



Mr. Jon Walker  
Executive Director  
Pueblo City-County Library District  
100 East Abriendo Avenue  
Pueblo, Colorado 81004

September 9, 2022

Re: West Pueblo Urban Renewal Area

Mr. Walker,

Your agency has been identified as a taxing body in an area referred to as West Pueblo (the "Project") located on the City of Pueblo's west side. Enclosed are the Impact Report, Conditions Survey, Proposed Plan, and a draft of the Property Tax Increment Revenue Agreement for your consideration with respect to the "Project". A public hearing before the City Council of the City of Pueblo is tentatively scheduled for January 9, 2023.

Pursuant to Colorado Revised Statutes, Section 31-25-107(3.5), we offer the following:

1. Redevelopment improvements necessary to remove the conditions identified in the Conditions Survey dated May 2, 2022, hereto attached as Exhibit A. We are requesting the use of Tax Increment Financing for the entire 25 years permissible per CRS 31-25-104.
2. The goal of the "Project" is to eradicate blight through implementing the Plan, hereto attached as Exhibit B. Activities of the Plan include encouraging investment, alleviating blight, attract new commercial and residential investments, support development of attainable/ affordable housing, to assist in funding County and City Infrastructure and facilities, improve streetscapes to promote pedestrian travel and safety, and invest in cultural/ community spaces.
3. It is anticipated that the generally applicable real and commercial personal property taxes from this project could generate between \$0 to \$58,601,000 over the 25-year period assuming the objectives of providing new housing resources, developing commercial mixed-use projects, and assisting in infrastructure improvements in the County and the City. This project would reverse years of stagnant property tax revenue receipts within this area, and as shown in the impact Report these new

property tax revenues would not be realized in the future without this investment in the project area.

On behalf of the City of Pueblo, and the Pueblo Urban Renewal Authority, we respectfully request your positive consideration and support of the West Pueblo Urban Renewal Area.

If you have any questions, comments or wish to have clarification of the information above, please contact me directly.

Sincerely,



---

Jerry M. Pacheco, Executive Director

Attachments: Conditions Survey, Proposed Plan, Impact Study and Draft Property Tax Increment Revenue Agreement



# Pueblo Urban Renewal Authority

## West Pueblo URA Plan: Conditions Survey

The City of Pueblo, Colorado

166107 | May 2, 2022



Building a Better World  
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Building a Better World  
for All of Us®

May 2, 2022

Pueblo Urban Renewal Authority  
The City of Pueblo, Colorado

Dear Pueblo Urban Renewal Authority Board of Commissioners,

The following conditions survey report is intended to assist the Pueblo Urban Renewal Authority (PURA) with identifying and cataloguing conditions that may be arresting sound development from occurring throughout a specific area of the City. This area, tentatively named "West Pueblo", is being considered for an urban renewal project.

The proposed West Pueblo Urban Renewal Plan will encompass approximately 385-acres. This acreage includes property within the Pueblo City limits as well as unincorporated parcels. There are eight parcels within the proposed West Pueblo Urban Renewal Plan area that total 354.6-acres. The remaining 31-acres includes public right of way as part of North Pueblo Boulevard and West 24<sup>th</sup> Street. The properties in the area are currently vacant.

This report has been prepared based upon the application of Colorado's Urban Renewal Law under C.R.S. 31-25 Part I, more specifically §§ 101 to 116 (the "Act"). The report includes a description of each blighting factor for identification pursuant to Act and an identification of those factors observed, identified and found to exist within the proposed plan area. Blighting factors have also been mapped to illustrate the location of these observed conditions.

Based upon our field observations and analysis, this report finds that the surveyed area meets the Act's statutory minimum of blighting factors required to designate the proposed West Pueblo Urban Renewal Plan as an urban renewal project eligible for urban renewal activities.

Sincerely,

Andrew Arnold, AICP  
Economic Development Planner  
Short Elliott Hendrickson, Incorporated (SEH®)

CC: Jerry Pacheco and Cherish Deeg

# Executive Summary

## The West Pueblo Urban Renewal Plan Conditions Survey:

A conditions survey report is required by Colorado's Urban Renewal Law to examine the existence of specific conditions that contribute to making an area within the community "blighted", and therefore eligible for urban renewal treatment. The conditions survey is the first step in the process of either establishing an Urban Renewal Authority within a municipality or creating an urban renewal plan for a specific geographical area of that municipality.

An urban renewal plan area, also known as an urban renewal project, is defined by state statute to mean "a slum area, or blighted area, or combination thereof, which the local governing body designates as appropriate for an urban renewal project" (C.R.S. 31-25-103). The process to designate an urban renewal plan is organized under Colorado Urban Renewal Law (C.R.S. 31-25-101 to 116).

For an urban renewal plan to be established and adopted, a specific geographic area within the community must be found to exhibit certain conditions. These conditions are known as "blighted area factors" and these factors must be cataloged before urban renewal projects and activities can commence. The surveying of an area for the presence of blighting factors is known as a conditions survey, a report that carefully analyzes a geographic area to determine the existence of factors that, "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." (C.R.S. 31-25-103.2).

The conditions survey does not create a new Urban Renewal Plan or Urban Renewal project. The conditions survey is merely a starting point for that process, one that is required before the Pueblo Urban Renewal Authority can designate a specific plan area, evaluate its fiscal impacts and potential tax increment generation, and adopt its Urban Renewal Plan. The conditions survey's purpose is to evaluate the proposed URA plan area and determine if it meets the statutorily required threshold of blighted area factors. Colorado's Urban Renewal Law defines eleven factors, four of which must be identified before an Urban Renewal Project or Plan can be established and adopted<sup>1</sup>.

The proposed project area was carefully analyzed and surveyed with background research and an in-person field visit. Observations were taken during this field visit that identified the presence of statutorily defined blighting factors throughout the area. These observations were supplemented with a careful analysis of assessed property throughout pueblo county. This report thoroughly reviewed both City and County planning documents, as well as assessment information that could help identify blighting factors that were not easily observable during the site visit.

This conditions survey's conclusion is that the proposed West Pueblo Urban Renewal Plan area exhibits the necessary number of blighting factors to make it eligible for an urban renewal project or plan area according to state statute. This conditions survey identified six (5) blighting factors within the area, listed in the table below:

### West Pueblo URA Plan Conditions Survey - Blighted Area Factors Cataloged

Blighted Area Factor (C.R.S. 31-25-103.2 List Label)	Definition
Factor 2 (b)	Predominance of Defective or Inadequate Street Layout
Factor 3 (c)	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness
Factor 5 (e)	Deterioration of Site or Other Improvements
Factor 6 (f)	Unusual Topography or Inadequate Public Improvements or Utilities
Factor 11 (k.5)	The existence of Health, Safety, or Welfare Factors Requiring High Levels of Municipal Services or substantial Physical Underutilization or Vacancy of Sites, Buildings, or other Improvements

<sup>1</sup> Exceptions include unanimous consent by all impacted property owners and the use of eminent domain.

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# Pueblo Urban Renewal Authority

## West Pueblo URA Plan: Conditions Survey

Prepared for the PURA Board of Commissioners

### 1 The West Pueblo Urban Renewal Plan Summary

#### 1.1 Survey Area

The West Pueblo Urban Renewal Plan's proposed boundary encompasses 385-acres<sup>2</sup>. This area includes municipal and unincorporated property. The area includes eight parcels, five within the city limits and three within the county. The approximate parcel acreage is 354.6-acres. The area also includes public right-of-way that may benefit from urban renewal treatment.

#### Survey Boundary Description

The proposed West Pueblo Urban Renewal Plan targets an area in need of reinvestment and redevelopment. The survey boundary is unique in that it includes properties that are within municipal limits as well as parcels in unincorporated Pueblo County. The proposed plan area is 385-acres in size, with eight parcels making up 354.6 acres. North Pueblo Boulevard forms the spine of the area, bisecting it into eastern and western sections. The eastern section is the larger of the two, and it includes vacant property from West 22<sup>nd</sup> Street to West 31<sup>st</sup> Street. The Western section includes two unincorporated parcels.

