Urban Renewal Plan
Lafayette Old Town & South Boulder Revitalization Area
Modified May 22, 2013

I. Introduction
The Urban Renewal Plan (the "Plan") for the City of Lafayette's Old Town Area and South Boulder Road Revitalization Area has been prepared pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended (the "Urban Renewal Law"). The administration of the Plan, including the preparation and execution of any documents implementing it, shall be performed by the Lafayette Urban Renewal Authority (the "Authority").

The Plan, and any modifications thereto, shall control the land use, design, and building requirements within the Plan Area, as defined below. Any development within the Plan Area must be approved by the Authority as required herein and comply with all City of Lafayette ordinances and regulations. Any terms used in this Plan that are not defined herein are governed by definitions in the City of Lafayette Municipal Code.

It is the intent of this Plan that the objectives will be achieved primarily through cooperation between the public and the private sector, and utilizing the incentives and tools available from all sources, including the Urban Renewal Authority. It is also the intent that implementation will be fair, sensitive to the concerns of businesses and residents, and with preference to locally based businesses. Acquisition of property through the use of eminent domain will only be used as a last resort.

Historical Background
Lafayette had its origins in farming and coal mining in the 1870's, and the townsite was platted in 1888 in the area now known as "Old Town." It was a thriving community, and early requirements for building permits and minimum costs of construction led to a town of substantial buildings. Land was donated for a church, a cemetery and a park, and early twentieth century prohibitions on "noxious" uses preserved the pleasant atmosphere of the downtown. In 1914, the Town boasted two banks, four hotels, three restaurants, three general merchandise stores, one bakery and confectionery, and many other retail services. It had churches, a fire station, and town hall, and was served by two railroads.

Although coal mining has long since declined in the area, and farming is very limited in scale, Lafayette has seen significant residential and commercial growth in the last ten years. The transportation and cultural changes of the twentieth century have distributed most of the growth outside of the Old Town Area, and the downtown has declined significantly from its early years. In every recent study and report that addresses quality of life in Lafayette, residents have indicated an

AMENDMENTS:
• Modified May 22, 2013 by Resolution No. 2013-25;
• Amended March 5, 2012, by Ordinance No. 8, Series 2012;
• South Boulder Road Revitalization Area established on June 4, 2002, by Ordinance No. 13 Series 2002;
• Lafayette Old Town Urban Renewal Area established on October 5, 1999, by Ordinance No. 38 Series 1999.
interest in revitalizing the downtown area. In the late 1980's significant commercial growth occurred at the intersection of Public Road (the U.S. Highway 287) and South Boulder Road. It included large (>40,000 sq. ft.) retail outlets including two grocery stores and a Wal*Mart. In a 1997 Citizen Survey, residents indicated that "small town atmosphere" is the single most admired quality of Lafayette. A Downtown Plan (1994) recognizes the importance of Lafayette's Old Town area, and makes several recommendations to enhance its attractiveness, including major public improvements, design guidelines, business promotions and an "image" program.

The 1997 Comprehensive Plan identifies several specific goals for its downtown:

- **Goal 3.** To preserve Old Town Lafayette's character, allow for a growing market population, and develop a strong image for downtown.

- **Goal 18.** To promote a pedestrian-friendly and inviting downtown environment that will encourage shoppers and others to visit downtown more often and remain downtown for extended periods of time.

- **Goal 35.** To encourage businesses that complement Old Town shopping and enhance the strengths of downtown.

- **Goal 37.** To provide resources in support of the revitalization of Old Town Lafayette.

In 1998, a *Strategic Business Development Plan* was drafted for the City of Lafayette by the University of Colorado Business Research Division. A key theme, reiterated by local business leaders, regional economic development professionals, residents, and the authors of the study, was the need to revitalize downtown.

During the late 1990's, downtown Lafayette had an active Old Town Merchants Association, and has participated for sixteen years in the Lafayette/Louisville Downtown Revitalization Program, a revolving loan fund for small business. Considerable redevelopment has occurred already, but much work remains to be done.

The City Council has identified downtown revitalization as a high priority, and in 1999, the City of Lafayette has undertaken a $3 million public improvement project to provide fiber optic lines connecting Old Town with the South Boulder Road Revitalization Area, improve storm sewer facilities, drainage, street lighting, and the streetscape on Public Road. This major investment is expected to serve as a catalyst to private investment in the Lafayette Old Town Area. In addition, on April 20, 1999, the City Council approved a resolution establishing the Lafayette Urban Renewal Authority. The Authority was created in response to a citizens' petition for the formation of an urban renewal authority, findings of blight in the Old Town Area, and following a public hearing on the matter. The purpose of the Authority is to serve as the public entity to effect revitalization and
redevelopment in the downtown area. The Authority will work in partnership with property owners to improve existing structures, bring new commercial and mixed use development to raw land within the blighted area, and prevent deterioration of properties within the area.

A Conditions Survey for Old Town (Exhibit 3) was undertaken in March and April of 1999, with the following results:

"It is the conclusion of Conditions Survey that the Survey Area does meet the criteria established in Section 31-25-103(2) C.R.S., and in House Bill 99-1326 and is a blighted area. While there are some properties in the Survey Area that are in sound condition, and exhibit none of the statutory factors of blight, there is a substantial degree of deterioration and substandard conditions that contribute to a finding that this area is blighted. It should be noted that this conclusion is made for the Survey Area as a whole, and is not based on separate, individual properties.

Existence of the combination of factors in this blighted area "substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations or constitutes an economic or social liability..."

(31-25-103(2) C.R.S.)

The conclusion that this area is blighted is based on the following findings:

1. There is a substantial number of deteriorated or deteriorating structures in the Survey Area.
2. There is a presence of faulty lot layout within the Survey Area consisting of properties with inconvenient access, and lots of inadequate size for current development needs.
3. There is a presence of unsanitary and unsafe conditions in the Survey Area including lack of pedestrian facilities, inadequate lighting, hazardous play areas, junk and debris, and higher crime rates.
4. There is a strong presence of site problems in the Survey Area, consisting of parking problems, unpaved alleys, awkward building placement, and other site constraints.
5. There is a strong presence of substandard conditions in the Survey Area.
6. The conditions of blight that exist in Old Town Lafayette have inhibited business growth, and have led to the loss of several businesses and significant losses of sales tax revenue, which is the primary source of revenue for the City.
7. The conditions of blight that exist in Old Town Lafayette have hindered industrial recruitment efforts, thus constituting an economic and social liability, and arresting the sound growth of the municipality.

Because the large commercial centers built in the late 1980's had physically and economically deteriorated, a second Conditions Survey (Exhibit 4) on a second blighted area was undertaken in March and April of 2002, with the following results:
"...the survey area has significant examples of the conditions associated with the legal
definition of blight as established in C.R.S. Section 31-25-103(2) as amended and is
a “blighted area”.

