Promote in-town parks and recreation assets.

Goal 3.13 – Develop intergovernmental strategies and relationships to address infrastructure maintenance.

Goal 3.14 – Establish intergovernmental land use and infrastructure planning expectations for future growth within the City of Leadville periphery area.

3.2 Plan Implementation

While the Authority will be the Plan’s principal administrator, City Council

will authorize and oversee its efforts. Therefore, the Authority will work in cooperation with the City to prioritize capital investments in the Area (roadways, open spaces, greenways), ensuring they provide a public benefit to property owners and business interests within its boundaries, as well as communitywide. All new development activity will conform to existing municipal codes and ordinances, along with any site-specific regulations or policies in effect at the time. Finally, while the Act authorizes the Authority to regulate land uses, establish maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this Plan, the Authority anticipates these activities will be the responsibility of the City in partnership with the Authority.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by a municipality, the proposed urban renewal area must be determined to be "blighted" 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) 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."* Statutory factors include:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;

- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present 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 used to prepare the Survey involved the following steps: (i) identify parcels to be included in the Survey Area; (ii) gather information about the properties, infrastructure and other improvements within the Survey Area boundaries; (iii) evaluate evidence of blight through field reconnaissance, review of aerial photography, and discussions with representatives of various City departments; and, (iv) record observed and documented conditions listed as blighting factors in the Act.

Among the 11 qualifying factors listed above, the Survey showed the presence of all eleven (11) blight factors in the Area that is the subject of this Plan.

- (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;

- (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.

5.0 Plan Relationship to Other Community Documents

5.1 Plan Conformity

As explained previously, implementation of this Plan will further the principles and objectives of the Comprehensive Plan (and any subsequent updates). In addition, and as stated previously, development in the Area shall conform to all regulating documents including the current building code and other rules, regulations, and policies promulgated pursuant thereto. Other City-accepted planning documents that might impact investment in the Area, including but not limited to those listed under 5.3 below, will be considered in the context of future Development Projects. Finally, conditions of blight within the Area will be remedied by improvements, public and private and funded in part by incremental taxes, to the extent deemed appropriate by the Authority in consultation with representatives of the City and any affected property owners.

6.0 Authorized Authority Undertakings and Activities

Whereas the Act allows for a wide range of activities to be used in the furtherance of the goals of an urban renewal plan, it is the intent of the Authority, in the context of this Plan, to provide financial assistance and complete public improvements in partnership with the City, Area property owners, and other affected parties. Partnerships and similar forms of cooperative agreements are understood to be an essential element of the Authority's strategy for eliminating and preventing the spread of blighting conditions. Potential undertakings of the Authority in the furtherance of these intentions are detailed below.

6.1 Complete Public Improvements and Facilities

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 the Act. While public improvements and investment should, whenever possible, stimulate desired private sector investment; it is the intent of this Plan that the combination of public and private investment that occurs in the Area will benefit properties within its boundaries, as well as those in the community at-large.

As described in Section 4.0, eleven (11) of the 11 qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, were found to be evident in the Area. This Plan proposes to remedy these adverse conditions by encouraging, completing and assisting with completion of specific improvements including several of those described below. As the Plan's administrator, the Authority will seek to most effectively leverage available resources in the furtherance of desired private investment, while also eliminating the spread of blight.

- (a) Slum, deteriorated, or deteriorating structures – demolition of vacant and obsolete structures which endanger the health and welfare of individuals
- (b) Predominance of defective or inadequate street layout – curb and gutter, driveway, pedestrian, and safety improvements
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness – vehicular access and other roadway improvements; pedestrian and safety improvements, and lot assemblage
- (d) Unsanitary or unsafe conditions – enhanced lighting within public rights-of-way; pedestrian improvements within public spaces; and, any required improvements deemed reasonable and for the public benefit
- (e) Deterioration of site or other improvements – removal of trash and remnant infrastructure, parking lot improvements, fencing and other physical improvements to properties and within public spaces
- (f) Unusual topography or inadequate public improvements or utilities – grading to improve drainage, completion of roadways and undergrounding of utility lines, as well as improvements which will leverage private investment within the area
- (g) Defective or unusual conditions of title rendering the title nonmarketable -- mitigation of impacts to adjacent property owners

and their business operations from existing utility and roadway easements;