The properties in the survey boundary are currently undeveloped. The Pueblo County Assessor's database lists zero building improvement values for these properties. Their assessments range from commercial, to vacant to residential. There are currently no agricultural assessments on these properties, and no obvious agricultural operations. In the surrounding areas, residential neighborhoods can be found to the north and south of the project boundary, and commercial operations are located east and west of the project area. There are also plans to extend public infrastructure, such as Spaulding Avenue, through the survey boundary.

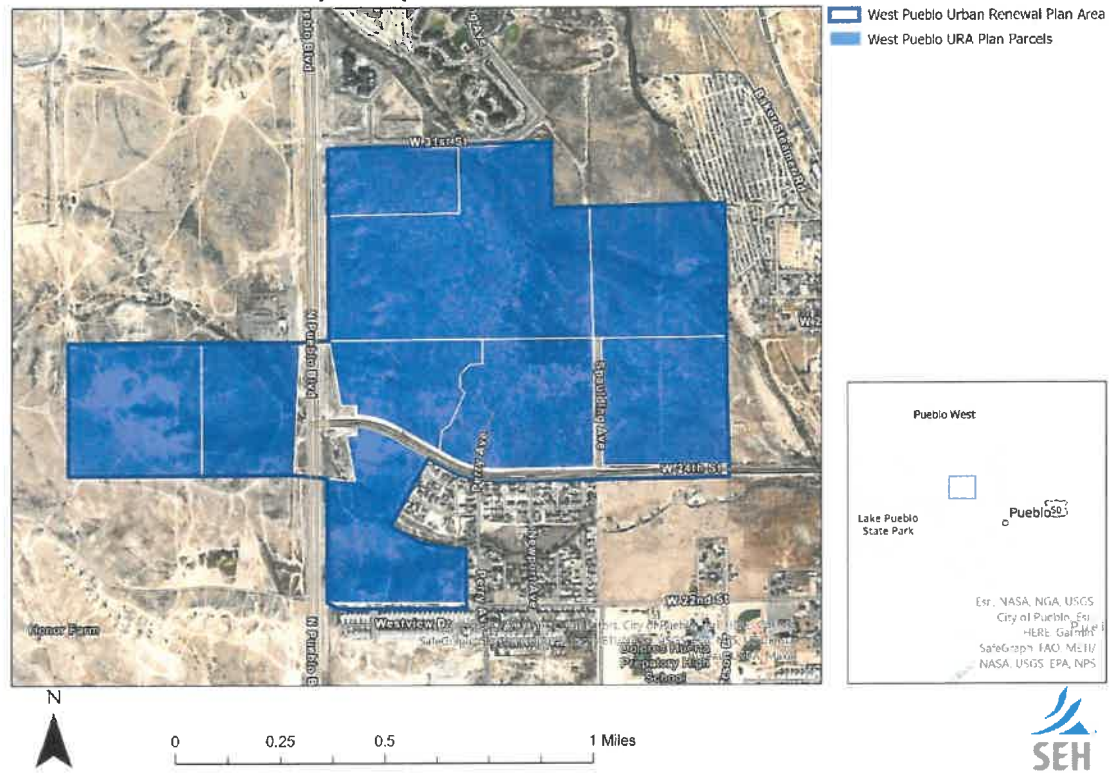
This conditions survey carefully evaluated the proposed plan area for blighted area factors that may be arresting sound development. The fact that this area is largely undeveloped, despite its proximity to a major arterial and development activity in its immediate vicinity, indicates that blighted area factors could be present.

#### Survey Boundary Statistics

West Pueblo URA Survey Boundary	Totals
Number of Total Acres	385
Parcel Acreage	354.6
Number of Parcels	8

<sup>2</sup> Acreage estimate includes Public Right of Way

## West Pueblo Urban Renewal Plan Area Conditions Survey Map

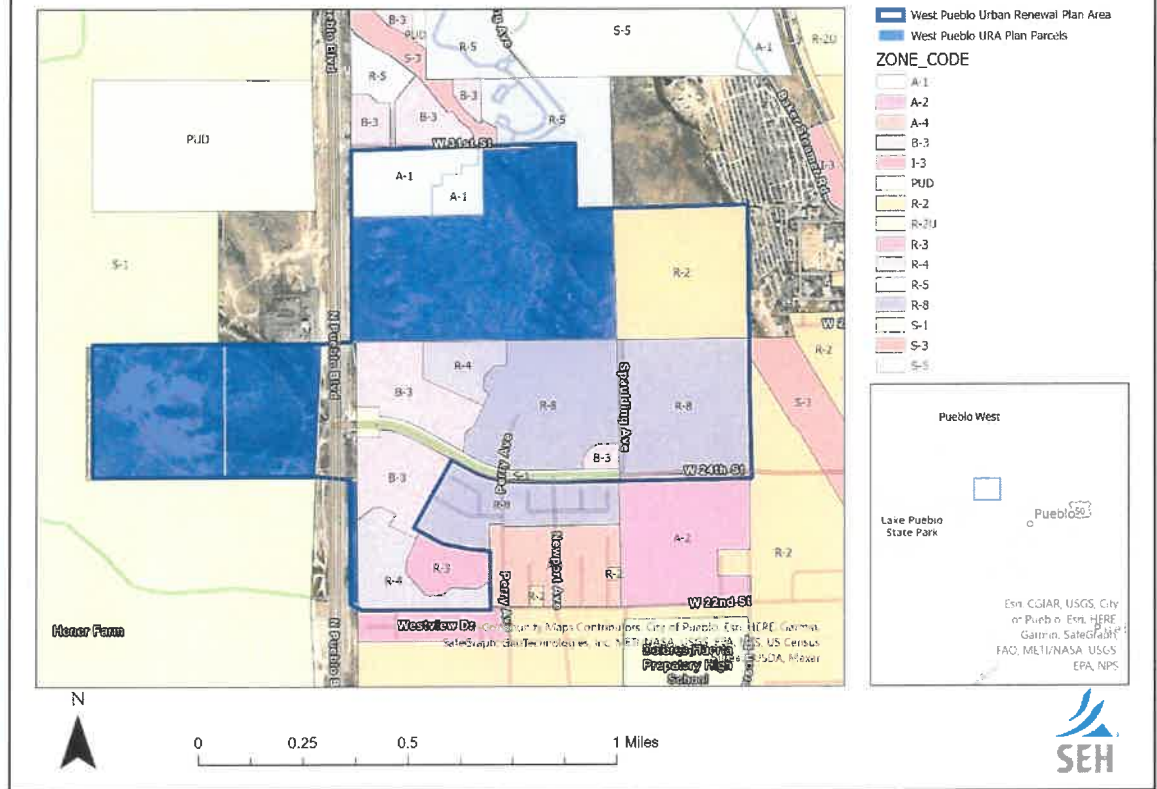


### 1.2 Zoning Districts

The proposed West Pueblo Urban Renewal Plan area includes 6 City of Pueblo zoning districts. Each zoning district regulates the land uses on their respective parcels according to the City of Pueblo's Comprehensive Plan and municipal code. These zoning districts will regulate the redevelopment that will be permitted throughout the West Pueblo Urban Renewal project. The location of these zoning districts throughout the survey boundary is illustrated in the map below:



## City of Pueblo Zoning Districts Map



### 1.3 Current Assessment of Survey Area

The survey area includes 8 parcels. The total equalized assessed value of these parcels, according to the Pueblo County Assessor's database, is \$101,890. Using the 2021 certified assessment the City of Pueblo and the total taxable value of the proposed URA area, the West Pueblo Urban Renewal Plan survey boundary represents 0.00797% of the City's total taxable value.