The conclusion that the South Boulder Road Revitalization area is blighted is based on the
following findings:

1. Deteriorated and deteriorating structures exist within the survey area.
2. There is a predominance of defective or inadequate street layout within the survey area.
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness exists within
the survey area.
4. Unsanitary or unsafe conditions exist within the survey area.
5. Deterioration of site or other improvements exists throughout the survey area.
6. A defective or unusual condition of title exists that could render a title unmarketable
exists.
7. The existence of conditions that endanger life or property by fire and other causes exist
within the survey area.
8. The survey area has been experiencing a business decline during a strong economic
period, supporting the finding that it is a “blighted” area.

II. Plan Objectives.
The purpose of the Urban Renewal Plan is to implement the goals of the Lafayette Comprehensive
Plan relating to the downtown and the South Boulder Road Revitalization. This revitalization and
redevelopment will be accomplished through the improvement of existing structures, attraction of
new commercial and mixed use development, and the prevention of deterioration of properties
within the area. The effort will involve the participation of the Authority and the City of Lafayette,
with the cooperation of the private sector. In downtown, the Authority recognizes the importance of
parking impacts on both businesses and residents, and intends to make the consideration of parking
improvements a high priority.

The Urban Renewal effort is primarily an economic development catalyst for the areas. It is not
intended to replace the efforts of [Lafayette Old Town, Inc. (LOTI), or the Chamber of Commerce]
other business development, marketing or maintenance efforts. Other vehicles, such as Business
Improvement Districts (BID’s) can be utilized for long term interests.

Specific project goals include the following:

1. To implement the 1997 Lafayette Comprehensive Plan, particularly the goals relating to
the revitalization of downtown (Goals 3, 18, 35 and 37) and economic development in
general.
2. To eliminate and prevent conditions of blight which constitute economic and social
liabilities to the community.
3. To prevent physical and economic deterioration in the Urban Renewal Area.
4. To attract capital investment, and to assist in the retention and expansion of existing business, strengthening the City’s economic base.
5. To help preserve the unique “Old Town” character of downtown.
6. To create a stable tax base.
7. To facilitate the development of mixed use projects, and improve the standards for residential uses in the downtown area.

III. Plan Area
The Urban Renewal Area includes two areas: (1) Old Town, generally the south side of Baseline Rd., from Shady Acres Mobile Home Park east to Harrison St.; Public Road from Baseline Road to Spaulding St.; and E. Simpson St. from Public Road to Michigan Ave., and (2) The South Boulder Road Revitalization Area (SBRRRA), generally west of Public Road, east of Hwy 287, both north and south of South Boulder Road. A map and detailed description are included in the Appendix as Exhibits 1 & 2.

IV. Plan Activities
Although Colorado’s Urban Renewal Law and this Plan permit a wide range of activities, preemptive powers such as condemnation are unlikely to be exercised widely. It is the intent of the Lafayette Urban Renewal Authority to use its legally permitted tools as incentives to stimulate the private sector, and in cooperation with property owners and other affected parties to accomplish the objectives of the plan. It is expected that there will be very limited use of property acquisition by the Authority itself.

A. Owner Participation
The Urban Renewal Authority may enter into ownership participation agreements with property owners or developers in the Urban Renewal Area for the development, redevelopment or rehabilitation of their property. These agreements would provide for participation and assistance that the Authority may choose to provide to such owners or developers.

Owner participation and other agreements of this nature shall contain, at a minimum, provisions requiring:

- Compliance with the Urban Renewal Plan and City ordinances and regulations.
- Covenants to begin and complete development, construction or rehabilitation of both public and private improvements within a period of time considered to be appropriate by the Authority.
- The financial commitments of each party.

B. Property Acquisition
In the event the Lafayette Urban Renewal Authority determines it is necessary to acquire any real
property to implement this plan, the Authority may do so by any means available by law, including, without limitation, by exercise of the power of eminent domain. The Authority may acquire property 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 Urban Renewal Plan, subject to the provisions of the Urban Renewal Law, or any other applicable law.

C. Property Management
During such time as acquired property is owned by the Authority, such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

D. Relocation Assistance and Payments
If acquisition of property displaces any person, family, or business, 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 outlined in the Relocation Handbook. The Authority may update its handbook from time to time.

E. Demolition, Clearance, and Site Preparation
The Authority may demolish and clear buildings, structures, and other improvements from any property it acquires in accordance with this plan. The Authority may provide rough and finished site grading and other site preparation services as part of a specific redevelopment program.

F. Public Improvements and Facilities
Public improvements and cooperation by the public sector (Lafayette Urban Renewal Authority and the City) with the private sector will be considered insofar as such improvements and actions enhance the success of redevelopment of the Urban Renewal Area and respond to community needs. It is expected that community parking needs in the Old Town portion of the Urban Renewal Area will be met through the formation of a parking district or some similar mechanism, and will be funded by property owners and businesses.

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

H. Cooperation Agreements
For the purposes of planning and carrying out this Plan, the Authority may enter into one or more cooperation agreements with the City or other public entities. 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 Plan.
1. Recognizing the limited resources that are available to the Authority and that those resources should, to the extent reasonable possible, be expended directly on projects and improvements in the Urban Renewal Areas, it is intended that the Authority utilize existing City administrative services (such as staff, offices and facilities, and insurance policies), so as to avoid duplication of those general administrative expenses.

2. As a means to effectively and efficiently finance the administration of the Authority in the implementation of this Plan, the City of Lafayette will, subject to annual appropriations by City Council, provide reasonable “General Administrative Support” to the Authority by (1) the assignment of one or more City employees, as determined by the City Administrator, to act and carry out the functions of the executive director of the Authority and provide other general administrative services. (Neither the City nor the Authority anticipate that the assigned employee(s) will be exclusively devoted to the Authority’s activities); (2) providing reasonable administrative support through the various offices and departments of the City; (3) providing general legal services through the offices of the City Attorney; (4) providing reasonable use of City facilities as are necessary to carry out the general business of the Authority; and (5) including the Authority as an “insured” on various of the City’s insurance policies when such inclusion is cost effective. Such General Administrative Support shall not extend to securing employment of outside consultants and experts, or payment of significant expenses that are directly related to any urban renewal projects that are undertaken by the Authority. As compensation for the General Administrative Support provided by the City to the Authority, the Authority shall pay to the City, on an annual basis, 10% of the gross revenues of the Authority.

3. Prior to undertaking any urban renewal project pursuant to this Plan for which the cost is reasonably anticipated to exceed 40% of the budgeted amount of tax increment revenues of the Authority for that year, the Authority will present such proposed project to the Lafayette City Council and obtain City Council’s consent to proceed with the project.

4. As a part of the annual budgeting process of the Authority, the Authority will present its annual budget to City Council for the purpose of securing any comments or suggestions from the City Council, prior to the adoption of the budget by the Authority.

I. Other Plan Undertakings and Activities
Other Plan undertakings and activities deemed necessary by the Authority to carry out the Plan may be undertaken and performed by the Authority or pursuant to agreements with other public or private entities in accordance with the provisions of the Urban Renewal Law and any other applicable laws.

V. Plan Financing
The Authority is authorized to finance implementation of the Plan by any method authorized by the Act or any other applicable law, including, without limitation, appropriations, loans or advances from the City; federal loans and grants; state loans and grants; interest income; agreements with public and private parties or entities; sale of securities and other assets; property and sales tax
increments; loans, advances and grants from any other available source.