- (h) Existence of conditions that endanger life or property by fire or other causes – roadway improvements that lessen the number of traffic incidents within adjacent rights-of-way and mitigation of environmentally contaminating substances
- (i) Buildings that are unsafe or unhealthy for persons to live or work – see factor (a) above
- (j) Environmental contamination of buildings or property – mitigation and removal of environmentally contaminating substances
- (k5) 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 – participation in eligible expenses (as per the Act) that make development in the area feasible, and put vacant properties into productive use

6.2 Complete Other Improvements and Facilities

The Authority may assist in the financing or construction of such improvements to the extent authorized by the Act and required to accommodate development and redevelopment for the benefit the public.

6.3 Promote Development and Redevelopment

Whereas it is the intent of the Authority and this Plan to “leverage resources in the furtherance of desired private investment, and generate resources to fund improvements that will eliminate the spread of blight;” the Act requires that those resources be identified, and that potential impacts be quantified and shared with affected taxing entities. This information has been presented to the Authority and City Council under separate cover.

6.4 Adopt Standards

As stated earlier, all development shall meet or exceed applicable rules, regulations, policies, other requirements, and standards of the City and any other governmental entity with jurisdiction in the Area. While the Act allows for the adoption of standards and requirements applicable to projects undertaken in an urban renewal area, in the context of this Plan, it is the Authority's intention that these activities will be conducted in cooperation with the City.

6.5 Modify the Plan

The Authority may propose, and City Council may make, modifications to this Plan as necessary, provided they are consistent with the Comprehensive Plan and any subsequent updates. However, any such amendments made in accordance with this Plan and as otherwise contemplated, will be compliant with the Act. In addition, 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 Review the Plan

The Authority intends to frequently review this Plan and evaluate its effectiveness at implementing Development Projects within its boundaries. If deemed necessary, the Authority, may consider modifications, but will do so only in concert with Area property and business owners, and City staff operating in support of the Authority.

6.7 Provide Relocation Assistance

While this Plan does not anticipate individuals, families or business concerns will require relocation due to the acquisition of real property, if such a relocation becomes necessary, the Authority will adopt a relocation plan in conformance with the Act.

6.8 Demolish, Clear and Prepare Improvements

The Authority may participate in activities including building and site demolition, including when those activities are required by existing Development or Cooperation Agreements, particularly when they are required to eliminate unhealthy, unsanitary, and unsafe conditions, or obsolete uses deemed detrimental to the public welfare.

6.9 Acquire and Dispose of Property

While the Act allows for the acquisition of property by negotiation or any other method, including eminent domain. However, the use of eminent domain must be approved by a super-majority of City Council. Properties acquired through arms-length transactions, however, may temporarily be operated, managed and maintained by the Authority, if deemed in the best interest of a Development Project and the Plan. Further, 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 in accordance with the Act and this Plan.

6.10 Enter Into Redevelopment / Development Agreements

The Authority may enter into Redevelopment / Development Agreements and contracts with developers, property owners, individuals and other entities determined to be necessary to carry out the purposes of this Plan. Further, such Agreements, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking contemplated activities. Any existing Agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such Agreements agree otherwise.

6.11 Enter Into Cooperation Agreements

The Authority may enter into one or more Cooperation Agreements with the City or other lawful entity for the purpose of financing, installing,

constructing and / or reconstructing improvements considered eligible and necessary for the implementation of this Plan, all as in accordance with the Act. In addition, the Authority may, but is not required to contract with the City or other entity to administer various incentives.

6.12 Create Tax Increment Areas

The boundaries of the Urban Renewal Area shall be as set forth in Section 1.4. It is the intent of the City Council in approving this Plan to authorize the use of Tax Increment Financing by the Authority as part of its efforts to advance the vision, objectives and activities described herein. Pursuant to the provisions of Section 31-25-107 (9) of the Act, the City Council in approving this Plan, further contemplates that one or more Tax Increment Areas may be created within the Area. Notwithstanding such distinction, the Authority is specifically authorized to expend incremental Property and Sales Tax revenues to the extent authorized by the Act and this Plan.