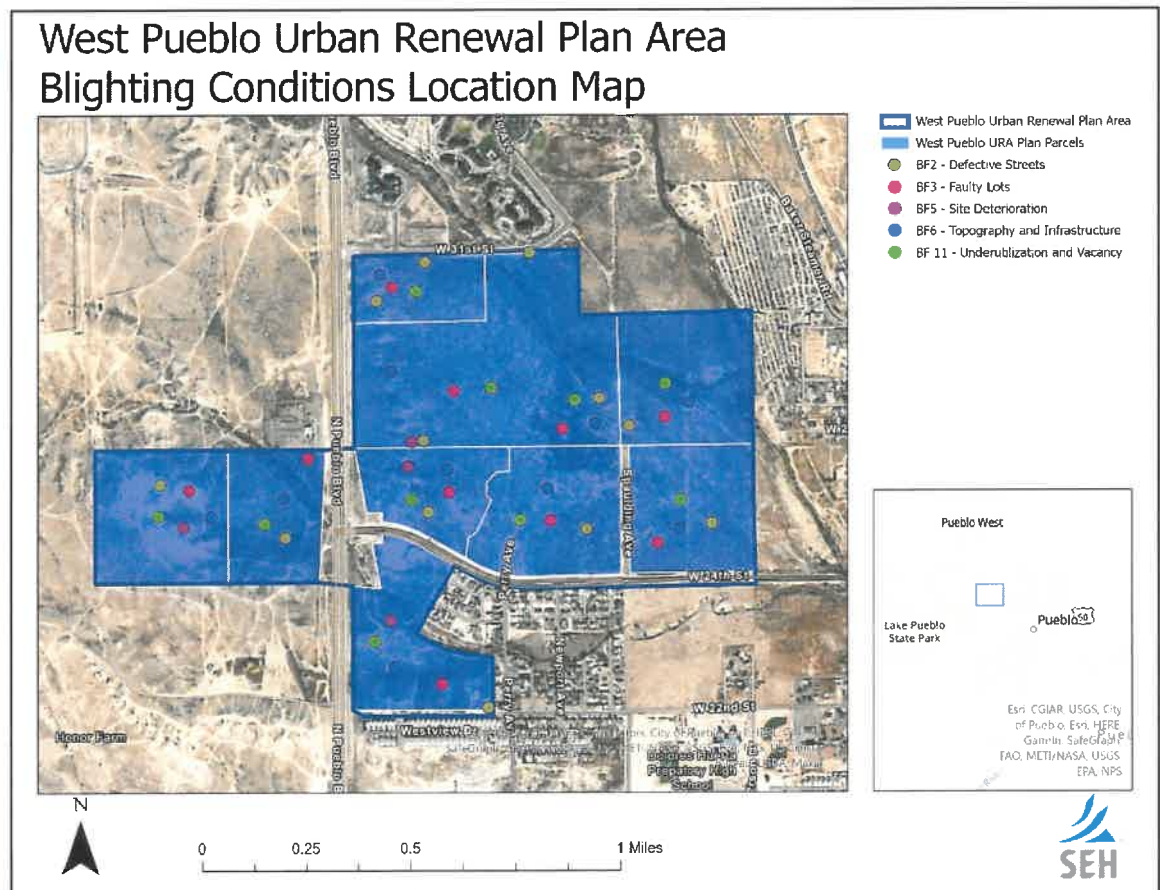
The survey boundary encompasses properties that are taxed according to three Pueblo County taxing districts, 60B, 60CT, and 60D. The mill levy, number of parcels, estimated acreage and assessed value according to each Taxing District within the survey boundary is recorded in the following table.

#### Taxing Districts Present

Tax District Statistics				
Tax District Code	Mill Levy	Number of Parcels	Estimated Acreage	Estimated Assessed Value
60B	97.705	4	176.5	\$72,770
60CT	81.233	2	68.2	\$28,530
60D	82.072	2	109.8	\$590

## 2 Methodology

This Conditions Survey utilized a holistic methodology in determining whether blighting factors exists within the proposed West Pueblo Urban Renewal Plan survey boundary. This methodology included a detailed literature review of adopted plans and reports, an analysis of County Assessor records and GIS databases, and a multi-day field visit. Field work was supplemented by GIS technology that recorded and documented potential blighting factors in real time. Maps were created for each blighting factor identified within the survey area, illustrating which parcels contain, or are in proximity to, statutorily defined blighting factors. These maps represent the layered information gathering approach used in this report to ensure that each blighting factor was thoroughly analyzed.



It is important to note that conditions surveys evaluate an area in its entirety for the presence of blighting factors and are not intended to declare individual properties or separate areas as blighted<sup>3</sup>. The maps included in this report illustrate the location and clustering of individual blighting factors as a means of representing this survey's findings. In order for a survey area to be declared blighted, it must exhibit four or more blighted area factors<sup>4</sup>. It is the combination of factors within an area that makes that area eligible for urban renewal activities.

<sup>3</sup> Unless that individual property is in fact the entirety of the URA Plan area.

<sup>4</sup> Exceptions include property owner consent and eminent domain. A survey area where property owners' consent to inclusion may only require one blighting factor. In order to use eminent domain, five blighting factors must be found.

## 3 Evaluation of Blighting Factors

### Defining “Blighting Factors”

Colorado Revised Statutes 31-25-103 states that for an Urban Renewal Plan area to be established, there must exist certain conditions known as “blighting area factors”. State statute defines eleven separate factors for blight. The law indicates that if four or more of these factors are found in an area of the municipality, that area may be declared blighted and qualify for urban renewal treatment.

### Blighted Area Factors Defined:

- 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) 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

These eleven factors can also be thought as “conditions”, and the presence of at least four of these conditions can satisfy the state statute defining an area blighted. In addition to this list, C.R.S. 31-25-103(2) lists a twelfth condition. This final condition only applies when there is unanimous agreement among affected property owners that their properties can be included in an Urban Renewal Area. In this rare occurrence, only one blighting factor from the list of eleven needs to be identified to declare the area blighted.

State statute allows for some flexibility in defining what each blighting factor represents. For the purpose of this conditions survey, each blighting factor will be unpacked to describe various real world “conditions” that would indicate the presence of said factor. The presence of a condition within the survey boundary alone is not enough to make that area eligible for urban renewal activities. Rather, it is the culmination of four or more blighting factors which indicates that renewal activities should be applied within the proposed project area.

Identifying blighting conditions throughout this proposed project area required an objective analysis. The following sections outline the blighted area factors that this analysis found to be present within the survey area. Blighted area factors that were not identified were excluded from this report.

### 3.1 Factor Two – Predominance of Defective or Inadequate Street Layout

#### Description:

This factor refers to street conditions that negatively impact sound development, redevelopment, or threaten safety. Conditions that would justify the inclusion of this factor in an area may include:

- Inadequate street widths, lack of streets, dead ends or overall faulty layouts that impede vehicular access and internal circulation
- Streets that exhibit high degrees of traffic or accidents
- Streets that are in need of repair or reconstruction
- Poor emergency access or active transportation

#### Findings:

*The survey boundary includes large parcels that lack surface transportation infrastructure. The only paved streets within the survey boundary are segments of Pueblo Boulevard and West 24<sup>th</sup> Street. The properties within the boundary lack internal street networks, as well as active transportation infrastructure. The missing street network represents a barrier to sound development throughout the survey area, and evidence of this blighted area factor.*

*The properties within the survey boundary average 44.3 acres. These are large parcels that require significant internal street networks to facilitate sound development, multimodal transportation, and emergency access. The only roads found within the properties are deteriorating dirt roads in need of reconstruction.*

*The Pueblo County GIS indicates that streets have been planned within certain portions of the survey boundary, however, these streets remain undeveloped. Examples include West 22<sup>nd</sup> street, which abruptly terminates at the survey boundary, Perry Avenue, and Spaulding Avenue. The fact that these street networks have been planned, but not constructed, is further evidence of this blighted area factor.*

*Access is a significant concern with the boundary's westernmost parcels. These properties lack access to North Pueblo Boulevard, a major arterial. The speed limit on North Pueblo makes any future connection to these properties challenging. The incomplete street networks and poor access found throughout the survey boundaries underscored the this factor's inclusion in the report.*



Pueblo West

Lake Pueblo State Park

Pueblo, CO

Esri, CGIAR, JSGS City of Pueblo Est., HERE, Garmin, SafeGraph, FAO, MEI/NASA, USGS, EPA, NPS



0 0.25 0.5 1 Miles



### 3.2 Factor Three – Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

#### Description:

This factor refers to shapes, layout and sizes of lots that complicate sound development and the usefulness of the property. This factor shares similarities with Blighting Factor One (1).