Such methods may be combined to finance all or any part of the Plan activities. Any financing method authorized by the Plan or by any applicable law, 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 City to finance any project contemplated by this Plan or undertaken pursuant to the 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 project. 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 tax increments or any other funds available to the Authority.

Projects may be financed by the Authority under the tax increment financing provisions of the Act. Such tax incremental revenues may be used for a period not to exceed the statutory requirement, which is presently twenty-five years after the effective date of the initial adoption of this Plan, or as the Authority and City may otherwise agree. The Authority shall notify the Boulder County Assessor of the approval of the plan, the commencement of such tax increment financing, when outstanding obligations have been paid off, and when the purposes of the Authority have otherwise been achieved.

A. Establishment of Fund
The Authority shall establish a tax increment revenue fund for the deposit of all funds generated pursuant to the division of ad valorem property tax and municipal sales tax revenues described in this section. By approving this Urban Renewal Plan, the City Council hereby approves the inclusion of both property taxes and municipal sales taxes within the tax increment revenue fund.

B. 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, and that portion of municipal sales taxes collected within the boundaries of the Urban Renewal Area in the twelve-month period ending on the last day of the month prior to the effective date of the approval of the Plan, or both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

C. Increment Amount
That portion of said property taxes in excess of such base amount or, that portion of said municipal sales taxes in excess of such base amount, or both, shall be allocated to and, when collected paid into the tax increment revenue fund to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to or indebtedness incurred by the Authority.
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 entities. Unless and until all or the relevant part of the municipal sales tax collections in the Urban Renewal Area exceed the base year municipal sales tax collections in the Urban Renewal Area, all such sales tax collections shall be paid into the funds of the City.

VI. Land Use and Building Requirements
The Lafayette Urban Renewal Area is the heart of the City of Lafayette. The Plan will provide a comprehensive and unified plan to promote and encourage high quality development. In addition to the land use and building requirements contained in City codes and regulations, and in the provisions of the Plan, the Authority will adopt Design Guidelines and Standards that will apply to the property included in the Urban Renewal Area. The Plan and Design Guidelines and Standards will implement the provisions of Sec. 31-25-107(8) of the Act, which provides that, upon approval of the Plan by the City Council, the provisions of the Plan shall be controlling with respect to land area, land use, design, building requirements, timing or procedure applicable to the property covered by the Plan. The Plan will recognize any properly designated historic landmark in the Urban Renewal Area. This plan will not supersede any conditions of properly designated historic landmarks.

In the absence of Plan requirements governing site-specific projects, standard City codes and regulations will apply. In the event of a conflict involving the provisions of the City codes and regulations, the Plan, and Design Guidelines and Standards, the most restrictive provision shall govern.

A. Uses
   1. For the portion of the District currently zoned B1, notwithstanding the provisions of the underlying B-1 zoning, the following use restrictions apply in the Urban Renewal Area.

   (a) Permitted:
       Accessory uses;
       Accessory building/structure;
       Arts gallery or studio;
       Household pets;
       Medical/dental offices;
       Micro brew pub;
       Micro brewery;
       Motels/hotels/resorts
       Offices, except for bail bond brokers;
       Parks and playgrounds;
       Personal service outlets, (except tattoo parlors), such as barber and beauty
shops, self-service laundries, shoe repair, tailors, dry cleaners and travel agencies;
Recreational club or facility (indoor or outdoor);
Restaurants;
Retail sales including but not limited to the sale of food, beverages, dry goods, furniture, appliances, hardware, and clothing with floor areas of less than 20,000 sq. ft., except pawn shops;
Telecommunications facilities*.

* May be permitted or require a telecommunications review in accordance with Development & Zoning Code Section 26-22.5-8.

(b) Permitted with Special Use Review:
   Assisted living;
   Bed and breakfast;
   Brew pub;
   Churches (30' setback to all residentially zoned lots);
   Commercial parking/parking lots and structures;
   Commercial recreational establishment (such as bowling alley, skating rink);
   Daycare centers;
   Drive-up facilities;
   Drive-up restaurants;
   Extractions of oil and gaseous materials;
   Home occupations;
   Hospitals;
   Indoor amusement, entertainment, arcades;
   Library;
   Lumber, plumbing, electrical and building supplies;
   Mini-banks detached from principal building;
   Mortuary;
   Municipal or public utility facilities and buildings excluding offices, repair and storage yards;
   Nurseries and greenhouses (commercial);
   Printing/publishing;
   Private/public membership clubs;
   Residential:
       Single family dwelling in a mixed use building complex;
       Duplex two-family dwellings in a mixed use building complex;
       Multi-family dwellings in a mixed use building complex;
       Multi-family dwellings;
   Retail with 20,000 square feet or greater, except pawn shops;
School, public
School, private
Tailoring, millinery, electronic part assembly, woodwork, and other similar limited manufacturing activity that does not generate high noise levels and that meets the provisions of the International Building Code Factory Group F requirements
Theaters, auditorium;
Veterinary hospital/clinic;
Telecommunications facilities*.

* May be permitted or require a telecommunications review in accordance with Development & Zoning Code Section 26-22.5-8.

(c) Prohibited:
Agricultural use (crop production only);
Animals;
Asphalt plant;
Automotive paint and body shop;
Automotive and recreational vehicle service and sales greater than two ton;
Automotive and recreational vehicle service and sales less than two ton;
Bailbond broker office;
Board and care facility;
Brewery;
Camper park or campground;
Carwash;
Enclosed (i.e., screened and fenced) storage yard;
Extraction of minerals;
Feedmill;
Gas station (fuel facility);
Golf course (public or private);
Halfway houses;
Kennel and similar uses such as dog daycare;
Machine shops;
Mineral extraction;
Mobile home park or subdivision;
Mobile home sales and service;
Mobile homes on individual lots;
Nursing home/convalescent home;
Parking lots/structures, except as accessory use to permitted or special use;
Pawn shop;
Refineries;
Research facility, testing, laboratory, and facilities for manufacturing, fabricating, processing, and storage of products;
Residential:
    Accessory dwelling;
    Single family dwelling;
    Duplex two-family dwelling;
Sexually oriented business;
Slaughter and processing of animals;
Storage yard;
Tattoo parlor;
Transportation center;
Vehicle storage, sales, service or repair (Motorized);
Wholesale establishments;
Warehouse (mini-storage or other).

2. For the portion of the District zoned C1, notwithstanding the provisions of the underlying C-1 zoning, the following use restrictions apply in the Urban Renewal Area.

(a) Permitted:
    Accessory building/structure;
    Accessory uses;
    Art gallery or studio;
    Home occupations;
    Household pets;
    Lumber, plumbing, electrical, and building supplies;
    Medical/dental offices;
    Micro brew pub;
    Micro brewery;
    Motels, hotels, or resorts;
    Offices, as part of a mixed-use (office/retail) building, except for bail bond brokers;
    Personal service outlets such as barber shop, beauty shop, self-service laundries, shoe repair, tailors, dry cleaners, travel agencies;
    Parking lot or structure as accessory to a permitted or special use;
    Restaurants;
    Retail sales, except pawn shops, including but not limited to the sale of food, beverages, dry goods, furniture, appliances, hardware, and clothing with floor areas of less than 20,000 square feet;
    Retail sales, except pawn shops, with floor areas in excess of 20,000 square feet;
    Telecommunications facilities*;
*May be permitted or require a telecommunications review in accordance with Development & Zoning Code Section 26-22.5-8.