While this Central Leadville Urban Renewal Plan contemplates Property Tax Increment revenue will be the Authority's primary funding source for eligible and priority improvements in the Area, the City Council may allocate Municipal Sales Tax Increments, if requested to do so, and only after receipt of a financing plan outlining the proposed amounts and purpose for which the Municipal Sales Tax increments are to be used. As such, the use of incremental Sales Tax revenue is hereby authorized pursuant to Section 31-25-107 (9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety, but any such pledge of Sales Tax Increment by the Authority in a Development or Redevelopment Agreement shall not be authorized until a separate Cooperation Agreement between the Authority and City setting forth the allocation of Incremental Sales Taxes between the City and the Project is established. The approval of such Cooperation Agreement by the City and the Authority will not be a substantial modification of this Urban Renewal Plan, nor will the addition of a new Development Project, alter its boundaries, or change the mill levy or sales tax component of the Plan. Further, approval of such a Cooperation Agreement will not extend this Plan or the duration of a specific Development Project in the Area, regardless of when such Cooperation Agreement may be approved.

As a new Tax Increment Area is needed, the process for creating the new Tax Increment Area shall be initiated by written notification to the Authority that a new Development Project needs tax increment revenue to fund infrastructure and related lawful improvements. Such notification will include a legal description and supporting illustration of the area to be designated, along with a site plan of proposed improvements. Unless specifically provided for to the contrary, authorization by City Council to create of a new Tax Increment Area shall be considered an amendment to this Plan and any taxes, levied and collected after the effective date of such authorization, shall be allocated to the Authority as set forth in the amendment for a period of twenty-five years or such lesser period as provided in any Cooperation Agreement and / or Redevelopment / Development Agreement. Provided that such a Tax Increment Area is created within three (3) years of final adoption of this Central Leadville Urban Renewal Plan, the creation of a new Tax Increment Area shall not be deemed a substantial modification to this Plan, pursuant to C.R.S. § 31-25-107(7).

7.0 Project Financing

7.1 Public Investment Objective

A critical component of any urban renewal initiative is participation by both the public and private sectors since no one entity, either public or private, typically has sufficient resources to overcome the financial hurdles frequently encountered in established and deteriorating areas of communities. To this end, effective leveraging of funds from multiple sources will be essential to sustain the Central Leadville redevelopment initiative over the life of the Plan; along with policy, regulatory, and design support from the City and other potential advocacy partners.

7.2 Financial Mechanisms

The Authority may finance undertakings pursuant to the Plan by any method authorized under the Act or any other applicable law, including without limitation the issuance of notes, bonds (refunding, temporary), interim certificates, certificates of indebtedness, or any other obligation lawfully created as defined in the Act; in an amount sufficient to finance

all or part of this Plan. The Authority may borrow funds, access federal and state loans or grants, and earn interest income. The Authority may also enter into reimbursement or annual appropriation agreements with public or private entities, or any other lawful source. The principal, interest, costs and fees on any indebtedness will be paid for with available funds of the Authority.

7.3 Tax Increment Financing

Activities may be financed by the Authority under the provisions of the Act, particularly those specifically related to TIF. Such incremental revenues may be used for a period not to exceed the statutory requirement, which is presently twenty-five (25) years after the effective date of the Plan's adoption, which authorized and created the Tax Increment Area.

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 Sales Tax revenue described herein.

7.3.2 Base Amount

The Base Amount includes that portion of Property 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 modifications); and that portion of Municipal Sales Taxes collected within the boundaries of the Tax Increment Area in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan and paid to the public body, as are all other taxes collected by or for said public body.

7.3.3 Incremental Revenues

Incremental revenues including that portion of said Property, and if authorized by the City Council, Municipal Sales Taxes in excess of the Base Amount set forth in Section 7.3.2 shall be allocated to, and when collected, paid into the Authority's Tax Increment Revenue Fund. The Authority may use these funds to pay the principal of, and interest on, any other premiums due in connection with the bonds, loans or advances to, or indebtedness incurred (whether funded, refunded, assumed, or otherwise) by the Authority, for financing or refinancing, in whole or in part, any portion of a Development Project considered eligible under the Act. Unless and until the total valuation for assessment of the taxable property in any Tax Increment Area exceeds the base valuation, all of the taxes levied upon taxable property in the Tax Increment Area shall be paid into the funds of the respective public bodies. Also, when such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith have been paid, all remaining taxes upon the same taxable property shall be paid to the respective public bodies.