Conditions that would justify the inclusion of this factor in an area may include:

- Narrow or odd shaped lots
- Impractical lot layouts
- Lot configurations that yield unproductive conditions on the land as exhibited by misuse or nonuse

#### Findings:

*The conditions survey found evidence of this blighted area factor in each parcel throughout the survey boundary. The obvious condition exhibited by these properties are impractical lot layouts which yield unproductive conditions.*

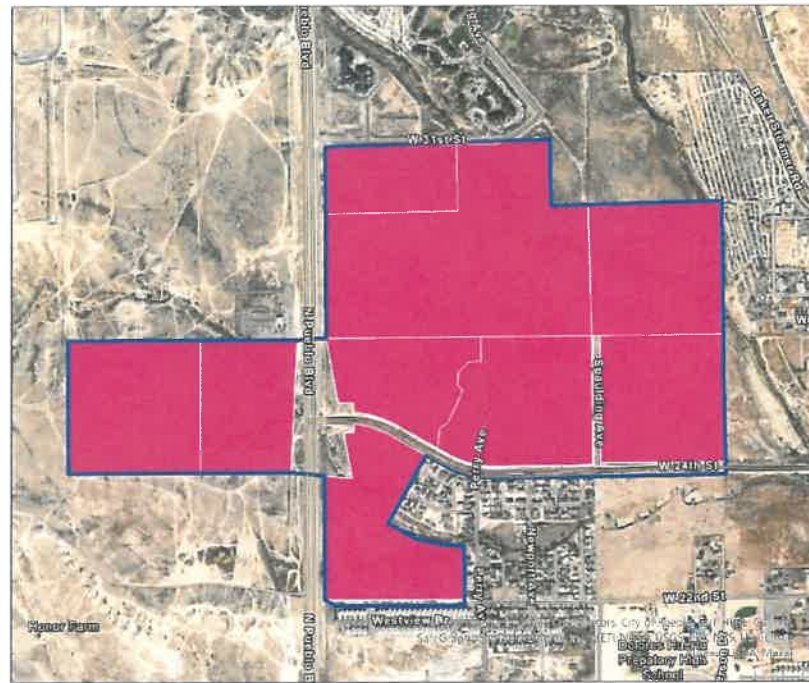
*The surveyed parcels averaged 44.3 acres in size. Parcels this large typically are used for agricultural uses. However, the Pueblo County Assessor does not classify any of the parcels in the area as an agricultural use. Despite their A-1 Agricultural zoning, the three parcels in the survey boundary zoned as such are assessed as either residential or vacant. In addition, the properties in the survey boundary all lack building improvements according to the Assessor's database. This assessment indicates that the parcels are not being utilized.*

*The non-use of property is evidence of this blighted area factor. In addition to narrow or odd shaped lots, there were also lots that this report deemed impractical due to their large size. The size of these lots, along with their vacancy and site deterioration, indicates the presence of conditions outlined under this blighted area factor.*

*The large number of impractical, large, vacant and underutilized lots throughout the survey boundary indicates that this blighted area factor is present.*



## Blighting Factor 3 - Faulty Lots



- West Pueblo Urban Renewal Plan Area
- West Pueblo URA Plan Parcels
- BF 3 Areas



0 0.25 0.5 1 Miles



### 3.3 Factor Five – Deterioration of Site or Other Improvements

#### Description:

This factor is similar to factor two (2) and four (4), in that its focus is on the deterioration of structures and infrastructure. The decline of public infrastructure is an example of this factor. Private land and/or structures that have fallen into disrepair or are damaged also exhibit this factor. Conditions that would justify the inclusion of this factor in an area may include:

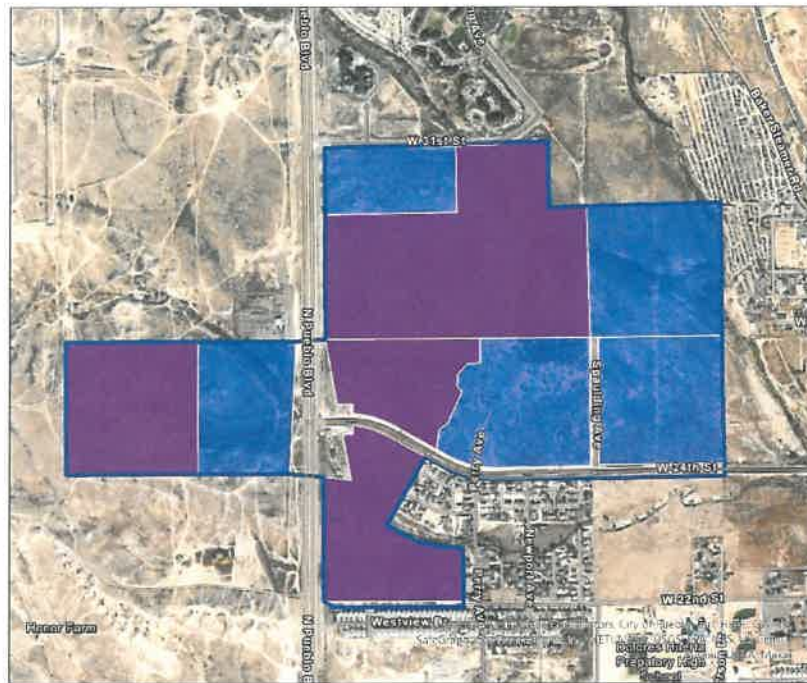
- Poor condition of streets or sidewalks
- Signage, such as billboards, that has fallen into disrepair
- Neglected landscaping
- Damaged or missing public utilities
- Abundance of trash, debris or noxious weeds

#### Findings:

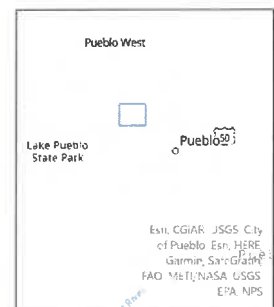
*The conditions survey identified concentrated incidences of this factor in parcels within the survey boundary. These observations were located within parcels nearest to North Pueblo Boulevard. Neglected landscaping and the deterioration of existing dirt roads and fencing were frequent observations throughout the survey boundary. The parcels are largely overrun with weeds and neglected landscaping. In specific areas, especially within properties lining North Pueblo Boulevard, trash and debris were identified during the field work.*

*The deterioration of roads, such as the dirt roads found within the parcels adjacent to Pueblo Boulevard and the planned Spaulding Avenue, also provided evidence of this blighting factor. The conditions identified in Factor 2 provide a similar justification for including Factor 5 within this report.*

## Blighting Factor 5 - Site Deterioration



- West Pueblo Urban Renewal Plan Area
- West Pueblo URA Plan Parcels
- BFS Areas



0 0.25 0.5 1 Miles





### 3.4 Factor Six – Unusual Topography or Inadequate Public Improvements or Utilities

#### Description:

This factor refers to unusual topography or lack of public infrastructure that have the effect of arresting sound development in a study area. Areas that exhibit steep grades which cause development to be incompatible or unprofitable would fall under this factor. Properties that are lacking public infrastructure, or are served by deteriorating public infrastructure, would also fall under this factor. This factor shares aspects of factors two (2), four (4) and five (5). Conditions that justify the inclusion of this factor in an area may include:

- Steep slopes or unusual terrain
- Overhead utilities in need of repair
- Deteriorating parking lots, street surfaces, sidewalks
- Poor storm water drainage facilities
- Lack of central sewer or water
- Broken or inadequate street lighting

#### Findings:

*The conditions survey analysis found multiple examples of this blighting factor throughout the survey boundary. Observed conditions included steep topography and a lack of public infrastructure throughout the survey area.*

*Field observations identified parcels lining North Pueblo Blvd as exhibiting steep topography. These properties exhibited unusual terrain that is challenging for development. These challenges are compounded by the lack of public infrastructure throughout the survey area. As mentioned in the Factor 2 and Factor 5 findings, the properties within the survey boundary lack internal street networks, active transportation infrastructure, street lighting and wet utilities. This combination of missing public infrastructure and utilities, contributes to arresting sound development from occurring throughout the survey boundary.*

*The overall vacancy exhibited throughout the survey area, as well as the relatively low assessment values of these properties, underscores the fact that missing utilities, infrastructure, and unusual topography create an environment that makes development difficult in this area. This environment is evidence that blighted area factor 6 is present in the survey boundary.*

Pueblo West

Lake Pueblo  
State Park

Pueblo West

Est. CGAR, USGS, City  
of Pueblo, Fort HERR  
Gattini, Safeway  
FAO, MET/NASA, USGS  
EPA, NPS



0 0.25 0.5 1 Miles



### 3.5 Factor Eleven – 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

#### Description:

This factor references a broad category of health, safety and welfare factors. The common conditions for this factor to be present are instances where high levels of municipal service are required, substantial physical underutilization of property is exhibited, or high levels of vacancy are common. Vacancy can include land, buildings, or tenancy. This factor shares similarities with many of the factors on this list. Conditions that would justify the inclusion of this factor in an area include:

- Numerous vacant buildings or property throughout the area
- Evidence of underutilized buildings

#### Findings:

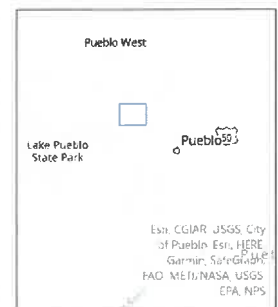
*This report's real estate analysis identified multiple examples of this factor within the survey area. 100% of the parcels within the survey boundary have no building improvement value, according to the Pueblo County Assessor's database. In addition to lacking any building improvements, the land is not currently being used for agricultural purposes. In fact, 42% of the area's acreage is currently classified as "Vacant" by the County assessor's office. This classification indicates that the land within the survey boundary is currently underutilized.*

*The properties within the survey boundary exhibit the conditions that underscore Blighted Area Factor 11. These properties are vacant, despite being neighbors to substantial development north and south of the survey boundary. The assessment of these properties, as well as planned right-of-way improvements such as Perry Avenue, Spaulding Avenue, Joe Martinez Boulevard, and even West 22<sup>nd</sup> Street, are all examples of how the area is currently being underutilized relative to community needs. The survey boundary is in proximity to major arterials, and within a short drive of interstate US-50. This should contribute to new development. Instead, the current properties lack building improvements and are even assessed at a commercial rate due to their vacancy.*

*This level of vacancy and underutilization points to the existence of blighted area factors arresting sound development from taking root. These conditions justify the inclusion of blighted area factor 11.*



This aerial map illustrates the proposed Westtown Station and its surrounding land parcels. The station area is highlighted in green. Key roads include Westtown Road, Westtown Avenue, and Westtown Lane. The map also shows the Delaware River and the Delaware Bay Bridge.



## 4 Conclusion

This conditions survey catalogs the presence of statutorily defined blighting factors within the proposed West Pueblo Urban Renewal Plan area. This report was designed to assist the Pueblo Urban Renewal Authority (PURA) in determining whether this area is 1) eligible for urban renewal projects and activities, and 2) that the proposed boundary is drawn as narrowly as possible.

This conditions survey identified five blighted area factors as defined by Colorado's Urban Renewal Law, within the survey boundaries of the proposed area. The presence of six blighted area factors meets the requirements outlined in C.R.S. 31-25-103(2), in which at least four blighted area factors must be present for that area to be declared "blighted" and therefore eligible to be designated as an Urban Renewal Plan area.

The proposed boundary also meets the statutory recommendation of "being drawn as narrowly as possible". The five blighting factors were not clustered in one vicinity but spread across the entirety of the survey boundary. This is especially true of the underutilization observed and researched throughout the proposed project area. The high levels of vacancy and low assessment values indicate that blight is arresting sound development from taking place throughout the survey boundary.

This conditions survey finds that the proposed West Pueblo Urban Renewal Plan can be declared a "blighted area" as defined by Colorado's Urban Renewal Law and therefore qualifies for urban renewal treatment.