(b) Permitted with Special Use Review
Automotive and recreational vehicle service and sales, less than two ton;
Brew pub;
Churches (30 foot setback to all residentially/zoned lots);
Commercial recreational establishment (such as a bowling alley, skating rink);
Daycare center;
Drive-up facility;
Drive-up restaurant;
Extraction of oil and gaseous materials;
Gas station (fuel facility)
Hospitals;
Indoor amusement, entertainment, arcades;
Library;
Mini-banks detached from principal building;
Mortuary;
Municipal or public utility facility and building, excluding offices, repair and storage yards;
Nurseries or greenhouses (commercial);
Printing, publishing;
Private or public membership clubs.
Recreational club or facility (indoor or outdoor);
Residential:
Single family dwelling in a mixed use building complex;
Duplex two-family dwellings in a mixed use building complex;
Multi-family dwellings in a mixed use building complex;
Telecommunications facilities*;
Theaters, auditoriums, or places of assembly;
Transportation Center, except trucking terminal;
Wholesale establishments.

*May be permitted or require a telecommunications review in accordance with Development & Zoning Code Section 26-22.5-8.

(c) Prohibited:
Agriculture use (crop production only);
Animals;
Asphalt plant;
Assisted living;
Automobile storage yard;
Automotive and recreational vehicle service and sales greater than two ton;
Automotive paint, body, or repair shop;
Bed and breakfast;
Board and care facility;
Brewery;
Camper park or campground;
Commercial parking lot;
Enclosed (screened and fenced) storage yard, except as an accessory use to a permitted or special use;
Extraction of minerals;
Feedmill;
Golf course (public or private);
Halfway house;
Kennel and similar uses such as dog daycare;
Machine shops;
Mobile homes on individual lots;
Mobile home park or subdivision;
Mobile home sales and service;
Nursing home/convalescent home;
Park or playground;
Refinement of hydro-carbons, mineral or gaseous materials;
Research facility: testing, laboratory, and facility for manufacturing, fabricating, processing, or storing products;
Residential:
  Single-family dwelling;
  Two-family dwelling;
  Multi-family dwelling;
School, public or private;
Sexually oriented business;
Slaughter and processing of animals;
Tailoring, millinery, electronic part assembly, woodwork, and other similar limited manufacturing activity that does not generate high noise levels and that meets the provisions of the International Building Code Factory Group F requirements;
Veterinarian hospital or clinic;
Warehouse (mini-storage or other).
B. Plan Review Process

In order to eliminate and prevent blight in the Urban Renewal Area and to achieve high-quality development in the Urban Renewal Area, properties within the Urban Renewal Area will be required to meet the highest standards of site planning and architectural design. To assure that those purposes are accomplished, the Authority shall appoint an Architectural Review Committee (ARC) to review all development applications submitted for the Urban Renewal Area for conformance with the Plan. This includes any physical changes, including, but not limited to, new buildings, building additions or renovations, signs, exterior paint, paving, site plans, demolitions, changes in roof materials, or fencing.

The Architectural Review Committee shall be appointed by the Mayor, and shall consist of the Executive Director of the Urban Renewal Authority, the Community Development Director of the City of Lafayette, an architect, a member of the Historic Preservation Board, a business owner, and a resident in the Urban Renewal Area. Decisions of the ARC or staff may be appealed to the entire Authority Board.

The Architectural Review Committee will also oversee the future development of specific Design Standards for the Urban Renewal Area. The Authority will establish procedures for including public input into the process of development of the Design Standards. The Architectural Review Committee will dissolve when Design Standards for the Urban Renewal Area are adopted.

All development applications in the Urban Renewal Area shall also meet all other City requirements. All development applications in the Urban Renewal Area will first be considered by the Urban Renewal Authority for compliance with this Plan, the Design Guidelines and Standards, and all applicable City codes and regulations. Following approval by the Urban Renewal Authority, all development applications will then follow the normal City review procedures as set forth in Section 26-16 of the Lafayette Code. Any development application that undergoes any substantive change in the City's review procedures must be reconsidered by the Urban Renewal Authority. Notwithstanding the requirements of Lafayette Code Section 26-16-7, the Planning Commission shall have final approval authority for site plans and architectural reviews, provided that such site plan or architectural review was initially approved by the Urban Renewal Authority and remained substantially unchanged throughout the City review process through Planning Commission consideration.

VII. Changes in Approved Plan

This plan may be modified pursuant to the provisions of the Act governing such modifications, including Sec 31-25-107, C.R.S., as amended. The Urban Renewal Authority may allow minor variations from the Urban Renewal 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.
VIII. Severability
If any portion of the Urban Renewal Plan shall be held to be invalid or unenforceable, such invalidity shall not affect the remaining portions of this Urban Renewal Plan.

IX. Term
The Term of this plan is twenty-five years from its initial effective date, unless the Authority deems that all projects have been accomplished and all debts incurred to finance those projects and pay all expenses of the Authority have been repaid. In that event, the Authority may declare the plan implemented and the total tax collections derived from the Urban Renewal Area shall be paid into the funds of the appropriate taxing entity.

Appendix
Exhibit 1: Map of Urban Renewal Area
Exhibit 2: Legal Description
Exhibit 3: 1999 Blight Study
Exhibit 4: 2002 Blight Study
Urban Renewal Areas

Legend

- Old Town Urban Renewal Area
- So. Boulder Rd Urban Renewal Area
Exhibit 2 to Urban Renewal Plan

A portion of the Southeast one-quarter of the Southeast one-quarter of Section 27, Township 1 South, Range 69 North of the 6th Principal Meridian, City of Lafayette, County of Boulder, State of Colorado.

Beginning at the Southwest corner of the intersection of South Boulder Road and South Public Road, the proposed urban renewal district boundary runs North along the West right-of-way line of South Public Road approximately 1248’ to the Northeast corner of Lot 8 Lincoln Plaza Addition, which is also the South boundary line of the City of Lafayette’s existing Urban Renewal District. Thence West approximately 830’ to the Northeast corner of Lot 1 Lincoln Plaza Addition. Thence South along the East property line of Lot 1 Lincoln Plaza Addition approximately 326’ to the North right-of-way line of Waneka Parkway. Thence West and South along the North/West right-of-way line of Waneka Parkway approximately 1108’ to the South right-of-way line of South Boulder Road. Thence West along the South right-of-way line of South Boulder Road approximately 1023’ to the East right-of-way line of State Highway 287. Thence South along the East right-of-way line of State Highway 287 approximately 763’ to the Southwest corner of Lot 6 Block 7 Coal Creek Technology Center Addition. Thence Northeast along the South property line of Lot 6 Block 7 Coal Creek Technology Center Addition, which is also the North right-of-way line of Stacy Court, approximately 556’ to the East right-of-way line of Coal Creek Drive. Thence Southeast along the North/East right-of-way line of Coal Creek Drive approximately 460’ to the Northwest right-of-way line of Courtney Way. Thence Northeast along the North/West right-of-way line of Courtney Way approximately 459’ to the Southwest corner of Lot 4 Block 1 Coal Creek Technology Center Addition. Thence North approximately 583’ to the Northwest corner of Lot 1 Block 1 Coal Creek Technology Center Addition, which is also the South right-of-way line of South Boulder Road. Thence East along the South right-of-way line of South Boulder Road approximately 857’ to the point of beginning. Containing approximately 50.5 acres +/-.
Conditions Survey

