ORDINANCE NO. O-2006- 87

AN ORDINANCE MAKING CERTAIN LEGISLATIVE FINDINGS
AND APPROVING THE URBAN RENEWAL PLAN FOR THE SOUTHEAST LONGMONT
URBAN RENEWAL PROJECT

WHEREAS, Leland Consulting Group (the Consultants) have been retained by the Urban
Renewal Authority of Longmont, Colorado (the Authority) to conduct studies and surveys of the
area (Area) described in Exhibit A, attached to and incorporated herein, to determine if the Area
contains factors included in the definition of “blighted area” in the Colorado Urban Renewal
Law Sections 31-25-101, et seq., C.R.S., (the Act); and

WHEREAS, the Consultants prepared, submitted and presented to the City Council a
document entitled “Southeast Longmont Conditions Survey” (the Survey) dated September 20,
2004 and updated July, 2005, which Survey is incorporated herein by this reference, and which
describes in detail the conditions in the Area; and

WHEREAS, the Longmont City Council found and determined that the Area is a
“blighted area” as defined in Section 31-25-103(2) of the Act; and

WHEREAS, the Authority has prepared and approved the Southeast Longmont Urban
Renewal Plan (the Plan), a copy of which has been approved as to form by the City Attorney and
is attached hereto and incorporated herein; and

WHEREAS, the aforesaid Plan is a matter of public record in the custody of the City
Clerk and is available for public inspection during business hours of the City; and

WHEREAS, notice of the public hearing on the Plan was published as required by
Section 31-25-107(3), C.R.S., at least thirty days prior to the public hearing; and

WHEREAS, written notice was mailed or delivered to each property owner, business,
and resident of the area included in the Plan informing them of the public hearing at least thirty
days prior to the public hearing; and

WHEREAS, the Longmont Planning and Zoning Commission has determined that the
Plan complies with the Longmont Area Comprehensive Plan (the Comprehensive Plan), which is
the general plan for the development of the City as a whole; and

WHEREAS, on November 14, 2006, the City Council conducted a public hearing and
reviewed said Plan pursuant to the procedural and notice requirements of the City Charter, the
Act, and the City Council having considered the evidence presented in support of and in
opposition to the Plan, the Survey, the City’s Comprehensive Plan, and staff recommendations
and so having considered the legislative record and given appropriate weight to the evidence.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO,
HEREBY ORDAINS:

Section 1

The Urban Renewal Area described in the Plan is found and declared to be a blighted
area as defined in the Act. This is a legislative finding by the City Council based upon the
Survey and other evidence presented to City Council.

Section 2

The boundaries of the Urban Renewal Area have been drawn as narrowly as the City
Council determines feasible to accomplish the planning and development objectives of the Plan.

Section 3

The Plan has been submitted to the Board of County Commissioners of Boulder County,
Colorado, (the County) together with the information required by Section 31-25-107(3.5) of the
Act.

Section 4

St. Vrain Valley School District RE-1J has been permitted to participate in an advisory
capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by
Section 31-25-107(9) of the Act.

Section 5

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

Section 6

It is not expected that any relocation of business concerns will be required in connection
with the Plan, but to the extent that any such relocation may be required, a feasible method exists
for the relocation of such business concerns in the Urban Renewal Area or in other areas that are
not generally less desirable with respect to public utilities and public and commercial facilities.
Section 7
The City Council has taken reasonable efforts to provide written notice of the public
hearing prescribed by Section 31-25-107(3) of the Act to all property owners, residents and
owners of business concerns in the proposed Urban Renewal Area at their last known addresses
of record at least thirty days prior to the public hearing on the Plan.

Section 8
Section 31-25-107(4)(d) of the Act does not apply because no more than 120 days have
passed since the commencement of the only public hearing on the Plan.

Section 9
Section 31-25-107(4)(e) of the Act does not apply because the City Council did not fail to
previously approve this Plan.

Section 10
The Plan conforms with the Longmont Area Comprehensive Plan, which is the general
plan for the development of the City of Longmont as a whole.

Section 11
The Plan will afford maximum opportunity, consistent with the sound needs of the
municipality as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area
described in the Plan by private enterprise.

Section 12
All of the Urban Renewal Area is within the corporate limits of the City. Construction of
public improvements and provision of services in the Urban Renewal Area will be the primary
responsibility of the City, the Authority, special districts and public entities other than the
County, and private enterprise.

Section 13
To the extent that the Urban Renewal Area described in the Plan may constitute open
land within the meaning of Section 31-25-107(5) of the Act, it is found and determined that a
shortage of housing of sound standards and design that is decent, safe, and sanitary exists in the
City; the need for housing accommodations has been or will be increased as a result of the
clearance of substandard and dilapidated housing in the City; the conditions of blight in the
Urban Renewal Area described in the Plan and the shortage of decent, safe, and sanitary housing
cause or contribute to an increase in and spread of disease and crime and constitute a menace to
the public health, safety, morals, or welfare; and, if necessary to carry out the Plan, the
acquisition of the area for residential uses (to the extent authorized in the Plan) is an integral part
of and essential to the program of the City.

Section 14

To the extent that the Urban Renewal Area described in the Plan may constitute open
land within the meaning of Section 31-25-107(6) of the Act, it is found and determined that the
nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth
and development of the community in accordance with sound planning standards and local
community objectives and, if necessary to carry out the Plan, the contemplated acquisition of the
area (to the extent authorized in the Plan) may require the exercise of governmental action, as
provided in and subject to the requirements of the Act, because of being a blighted area.

Section 15

The Southeast Longmont Urban Renewal Plan has been duly reviewed and considered
and is hereby approved. The Authority is hereby authorized to take any and all actions pursuant
to the Act to carry out the Plan.

Section 16

To the extent only that they conflict with this ordinance, the Council repeals any
conflicting ordinances or parts of ordinances.

Introduced this 35th day of November, 2006.

Passed and adopted this 12th day of December, 2006.

ATTEST:

CITY CLERK

NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
7:00 P.M. ON THE 12th DAY OF December, 2006, IN THE
LONGMONT COUNCIL CHAMBERS.
APPROVED AS TO FORM:

DEPUTY CITY ATTORNEY

PROOF READ

APPROVED AS TO FORM AND SUBSTANCE:

ORIGINATING DEPARTMENT

CA File:5773