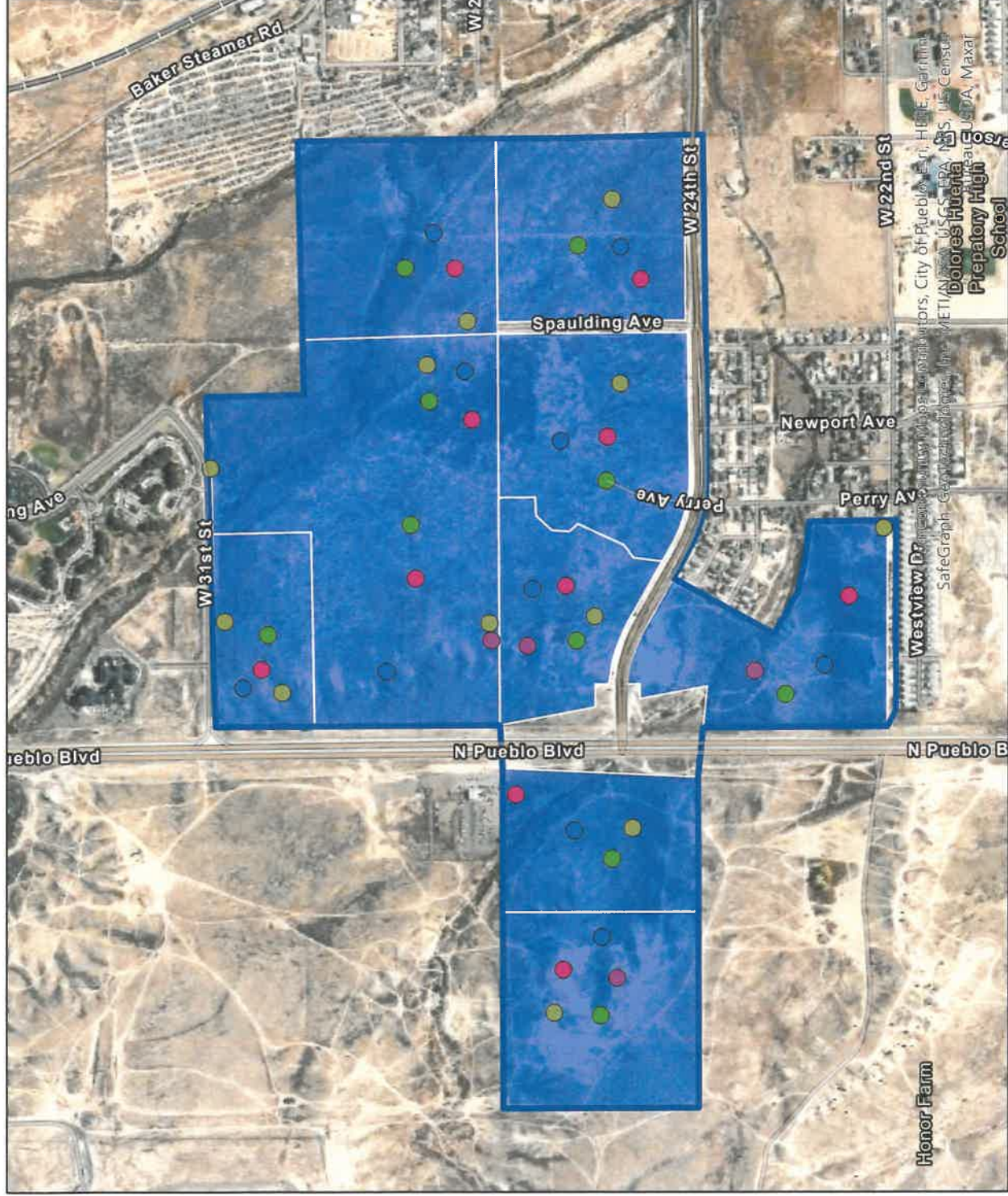
## Conditions Survey Maps

# Appendix A

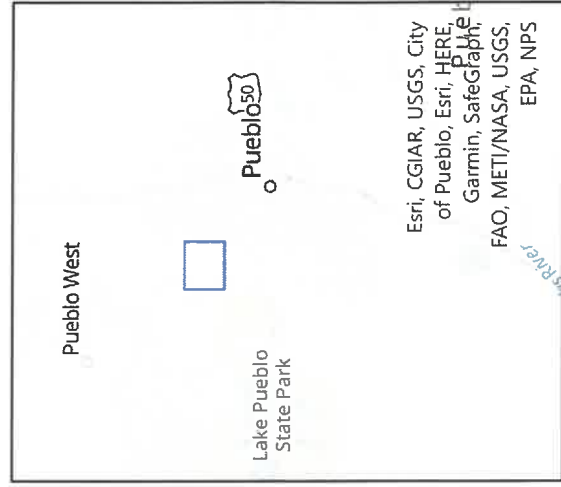
Survey Boundary Map



# West Pueblo Urban Renewal Plan Area Blighting Conditions Location Map



- West Pueblo Urban Renewal Plan Area
- West Pueblo URA Plan Parcels
- BF2 - Defective Streets
- BF3 - Faulty Lots
- BF5 - Site Deterioration
- BF6 - Topography and Infrastructure
- BF 11 - Underutilization and Vacancy



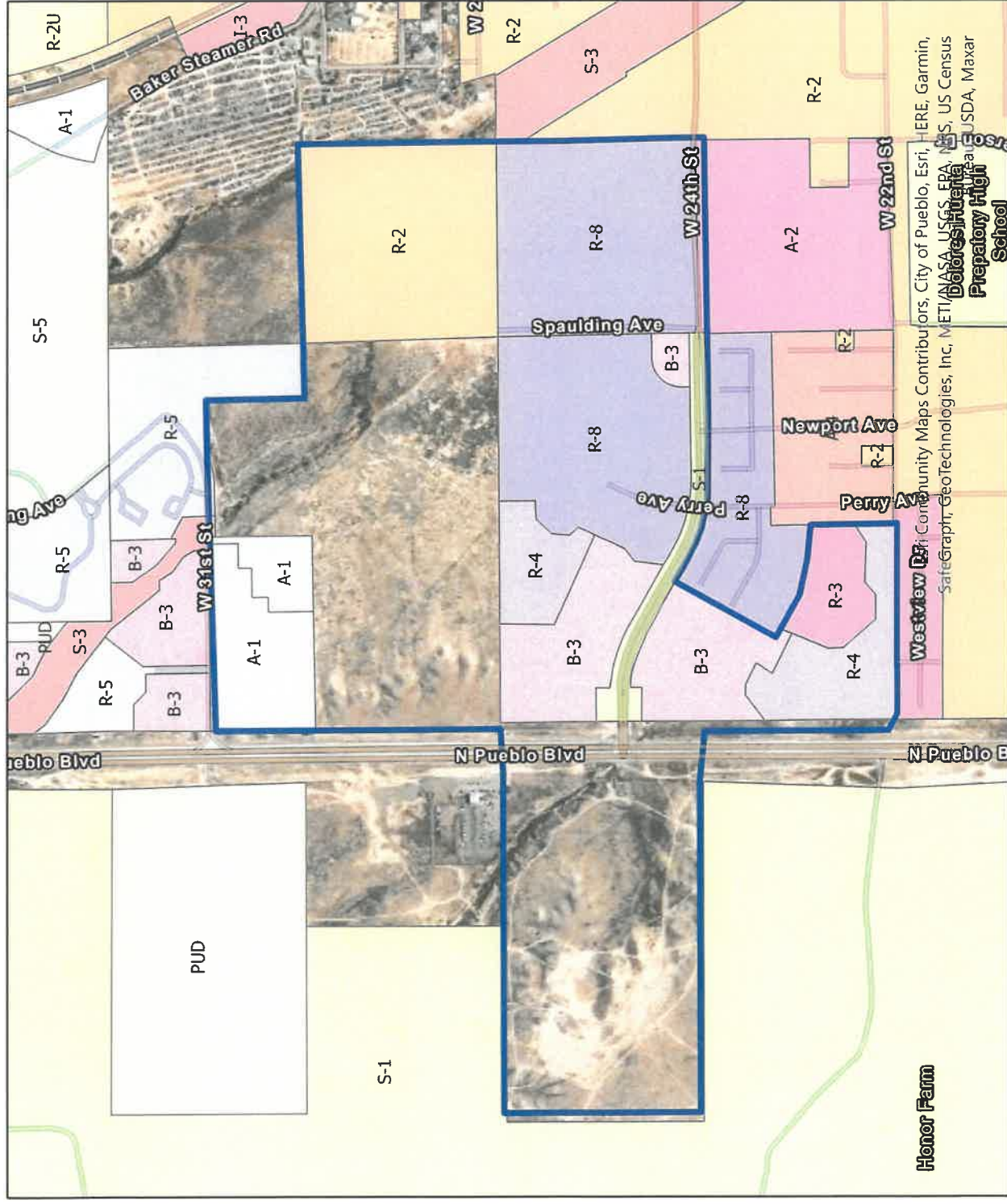
Esri, CGIAR, USGS, City of Pueblo, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

## Appendix B

Conditions Survey Field Work Map

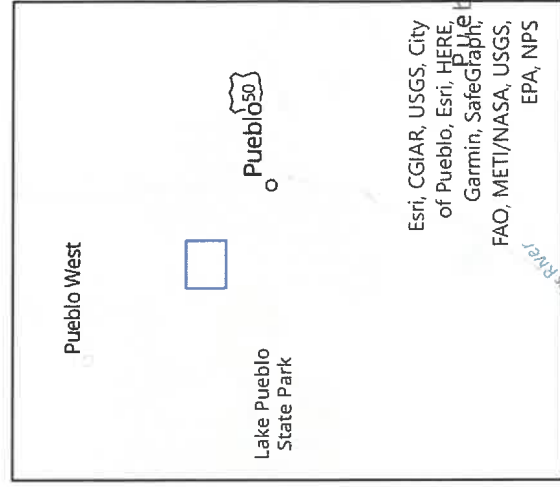


# West Pueblo Urban Renewal Plan Area City Zoning Districts Map



West Pueblo Urban Renewal Plan Area

ZONE_CODE	ZONE_CODE
A-1	A-1
A-2	A-2
A-4	A-4
B-3	B-3
I-3	I-3
PUD	PUD
R-2	R-2
R-2U	R-2U
R-3	R-3
R-4	R-4
R-5	R-5
R-8	R-8
S-1	S-1
S-3	S-3
S-5	S-5



Esri, CGIAR, USGS, City of Pueblo, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS



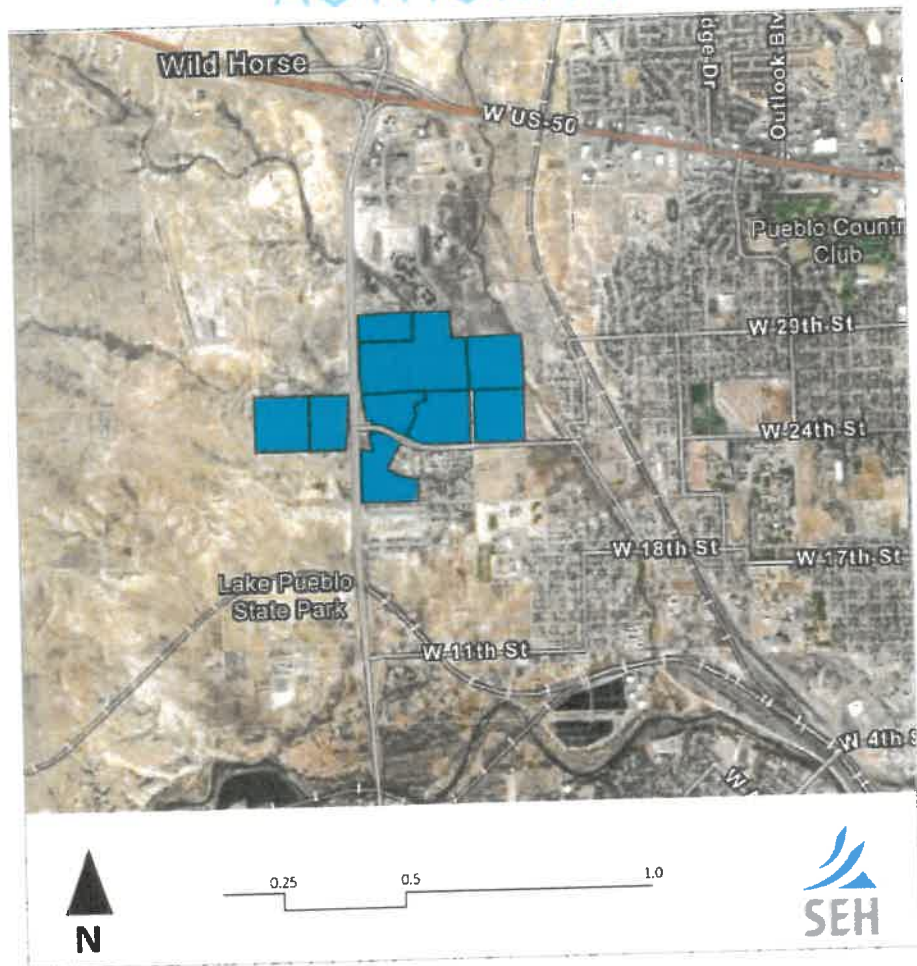
# Building a Better World for All of Us<sup>®</sup>

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We're confident in our ability to balance these requirements.

Join Our Social Communities





## West Pueblo Urban Renewal Plan

August 25, 2022

Prepared by:  
SEH, Inc.,  
Pueblo Urban Renewal Authority

## I. DEFINITIONS

The terms used in this Urban Renewal Plan shall have the following meanings.

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

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

Authority means the Urban Renewal Authority of Pueblo, Colorado.

City means the City of Pueblo, Colorado.

City Planning means the Department of Planning & Community Development of the City of Pueblo, Colorado.

City Consolidated Plan means the City of Pueblo 2020-2024 Consolidated Plan, approved June 14, 2021, by Ordinance No. 9951.

Comprehensive Plan means the Pueblo Regional Comprehensive Plan adopted in 2002, as amended in 2021.

County means Pueblo County, Colorado.

Neighborhood Plan means the Westside Neighborhood Plan adopted in 2004.

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

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

## II. INTRODUCTION

The purpose of this Plan is to implement those provisions of the Comprehensive Plan and the City Strategic Plan that apply to the Urban Renewal Area. The provisions of this Plan are intended to help provide important services to the Area, eliminate and prevent conditions of blight, attract private investment, utilize underdeveloped land, and leverage public investment and funding mechanisms to promote redevelopment and rehabilitation of the area by private enterprise, and, where necessary, provide necessary public infrastructure to serve the Area.

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

## III. URBAN RENEWAL AREA BOUNDARY

An urban renewal plan area has been created that includes properties that are within municipal limits as well as parcels in unincorporated Pueblo County. The plan area consists of eight parcels. Five parcels are within the city limits and three are within the unincorporated county. The total area of the proposed plan area is 385 acres, with eight parcels making up 354.6 acres.



#### IV. SUMMARY OF STATUTORY CRITERIA

On May 2, 2022, a conditions survey report was delivered to the Pueblo Urban Renewal Authority Board of Commissioners that summarized a blight study of the area described as the West Pueblo Urban Renewal Plan. Relevant conditions were researched, documented, photographed, and compared with the blight factors pursuant to the Act. The result of the survey is included in a document entitled "West Pueblo Conditions Survey" (the Conditions Survey) dated May 2, 2022, consisting of 26 pages, related exhibits, a description of existing conditions, and numerous photographs. The Conditions Survey is incorporated herein in its entirety by this reference.

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

- Predominance of defective or inadequate street layout.
- Faulty lot layout in relation to adequacy, accessibility, size or usefulness.
- Deterioration of site or other improvements.
- Unusual topography or inadequate public improvements or utilities.
- 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.

#### V. DESCRIPTION OF URBAN RENEWAL PROJECT

This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Urban Renewal Area. The Authority and the City, with the cooperation of private enterprise and other public bodies, will undertake a program to eliminate the conditions of blight identified in the Conditions Survey while supporting Pueblo's Regional Comprehensive Plan, the City's Consolidated Plan, the Westside Neighborhood Plan, and the Pueblo community's remediation and redevelopment goals.

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

##### 1. Goals of the Plan

This Plan has been adopted to achieve the following goals in the Area:

- a) To encourage "renewal" throughout the surveyed area by attracting additional investment within the project boundary.
- b) To alleviate blight within the boundaries of the project Area.
- c) To leverage Tax Increment Financing to help attract new commercial and residential investments within the Plan area that will alleviate blighting conditions.
- d) To leverage Tax Increment Financing to support the development of attainable and/or affordable housing within the Plan area.

- e) To leverage Tax Increment Financing to assist with the funding of County Infrastructure and Facilities that will help advance the remediation and redevelopment goals of the Plan area.
- f) To leverage Tax Increment Financing to assist with the Funding of City Infrastructure and Facilities that will help advance the remediation and redevelopment goals of the Plan area.
- g) To improve the streetscapes in a way that promotes on-street bike and pedestrian travel while also enhancing lighting, sidewalks, pedestrian safety, parking, signage, landscaping, bike racks and bus shelters.
- h) To invest in cultural and community spaces.

2. Relationship to Regional Comprehensive Plan

The Plan conforms with and is designed to implement the following strategies detailed in the Pueblo Regional Comprehensive, adopted 2002 and updated in 2021:

- a) The Plan will support Goal 1.1 to “Expand Housing options to meet the needs of existing and future residents of all ages, abilities, and income levels”. The Plan will help to target new residential development within its boundaries.
- b) The Plan will support Goal 1.3 to “Preserve and expand the supply of workforce and affordable housing within the region”. The Plan will specifically align with Policy 1.3.3 by working with non-profit housing partners to produce new affordable units.
- c) The Plan will support Goal 6.1 to “Promote a fiscally and environmentally responsible pattern of growth”. The Plan will support compact, mixed-use development that will be concentrated in a new growth area and that leverages funding tools such as tax increment financing.
- d) The Plan will support Goal 7.2 to “Expand transportation connections to, from and within the region”. The Plan will help fund county and city surface infrastructure improvements to remediate blight and facilitate new development.

3. Relationship to City Consolidated Plan

The Plan conforms with and is designed to implement the following strategies detailed in the City's 2020-2024 Consolidated Plan:

- a. To provide decent housing by preserving the affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers, increasing the supply of supportive housing for those with special needs, and transitioning homeless person and families into housing.
- b. To provide a suitable living environment through safer, more livable neighborhoods, greater integration of low- and moderate- income residents throughout the City, increased housing opportunities, and reinvestment in deteriorating communities.



- c. To expand economic opportunities through more jobs paying self-sufficient wages, homeownership opportunities, development activities that promote long-term community viability, and the empowerment of low- and moderate- income persons to achieve self-sufficiency and build equity.