Further, the incremental portion of said taxes, as described in this subsection 7.3.3, may be irrevocably pledged by the Authority for the payment of, principal and interest on, and any premiums due in connection with such bonds, loans, advances and / or indebtedness incurred by the Authority to finance a Development Project; except:

- (a) Any offsets collected by the County Treasurer for return of overpayments or any funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S.
- (b) Any reasonable (as determined by the Authority) set-asides or reserves of 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 Plan, the provisions of the Act shall prevail, and the language in the Plan automatically deemed to conform to the statute.

7.4 Other Financing Mechanisms and Structures

This Central Leadville Urban Renewal Plan is intended to provide for the use of TIF as one tool to facilitate investment and reinvestment within the Area. Whereas the Authority is authorized to finance its implementation by any method authorized by the Act, it is committed to making a variety of strategies and mechanisms available, including those that may be used independently or in various combinations, as may be necessary to further its objectives. Given the obvious and well-documented obstacles often associated with infill development and redevelopment, the Authority recognizes that it will be 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.

Central Leadville Urban Renewal Plan

City of Leadville, Colorado

Appendix A:

Excerpts from City of Leadville Comprehensive Plan, March 2015

Chapter 1: Comprehensive Plan Summary

Aligning Economy, Infrastructure, and Land Use

Achieving a sustainable future requires simultaneous and ongoing planning with implementation that aligns economic growth strategies with infrastructure/asset planning and with future land use.

Diversifying and expanding the base of businesses and organizations that generate wealth and local employment is critically important for Leadville and Lake County's future sustainability. The solution to these challenges is largely the same: grow and diversify the local economy.

The goals in the Comprehensive Plan seek to build more local employment and even recruit businesses from the I-70 resort corridor to locate their base of operations in Leadville and Lake County.

According to the community survey, over 80% of respondents are not satisfied with the quality and variety of goods, foods and other day-to-day necessities offered by local serving businesses.

These factors call for a coordinated strategy for expanding and diversifying the economic base and creating jobs locally that will attract new residents and retain the people who live here today.

The City of Leadville serves a critical role in the economy, with the historic downtown as the heart of the city and the center of historic and community identity. In addition to

containing the southern Highway 24 commercial corridor entrance to Leadville, the city also functions as the regional center for schools, government and public services. There are historic mixed-use neighborhoods in Leadville that with careful long-range planning and rehabilitation could be great assets for small businesses. Because retail sales are such a critical component of city revenues, retail, restaurants/bars and lodging deserve special consideration. Retail options should fit with the small-town character of Leadville and be feasible and sustainable from an economic and market perspective.

The Climax Molybdenum Company mine also generates significant severance-tax and property-tax revenues for local government.

Mining is an important industry today, making up 13% of the economic base

While mining is an important component of the economic base now and in the future, diversifying the economic base will fortify the overall economy so that future market fluctuations in mining are not felt as sharply.

Economic Growth Strategy

With these economic realities acknowledged, Chapter 2 of the Comprehensive Plan articulates a set of economic growth focus areas, each with general goals and specific strategies that aim to diversify the economy and expand livelihoods in Leadville and Lake County.

- *Business Support*
- *Downtown Support and Revitalization*
- *Local Government Role in Physical Asset Development*
- *Tourism Marketing*
- *Attract New Businesses That Build the Economic Base*

City Assets and Core Infrastructure

Leadville provides streets and drainage, police, and maintenance facilities and City Hall. Public-services and infrastructure partners such as Lake County, Parkville Water District, Leadville Sanitation District, Lake County School District, Colorado Mountain College and public lands agencies all contribute to the public assets and services that

support the community. The Comprehensive Plan integrates strategies for improving city assets and core infrastructure organized by type of asset.

Water

Parkville Water District currently serves the City of Leadville and unincorporated lands in the Leadville Periphery and is the most important entity in the county for current and future domestic water supply.

Sanitary Sewer

While the Leadville Sanitation District boundary covers the City of Leadville and the adjacent unincorporated lands around it, the collection system is much larger and serves roughly the same areas as the Parkville Water District. Improvements have been made to the collection system in recent years that will accommodate future growth, but ongoing improvements to the aging collection system are needed. The Leadville Sanitation District operates a wastewater-treatment plant (WWTP) serving approximately 3,014 Equivalent Single Family Residences (EQR), which is 70% the permitted capacity of 4,300 (EQR). This means the wastewater-treatment plant meets current demand, but a future growth period could trigger the need for a significant upgrade to the existing plant or the need for a new treatment plant. Ideally, a new plant would be sited further downhill and allow for expansion of the service area.