City of Lafayette

April 20, 1999
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## Conditions Survey

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## Appendices

- Appendix A Map
- Appendix B Summary of Conditions Survey
- Appendix C Crime Statistics
- Appendix D Sales Tax Chart
- Appendix E Field Survey Log (Notebook)
1.0 Survey Objective and Scope

The objective of this project is to inventory and record certain conditions legally defined as "blight," which must be documented to establish an urban renewal area within the City of Lafayette.

Under Colorado law, the term "blight" describes a multitude of problems that range from physical deterioration of buildings and improvements and the environment to the health, social, and economic problems in a particular area. Before remedial action can be taken by a public agency, however, the Urban Renewal Law (Section 31-25-101 et seq. Colorado Revised Statutes) requires a finding of blighted conditions within the City, by the City Council. To assist in deciding if this requirement has been met, a conditions survey has been performed for the downtown business district in Lafayette. This area includes Public Road, extending south from Baseline to Spaulding; Simpson, extending four blocks east from Public Road; and Baseline, west from Harrison to the Shady Acres mobile home park. The survey area includes 116 parcels, and is 66.8 acres. This report will refer to this area as the Survey Area. It is depicted in map format in Appendix A.

A finding of blight in an area is not confined to a single matter, but rather is a cumulative effect attributable to a number of physical, environmental, social, and economic factors. No single factor can be authoritatively cited as a cause of blight. "Blight" is attributable to a multiplicity of conditions, that in combination, tend to accelerate the deterioration of an area. The following excerpt from Section 31-25-103, C.R.S., defines "blighted area" and the factors that contribute to it:

"Blighted area" means an area "which, by reason of the presence of a substantial number of slum, deteriorated, or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements, unusual topography, defective or unusual conditions of title rendering the title nonmarketable, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such 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 in its present condition and use."
The Colorado Legislature is currently considering modifications to the statutory provisions governing urban renewal, and the sections that address blight have been weighed in this study. In particular, the proposed legislation, which may take effect within the next few weeks, requires that at least four of the factors of blight be present, that a determination of blight must be based on evidence presented at a public hearing, and that the boundaries of an urban renewal area be drawn as narrowly as possible. (House Bill 99-1326, Rerevised).

This study has measured a range of physical, environmental, economic and social factors based upon on-site inspections, research, and interviews conducted with City of Lafayette staff, former staff, and Chamber of Commerce representatives. The primary Survey Exhibit, which is both a photographic log of each parcel in the Survey Area, as well as a parcel-specific conditions report, was compiled by City staff.

Although generally considered a significant component of "blight", public infrastructure conditions were not catalogued in this study, since a major public improvement project, which includes streets, drainage, sidewalk, and lighting improvements is planned for this spring.

2.0 Survey Methodology

Data have been gathered and evaluated along with field observations, in the following areas related to Sec 31-25-103, the statutory definition of blight:

*Structures—deteriorated, deteriorating (damaged, growing worse in quality)
*Lot layout—"faulty" in relation to size, adequacy, accessibility, or usefulness
*Unsanitary or unsafe conditions—unsafe pedestrian and vehicular conditions, junk and debris, weeds, crime
*Site Problems—lighting adequacy, fire access, conflicting land uses, parking or landscaping deficiencies
*Environmental conditions—man-made or natural—floodplain, erosion, asbestos, underground storage tanks
*Defective or unusual conditions of title
*Other substandard conditions which may affect property.

In addition, information was collected on sales tax revenue trends, crime rates, and business recruitment efforts. Other City of Lafayette maps, studies and reports, including the Comprehensive Plan (1997), Strategic Business Development Plan (1999), and a current Zoning Map were reviewed for this survey.
3.0 Area Overview

The area surveyed is the historical center of Lafayette, a 66.8 acre section that comprises what is generally referred to as "downtown" or Old Town Lafayette. It includes Public Road, from just north of City Hall to Baseline, West Baseline, and Simpson, east from Public Road. It is all zoned B-1, Community Service Business District, and includes a wide variety of residences and businesses. The 116 parcels are home to two banks, a large greenhouse/nursery, the Chamber of Commerce, gas stations, antique stores, several restaurants and retail establishments, the County Services Center, the Senior Center, Miner's Museum, auto repair shops, many small service businesses, and a wide variety of single family and multi-family housing, including two mobile home parks. Many of these parcels are legal, non-conforming uses. A survey of historic landmarks is underway.

4.0 Survey Findings

A summary of survey conditions can be found in Appendix B. The entire parcel survey is included in Appendix E (notebook).

Note: While some parcels are identified in this study as examples of deterioration or other types of "blight", this does not indicate any particular intention or designation for future use or action.

4.1 Deteriorated Structures
The condition of deteriorating or deteriorated structures was established through field survey work and analysis of the photo documentation.

Although many of the structures in the Survey Area were in excellent condition, 41 buildings (or 35% of the parcels in the survey area) showed some degree of deterioration. Some of these buildings have relatively minor cosmetic deficiencies, but some are in advanced states of disrepair, and several are vacant.

Examples:
104 N. Public Road 301 E. Simpson
107 N. Public Road 305-307 E. Simpson
608 S. Public Road 309 E. Simpson

FINDING: There is a substantial number of deteriorated or deteriorating structures in the Survey Area.
4.2 Lot Layout
Most of the survey area is part of the original platted area of the City, and the standard lot size is 50' x 140'. The combination of the size of the lots with the existing ownership patterns of the parcels may make redevelopment more challenging. It is easy to see that providing adequate vehicle access, parking, and pedestrian access, as well as an attractive business site, on such small lots is very difficult. This is particularly true on Public Road. In many cases, these small lots must be combined for successful redevelopment. While each lot was not surveyed for size, the approximate size is apparent from the map of the Survey Area, and recorded plats.

Examples:
401 S. Public Road
100 S. Public Road

FINDING: There is a presence of faulty lot layout within the Survey Area consisting of properties with inconvenient access, and lots of inadequate size for current development needs.

4.3 Unsafe or Unsanitary Conditions
Several unsafe or unsanitary conditions exist in the Survey Area. They generally fall into the categories of pedestrian safety problems, excessive junk and debris, hazardous play areas, and crime. Some blocks have no sidewalks, broken sidewalks, or uneven or displaced stone or flagstone walks. Some converted motels which are presently providing longer term housing have no play areas, and children can be seen playing in driveways and parking areas. Numerous properties have scattered junk and debris on the premises, including old equipment, old vehicles, boxes, and exposed dumpsters. Nearly 15% of the Survey Area’s parcels showed evidence of unsafe or unsanitary conditions.

Crime data was not evaluated by property, but in the downtown area in general. The survey area comprises 1.27 % of the City’s area, but accounted for 5.03% of serious crimes in 1998. This includes 25% of the city’s robberies, over 15% of the arson cases, and almost 10% of the auto thefts (See Appendix C).

Examples:
210 W. Baseline
608 S. Public Road
301 E. Simpson
411 E. Simpson
Shady Acres Mobile Home Park
FINDING: There is a presence of unsanitary and unsafe conditions in the Survey Area including lack of pedestrian facilities, inadequate lighting, hazardous play areas, junk and debris, and higher crime rates.

4.4 Site Problems
This category includes a variety of deficiencies that affect the appearance and current and potential usefulness of the property. They include conflicting land uses, access concerns, parking adequacy, unpaved alleys, uneven grades, landscaping deficiencies, drainage problems, etc. Of the 116 parcels in the Survey Area, 50, or 43%, show some evidence of this type of blight.

Examples:
104 W. Baseline
100 S. Public Road
701 S. Public Road

301 E. Simpson
210 S. Public Road

FINDING: There is a strong presence of site problems in the Survey Area, consisting of parking problems, unpaved alleys, awkward building placement, and other site constraints.

4.5 Environmental Conditions
Adverse environmental conditions, either natural or man-made, do not appear to be a significant concern in the Survey Area. The area is not in a floodplain, and drainage problems are being addressed with the installation of major storm drains this spring. Although there is no documentation, it is possible that an underground storage tank exists on one parcel on North Public Road. It is also possible that several structures contain asbestos, but it is not documented. There are no major known polluting industries within the Survey Area. There is occasionally a strong detergent odor associated with a laundromat on Simpson.

FINDING: Adverse environmental conditions are not a significant problem in the Survey Area at this time.

4.6 Title Issues
In old, platted townsites such as the Survey Area, it is not uncommon to find problems with titles or ownership that make a property difficult to market or re-develop. At this time, we are aware of no particular deficiencies of title that would interfere with the
marketability of property.

FINDING: Title deficiencies are not a major detriment to the development of Old Town Lafayette

4.7 Substandard Conditions
This category encompasses other substandard conditions that may affect the property that do not readily fall into other categories. They include conditions such as non-conforming uses, substandard housing, overhead utility lines, under-used areas, unpaved alleys, undefined parking, broken glass, debris and weeds, broken signs, and deficient landscaping. Nearly 40% of the properties in the survey show some evidence of substandard conditions.

Examples:
- 205 N. Public Road
- 105 N. Public Road
- 210 W. Baseline
- 608 S. Public Road
- 701 S. Public Road
- 200 W. Baseline

FINDING: There is a strong presence of substandard conditions in the Survey Area.

5.0 Economic Impacts
Over the course of the last several years, several businesses have closed, or left the downtown area, and although a few businesses are experiencing growth, the area overall shows lagging sales taxes. From 1995 through 1998, the City as a whole experienced an increase of 34% in sales tax revenue. The Survey Area, for the same period, experienced a 1.74% decrease in sales tax revenue. (See Appendix D).

Vacant storefronts, deteriorating buildings, poor pedestrian access, and crime are not inviting to shoppers, and are therefore hindering the development of new retail businesses. The deteriorating condition of downtown has also been a detriment to other kinds of recruiting. Some prospective employers have asked about the location of Lafayette's downtown, and searched elsewhere, saying they were looking for better dining and service opportunities for their employees, or expressing concern about locating an "upscale" building in a problem area.
FINDING: The conditions of blight that exist in Old Town Lafayette have inhibited business growth, and have led to the loss of several businesses and significant losses of sales tax revenue, which is the primary source of revenue for the City.

FINDING: The conditions of blight that exist in Old Town Lafayette have hindered industrial recruitment efforts, thus constituting an economic and social liability, and arresting the sound growth of the municipality.

6.0 Survey Conclusion

It is the conclusion of this survey that the Survey Area, as described in this report, does meet the criteria established in Section 31-25-103(2), and in House Bill 99-1326 and is a blighted area. While there are some properties in the Survey Area that are in sound condition, and exhibit none of the statutory factors of blight, there is a substantial degree of deterioration and substandard conditions that contribute to a finding that this area is blighted. It should be noted that this conclusion is made for the Survey Area as a whole, and is not based on separate, individual properties.

Existence of the combination of factors in this blighted area "substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations or constitutes an economic or social liability..."

The conclusion that this area is blighted is based on the following findings:

1. FINDING: There is a substantial number of deteriorated or deteriorating structures in the Survey Area.

2. FINDING: There is a presence of faulty lot layout within the Survey Area consisting of properties with inconvenient access, and lots of inadequate size for current development needs.

3. FINDING: There is a presence of unsanitary and unsafe conditions in the Survey Area including lack of pedestrian facilities, inadequate lighting, hazardous play areas, junk and debris, and higher crime rates.
4. FINDING: There is a strong presence of site problems in the Survey Area, consisting of parking problems, unpaved alleys, awkward building placement, and other site constraints.

5. FINDING: There is a strong presence of substandard conditions in the Survey Area.

6. FINDING: The conditions of blight that exist in Old Town Lafayette have inhibited business growth, and have led to the loss of several businesses and significant losses of sales tax revenue, which is the primary source of revenue for the City.

7. FINDING: The conditions of blight that exist in Old Town Lafayette have hindered industrial recruitment efforts, thus constituting an economic and social liability, and arresting the sound growth of the municipality.

Appendices
A. Survey Area Map
B. Summary of Conditions Survey
C. Crime Statistics
D. Sales Tax Chart
E. Field Survey Log (Notebook)
Appendix B
City of Lafayette
Conditions Survey

<table>
<thead>
<tr>
<th>Factor</th>
<th>Significant</th>
<th>Somewhat</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structures</td>
<td>14</td>
<td>27</td>
<td>41</td>
</tr>
<tr>
<td>Lot Layout</td>
<td>4</td>
<td>14</td>
<td>18</td>
</tr>
<tr>
<td>Unsafe or Unsanitary Conditions</td>
<td>6</td>
<td>11</td>
<td>17</td>
</tr>
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<td>Site Problems</td>
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<td>Environmental Conditions</td>
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<td>2</td>
<td>2</td>
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<td>Title issues</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Substandard Conditions</td>
<td>10</td>
<td>36</td>
<td>46</td>
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</tbody>
</table>

Total Parcels in Survey Area 116
Total Instances of Blight 174

Of 116 Parcels, 25.8% (30 parcels), have SIGNIFICANT evidence of blight, and an additional 52.5% (61) have SOME evidence of blight. Thus 78.4% of the parcels in the study area evidence some degree of blight.