Transportation

Leadville is in need of an objective analysis and prioritization schedule for systematic maintenance of city streets and associated drainage and sidewalk improvements. A survey of the streets right-of-way is an important early step. The assessment would include a streets conditions rating and assign a prioritized program for surface, drainage and sidewalk improvements. 57% of respondents to the community survey said that street driving surface and drivability needs improvement.

Bike and pedestrian facilities including sidewalks, street crossings and the grid-pattern streets are of critical importance. Safe crossings downtown and continuous sidewalks connecting neighborhoods in and around the City of Leadville to destinations in the city such as schools, parks, trails and downtown are all needed.

In the long term, adding a sidewalk along the southern Highway 24 corridor is also a key improvement.

“ . . . connecting and completing sidewalks along key routes . . . ”

Planning for a transportation system that accommodates automobiles, cyclists and pedestrians is a critical component of transportation planning in the Leadville area.

“ . . . need for continuous and adequate sidewalks along major pedestrian corridors . . . ”

Expanding bus and/or shuttle service is also an important component of planning for the future of transportation options in the county. Existing service include the Summit Stage/Lake County Link which provides commuter busses to Summit County and ECO Transit which provides commuter busses to Eagle County.

“ . . . the elderly and children have no transit options to get around inside of Lake County and Leadville today.”

Intergovernmental Coordination

In order to plan for and finance the construction and maintenance of such capital-improvement projects, the governmental and quasi-governmental entities providing public infrastructure and services may want to create and further define intergovernmental relations.

Future Land Use Plan

- Enhancing downtown Leadville as the historic and pedestrian-oriented heart of the community and the economic engine for the city and creating an environment where people can live downtown and add to its vitality.
- Balancing housing and commercial development so that people can live and work in Leadville.
- Re-establishing the vitality of the historic commercial and mixed-use block east and west of Harrison Avenue.
- Encouraging infill and redevelopment in the residential neighborhoods in the historic town site and creating diversity in housing types.
- Building on the neighborhood character, efficiency, convenience and pedestrian/bike friendliness offered by the historic streets and alleys grid.

- Improving the vitality, visual appearance and bike/pedestrian facilities along the southern Highway 24 corridor.
- Promoting Leadville’s historically mixed-use neighborhoods along Chestnut and Elm Streets as economic assets for small businesses.
- Promoting retail and restaurants that serve both local residents and visitors and augmenting the inventory of in-town businesses that serve day-to-day needs of residents.

Chapter 2: Economic Growth Strategy

Vision

Increasing economic self-sufficiency is the most important component of the vision for a diverse and sustainable economy. A healthy balance between businesses and residents will make Leadville and Lake County more self-sufficient because people can meet daily needs and live and work in Leadville and Lake County.

One of the fundamental roles for the city in furthering economic growth is to maintain and plan for improvements to the city’s core infrastructure. Fiscal constraints have limited the city’s ability to fund improvements and the city will need to continue working with partners to identify feasible strategies to pay for infrastructure improvements and maintenance.

Chapter 4: Future Land Use Plan

Vision

There is no doubt that Leadville has the quality called ‘sense of place’ that has proven to be elusive in many communities.

Leadville is a place where people pride themselves on self-sufficiency, but also have a long history of helping each other, both in the short term when needs arise and over the long term with a network of non-profits, volunteer groups, organizations and businesses that consistently provide help and support to people and businesses.

City Future Land Use Plan Designations

Highway Commercial

This designation emphasizes convenient automobile access and parking and allows well-screened broken-up parking lots in the front as seen from the highway.

Auto access is balanced with obvious and convenient access for pedestrians and bikes. Avoid monotonous block-like structures by incorporating interesting and varied façades and encourage a mountain/rustic architectural style that fits the mountain-town setting and reflects the mining heritage. This designation allows for a flexible mix of retail, restaurants, service commercial, offices and other uses aimed at attracting and accommodating customers on-site.

Town Site Mixed Use

This designation covers the southern edge of the historic town site, backing the highway commercial corridor along Highway 24 south along Chestnut and Elm Streets. Today, the area is mostly single-family residential with mixed multi-family residential, commercial, office, and light industrial/warehousing. The development pattern is characterized by multi-family development, with most non-residential buildings located on the block corners and single-family residential in the interior of the blocks. The existing development pattern reflects the pragmatism that is central to Leadville's character. Multi-family and non-residential uses are more traffic-intensive and require ready access and more parking. Block corners have more street frontage and alleys that can better accommodate traffic and internal circulation. By deliberately directing traffic intensive uses to the block corners and providing adequate on-site parking and landscape buffering, residential and non-residential uses can continue to coexist in this neighborhood as it evolves.

Downtown

Downtown is the historic center of commerce, celebrations, competitions and civic life. The most important priority for the future of downtown is to maintain and enhance the characteristics that have proven successful in the past. The intent is to stay true to the character of the historic downtown and yet encourage future development and redevelopment that will strengthen and expand the core of the community. A primary component of this will be to preserve and build support and resources to ensure the preservation and maintenance of historic structures and landmarks in the downtown core and to respect and relate to this historic character.

Maintaining and improving the pedestrian-friendliness of downtown is a top priority. One of the characteristics that makes Leadville's historic district so distinctive is the direct connection between the buildings and the sidewalk, and the obvious orientation towards pedestrians. Future development should site buildings at the edge of the

sidewalks and existing gaps in the block faces should be filled in, except for plazas, pocket parks and other gathering places. This designation encourages the revitalization of the historic commercial buildings along the blocks east and west of Harrison Avenue and a balanced long-term transition of this historic mixed-use neighborhood to increase the depth of downtown.

Land uses have evolved to make the best use of the land, with the predominant pattern of customer-oriented commercial on the street level and offices, lodging and residential on the second and third stories. Consolidating parking in multi-use collector lots and making the best use of alley parking would help meet peak-season and day-to-day on-site parking needs.

The City Periphery/3-Mile Plan

Residential Infill

These are areas that are inside or near the Parkville Water District and Leadville Sanitation District service areas that are not part of a subdivision or developed residential neighborhood. Looping and other essential improvements to water lines will be needed to supply this entire area with culinary water and extension and improvements to the sanitary sewer collection system are feasible but will require investment. The mining claim patchwork along the northern corner of the city will likely require infrastructure investments to provide adequate water pressure. The predominant development pattern today in the Residential Infill designation is medium-to large-lot residential neighborhoods. Future residential densities will depend on the physical constraints and real estate market trends, but this designation encourages higher-density housing close to Leadville and within biking and walking distance to destinations in the city. Work with partners to establish more bike and pedestrian trails and pathways for connectivity in future developments in the Residential Infill designation. In the Residential Infill areas adjacent to the City of Leadville Historic Town Streets Grid along the northeast corner of the city near the Poverty Flats area, extend the town streets grid so that future development extends and builds on the small-town form.

Highway Commercial

This designation emphasizes convenient automobile access and parking and allows well-screened broken-up parking lots in the front as seen from the highway. Auto access is balanced with obvious and convenient access for pedestrians and bikes. Avoid monotonous block-like structures by incorporating interesting and varied façades

and encourage a mountain/rustic architectural style that fits the mountain town setting and reflects the mining heritage. This designation allows for a flexible mix of retail, restaurants, service commercial, offices and other uses aimed at attracting and accommodating customers on-site.

Mixed Use

The Mixed-Use designation allows for more than one use, for example, residential and commercial uses, in the same building (vertical mixed-use) or different uses adjacent to one another in the same development (horizontal mixed-use). Both vertical and horizontal mixed-use are encouraged in this designation. Explore possibilities for live-work buildings and allow home occupations to encourage citizens to live and work in Lake County. Street rights-of-way should be scaled sufficiently to accommodate automobiles, bicycles, pedestrians and trees, depending on the intended use of the street.

General Commercial

This provides for a variety of workplaces including manufacturing, offices, industry support services, storage buildings/yards, transportation and aviation services, utilities and other primary employment facilities. This designation also encourages secondary uses such as retail sales, coffee shops, restaurants, and daycare facilities that support the primary uses.

Central Leadville Urban Renewal Plan

City of Leadville, Colorado

Appendix B:

Central Leadville Urban Renewal Area Legal Description