21.5% of the parcels (25) have no apparent factors of blight.
## Appendix C

### Crime Statistics

Lafayette Old Town Redevelopment District
1998 Statistics

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>10.00%</td>
<td>1.27%</td>
<td>8.73%</td>
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<tr>
<td>Rape</td>
<td>10</td>
<td>1</td>
<td>25.00%</td>
<td>1.27%</td>
<td>23.73%</td>
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<tr>
<td>Robbery</td>
<td>8</td>
<td>2</td>
<td>4.42%</td>
<td>1.27%</td>
<td>3.15%</td>
</tr>
<tr>
<td>Assault</td>
<td>339</td>
<td>15</td>
<td>7.65%</td>
<td>1.27%</td>
<td>6.38%</td>
</tr>
<tr>
<td>Burglary</td>
<td>183</td>
<td>14</td>
<td>3.93%</td>
<td>1.27%</td>
<td>2.66%</td>
</tr>
<tr>
<td>Theft</td>
<td>738</td>
<td>29</td>
<td>9.76%</td>
<td>1.27%</td>
<td>8.48%</td>
</tr>
<tr>
<td>Auto Theft</td>
<td>41</td>
<td>4</td>
<td>15.36%</td>
<td>1.27%</td>
<td>14.11%</td>
</tr>
<tr>
<td>Arson</td>
<td>13</td>
<td>2</td>
<td>29.73%</td>
<td>1.27%</td>
<td>28.46%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>1332</strong></td>
<td><strong>67</strong></td>
<td><strong>5.03%</strong></td>
<td><strong>1.27%</strong></td>
<td><strong>3.76%</strong></td>
</tr>
<tr>
<td>Disorderly Conduct</td>
<td>37</td>
<td>11</td>
<td>29.73%</td>
<td>1.27%</td>
<td>28.46%</td>
</tr>
</tbody>
</table>
Appendix D

Sales Tax Paid

<table>
<thead>
<tr>
<th>Year</th>
<th>Survey Area</th>
<th>% Increase</th>
<th>All other City Businesses</th>
<th>% Increase</th>
<th>Total All City Businesses</th>
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<tbody>
<tr>
<td>1995</td>
<td>$296,790</td>
<td>NC</td>
<td>$2,415,743</td>
<td>NC</td>
<td>$2,712,533</td>
</tr>
<tr>
<td>1996</td>
<td>$251,639</td>
<td>&lt;5.0&gt;%</td>
<td>$2,672,960</td>
<td>10.6%</td>
<td>$2,954,799</td>
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<tr>
<td>1997</td>
<td>$275,895</td>
<td>&lt;2.1&gt;%</td>
<td>$2,873,477</td>
<td>7.5%</td>
<td>$3,149,372</td>
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<tr>
<td>1998</td>
<td>$291,609</td>
<td>5.7%</td>
<td>$3,343,418</td>
<td>16.4%</td>
<td>$3,635,027</td>
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<tr>
<td>1999</td>
<td>$33,228</td>
<td></td>
<td>$532,428</td>
<td></td>
<td>$565,651</td>
</tr>
</tbody>
</table>

Includes all accounts
NC = Not calculated

Sales Tax Paid
Active Accounts Only

<table>
<thead>
<tr>
<th>Year</th>
<th>Sales Tax Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>$217,248</td>
</tr>
<tr>
<td>1996</td>
<td>$224,309</td>
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<td>1997</td>
<td>$239,243</td>
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<tr>
<td>1998</td>
<td>$283,798</td>
</tr>
<tr>
<td>1999</td>
<td>$33,228</td>
</tr>
</tbody>
</table>

This table does not include businesses which have moved or gone out of business, and whose accounts are now closed.

Between 1995 and 1998, businesses accounting for 26.8% of the Survey Area's sales tax have left the area.
1.0 Survey Objective and Scope

The objective of this project is to inventory and record certain conditions legally defined as "blight", which must be documented to amend and the Urban Renewal Area within the City of Lafayette.

C.R.S. Section 31-25-103(2) as amended, defines "blighted area" as follows:

"... an area that, in its present condition and use and, by reason of the presence of at least four 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:

(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;
(g) Defective or unusual conditions of title rendering the title nonmarketable;
(h) The existence of conditions that endanger life or property by fire and 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) Inadequate public improvements or utilities; 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) of this subsection (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. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

This survey has measured a range of physical, environmental, economic and safety factors based on three site inspections, research and review of applicable contracts and covenants, and interviews with City of Lafayette staff. Staff interviews included the City Administrator, Community Development Director, Finance Director and City Engineer. Data was collected and analyzed specific to the findings of blight specified in the Statute. Other factors relative to a finding that the sound growth of the municipality is impaired, that an economic or social liability is present or that a menace to public health, safety, morals, or welfare is present were also examined and used to verify the statutory findings of the study. These additional reviews included vacancy rates, sales tax trends and development interest.

This report presents the findings of blight in both writing and in graphic form. Photographs illustrating the various findings are included as Exhibit B.
2.0 Survey Area

The survey area is contiguous to the existing Lafayette Urban Renewal Area and incorporates property in the Lincoln Plaza Subdivision, Countryside Village Shopping Center and the Coal Creek Technological Center. The study area is more specifically defined as:

A portion of the Southeast one-quarter of the Southeast one-quarter of Section 27, Township 1 South, Range 69 North of the 6th Principal Meridian, City of Lafayette, County of Boulder, State of Colorado.

Beginning at the Southwest corner of the intersection of South Boulder Road and South Public Road, the proposed urban renewal district boundary runs North along the West right-of-way line of South Public Road approximately 1248' to the Northeast corner of Lot 8 Lincoln Plaza Addition, which is also the South boundary line of the City of Lafayette's existing Urban Renewal District. Thence West approximately 830' to the Northeast corner of Lot 1 Lincoln Plaza Addition. Thence South along the East property line of Lot 1 Lincoln Plaza Addition approximately 326' to the North right-of-way line of Waneka Parkway. Thence West and South along the North/West right-of-way line of Waneka Parkway approximately 1108' to the South right-of-way line of South Boulder Road. Thence West along the South right-of-way line of South Boulder Road approximately 1023' to the East right-of-way line of State Highway 287. Thence South along the East right-of-way line of State Highway 287 approximately 763' to the Southwest corner of Lot 6 Block 7 Coal Creek Technology Center Addition. Thence Northeast along the South property line of Lot 6 Block 7 Coal Creek Technology Center Addition, which is also the North right-of-line of Stacy Court, approximately 556' to the East right-of-way line of Coal Creek Drive. Thence Southeast along the North/East right-of-way line of Coal Creek Drive approximately 460' to the Northwest right-of-way line of Courtney Way. Thence Northeast along the North/West right-of-way line of Courtney Way approximately 459' to the Southwest corner of Lot 4 Block 1 Coal Creek Technology Center Addition. Thence North approximately 583' to the Northwest corner of Lot 1 Block 1 Coal Creek Technology Center Addition, which is also the South right-of-way line of South Boulder Road. Thence East along the South right-of-way line of South Boulder Road approximately 857' to the point of beginning. Containing approximately 50.5 acres +/-.

The survey area is graphically depicted in Exhibit A.
3.0 Survey Methodology

Data have been gathered and evaluated along with field observations, in the following areas related to Sec 31-25-103 (2), the statutory definition of blight:

- Slum, deteriorated, or deteriorating structures
- Predominance of defective or inadequate street layout
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- Unsanitary or unsafe conditions
- Deterioration of site or other improvements
- Defective or unusual conditions of title rendering the title nonmarketable
- The existence of conditions that endanger life or property by fire and other causes

In addition, information was collected on sales tax revenue trends, vacancy rates and business development interest.

4.0 Survey Findings

Numerous elements of blight were found in the survey area. As permitted by statute, some of the factors are included under more than one heading. The findings are presented in the order listed in 31-25-103.

4.1 Slum, deteriorated, or deteriorating structures

- The abandoned fuel station located in front of the Coal Creek Sports Center is in a general state of deterioration.
- The Coal Creek Sports Center building has a damaged exterior façade, and an entryway/sidewalk that is in serious disrepair.
- The Coal Creek Shopping Center building has numerous areas that are in need of maintenance or repair. The most noticeable are located on the portion of the building that was the Country General store.

Finding: Deteriorated and deteriorating structures exist within the survey area.
4.2 Predominance of defective or inadequate street layout

- The vacant lots in the Lincoln Plaza Subdivision, on the north side of Waneka Parkway, do not have access to any public street except Waneka Parkway. Roosevelt and Longmont St. have been vacated from Spaulding St. to the south property line of Lincoln Plaza.
- Michele Ct. is a platted street that appears to be partially covered by the Coal Creek Sports Center. Neither the property owner, nor the City has evidence of this defect having been corrected through vacation or replatting.
- The Countryside Village Shopping Center is dependant on poorly maintained, inadequately signed private roadways to provide access to the separately owned properties within the center. Access to property entrances is confusing and poorly delineated.
- The private street providing access to the Coal Creek Technological Center is in a state of disrepair, containing relatively deep pot holes.
- The City Engineer believes that South Boulder Road is an inadequate entrance to the Countryside Village Shopping Center because the traffic signal located at Dixon St. should more properly be located to an entrance to the west, thereby facilitating smoother flow of traffic.

**Finding:** There is a predominance of defective or inadequate street layout within the survey area.

4.3 Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

- The vacant lots that exist north or Waneka Parkway appear to be excessively deep (approximately 275ft x 320ft) without access from a public street other than Waneka Parkway. The lack of visibility from a collector or arterial street results in accessibility deficiencies that may contribute to a lack of development.
- Question exists as to the status of lots platted on the site of the Coal Creek Sports Center. The existing building is placed on all, or part, of six lots and over a portion of a platted street. The owner of the property has indicated that neither he nor his title company have been able to determine the status of the lots and street. The usefulness of the remaining portions of the original lots due to size, configuration and legal status appears to be impaired.

**Finding:** Faulty lot layout in relation to size, adequacy, accessibility, or usefulness exists within the survey area.
4.4 Unsanitary or unsafe conditions

- Cardboard waste was stacked in the gas meter alcove behind the retail development at the east side of the Countryside Village Shopping Center.
- Grease containers are stored at the edge of the private roadway at the rear of the Colorado Technological Center.
- A car battery was disposed of on the ground behind the retail development at the east side of the Countryside Village Shopping Center.
- The lack of curb and gutter along the internal access road in the Countryside Village Shopping Center has resulted in a dangerous rut condition at the entrance to the Checker Auto store.
- The lack of curb and gutter at the entrance to the Coal Creek Technological Center, especially at the turn into the Taco Bell restaurant, has created a dangerous rut/pothole condition.

**Finding:** *Unsanitary or unsafe conditions exist within the survey area.*

4.5 Deterioration of site or other improvements

- The curb, gutter and sidewalk along Waneka Parkway contains areas of serious deterioration.
- The parking lots and roadways throughout the Countryside Village Shopping Center are substantially checkered, cracked and potholed.
- Grocery cart collection facilities in front of Albertson's are damaged and laying on the ground.
- Entrance roads and parking lots within the Coal Creek Technological Center are in a state of disrepair.
- Signs on the Coal Creek Sports Center property are broken.
- The parking lot at the Coal Creek Sports Center is deteriorated and shows signs of drainage problems.
- The landscape islands in the Countryside Village Shopping Center, the Coal Creek Technological Center and the Coal Creek Sports Center show signs of deterioration, with irrigation lines exposed and many areas not containing plants.
- The sidewalk in front of the Coal Creek Sports Center is substantially cracked and either settled or heaved.
- The vacant land in the Countryside Village Shopping Center, east of the Texaco station, contains exposed electrical wiring of the type typically used for sprinkler systems.
- The abandoned gas station property in the Coal Creek Sports Center site has substantial settling of the pavement throughout the site.

**Finding:** *Deterioration of site or other improvements exists throughout the survey area.*
4.6 Defective or unusual conditions of title rendering the title unmarketable

- The deed transferring title to the Albertson's grocery store in the Countryside Shopping Center from Albertson's, Inc. to the City of Lafayette contains a "Existing Supermarket Deed Restriction" limiting the use of the property. This restriction restricts the use of the property, except for specified uses in no more than 3000 square feet of the 40000 square foot facility, from being used for grocery or pharmacy sales. This restriction renders the building unmarketable for the purpose that it was designed and constructed.

Finding: A defective or unusual condition of title exists that could render a title unmarketable exists.

4.7 The existence of conditions that endanger life or property by fire and other causes

- A car battery was in the open, on the pavement, in the loading/parking area behind Albertson's and the retail shops on the east side of the Countryside Shopping Center.
- Cardboard waste was stacked in the alcove containing the gas meters for the retail shops on the east side of the Countryside Village Shopping Center.
- Ruts caused by vehicles, approximately 12 inches deep, exist immediately along side the entrance to the Checker Auto facility. Lighting in the area appears to be very limited creating a potential danger after dark.
- Pot holes in excess of 8 inches deep exist at the point that vehicles turn from the South Boulder Road entrance to the Coal Creek Technological Center into the drive to the Taco Bell restaurant. The holes are located both in the pavement and immediately adjacent to the pavement. Vehicle damage and loss of vehicle control both appear to have strong likelihood.

Finding: The existence of conditions that endanger life or property by fire and other causes exist within the survey area.
5.0 Supporting, non-statutory observations

- The Lafayette Community Development Director indicates that interest, over the past ten years, in the two vacant lots within the Lincoln Plaza Subdivision has been very limited. One application, for an auto service use, was received. This application was denied as an inappropriate use.
- The Lafayette Finance Director examined sales tax revenues from 1997 to present, for the survey area, and found that approximately two-thirds of the businesses had a negative or level revenue trend during that time.
- The owner of the Coal Creek Sports Center estimates that the facility is approximately 19% vacant.
- The major anchor tenant space in the Coal Creek Technological Center, formerly occupied by Country General, is vacant.

Finding: The survey area has been experiencing a business decline during a strong economic period, supporting the finding that it is a "blighted" area.

6.0 Survey Conclusions

Based on the observed conditions, examination of applicable data and the results of interviews with property owners and City staff it is the conclusion of this report that the survey area has significant examples of the conditions associated with the legal definition of blight as established in C.R.S. Section 31-25-103(2) as amended and is a "blighted area".

Brian Rick and Associates, Inc.

Brian E. Rick, President
March 23, 2002