4. Relationship to Westside Neighborhood Plan

The Plan conforms with and is designed to implement the following strategies detailed in the Westside Neighborhood Plan:

- a) The Plan will improve the physical image of the Westside by facilitating the “Neighborhood Identity Initiative”. The Plan will advance redevelopment at the 24<sup>th</sup> Street and Pueblo Boulevard Gateway. This Plan may also support the creation of a Gateway feature.
- b) The Plan will improve the quality and stability of Westside housing.
- c) The Plan will increase access to commercial goods and services.
- d) The Plan will advance the “Housing Initiative” goal of redeveloping “Larger vacant land opportunities north of 22<sup>nd</sup> Street” that will incorporate housing for mixed-income residents.

B. Land Use Regulations and Building Requirements

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

## VI. PROJECT ACTIVITIES

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

A. Land Acquisition

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

redevelopment by private enterprise; for needed public improvements; and for any other lawful purpose authorized by the Plan, the Act or any other applicable law.

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

B. Relocation

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

C. Demolition, Clearance, and Site Preparation

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

D. Property Management

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

E. Public Improvements

The Authority will cooperate with the City and other public bodies to install, repair or replace necessary public infrastructure including, but not limited to, public streets, ADA accessible routes, stormwater improvements outside the scope of the City Storm Water Enterprise, park and recreation amenities and multi-use recreational trails in the Area.

F. Land Disposition, Redevelopment and Rehabilitation

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

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

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

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

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

#### G. Cooperation Agreements

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

#### H. Other Project Undertakings and Activities

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

### **VII. PROJECT FINANCING**

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

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

The Authority is authorized to issue notes, bonds or any other financing instruments or documents in amounts sufficient to finance all or part of the Urban Renewal Plan. The Authority is authorized

to borrow funds and to create indebtedness in carrying out this Plan. The principal, interest, and any premiums due on or in connection with such indebtedness may be paid from any funds available to the Authority.

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

#### Base Amount

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

#### Increment Amount

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

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

When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this subparagraph 2, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Project.

### VIII. CHANGES IN APPROVED PLAN

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

### IX. MINOR VARIATIONS

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



EXHIBIT A  
LEGAL DESCRIPTION

This Urban Renewal Area contains approximately 385 acres. The location and area boundaries may be generally described as:

Partially within the city limits of the City of Pueblo;

AND

Partially within unincorporated Pueblo County;

AND

Bound to the north by W 31<sup>st</sup> St;

AND

Bound to the east by Wildhorse Creek and the eastern borders of Parcel Numbers 522000008, 522430217;

AND

Extending west along W 24<sup>th</sup> St;

AND

Extending around Parcel Number 522300002;

AND

Bound to the south by W 22<sup>nd</sup> St.;

AND

Extending North along North Pueblo Boulevard;

AND

Extending west along the southern border of Parcel Number 521000019;

AND

Extending west, north and then east along the border of Parcel Number 521000020;

AND

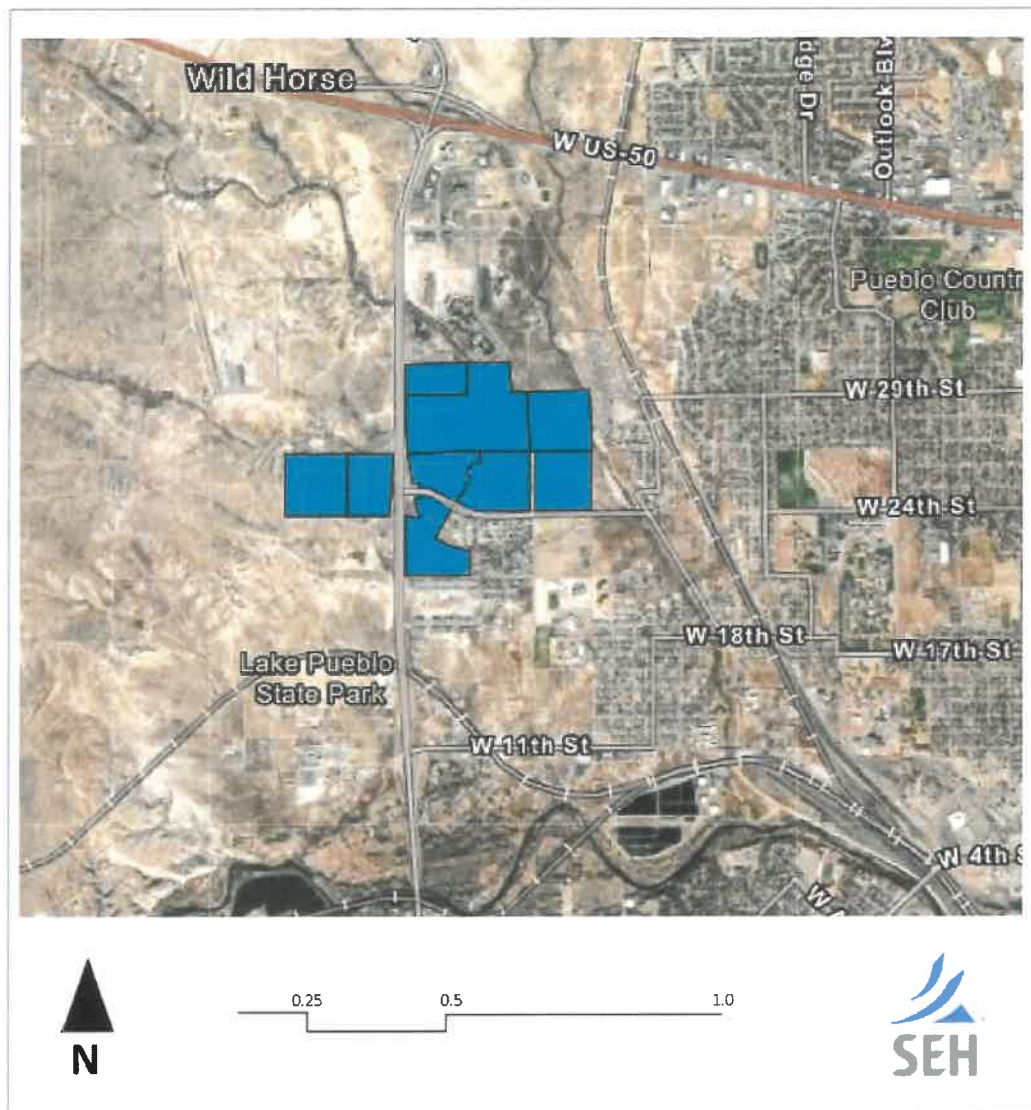
Extending east along the northern border of Parcel Number 521000019;


AND

Continuing north on N Pueblo Blvd until reconnecting to the norther border at W 31<sup>st</sup> St.

EXHIBIT B  
MAP

**WEST PUEBLO PROPOSED  
URBAN RENEWAL AREA**





# West Pueblo Urban Renewal Plan Impact Report

Pueblo Urban Renewal Authority

166649 | August 22, 2022



Building a Better World  
for All of Us®

Engineers Architects Planners Scientists



Building a Better World  
for All of Us®

August 22, 2022

West Pueblo Urban Renewal Plan  
Pueblo Urban Renewal Authority

Dear PURA Board of Commissioners,

This Impact Report is intended to satisfy the requirements outlined in Colorado's Urban Renewal Law, C.R.S. 31-25-107(3.5)I-V. According to Statute, the Urban Renewal Impact Report is a supplementary document to the Urban Renewal Plan that is required if property or sales taxes will be utilized in the project area for renewal activities. The Pueblo West Urban Renewal Plan area intends to utilize tax increment financing within its project area and therefore requires an impact report to be completed.

This Impact Report meets the minimum requirements defined by C.R.S. 31-25-107(3.5)I-V, but also has been designed to provide the Pueblo Urban Renewal Authority with a realistic forecast of how development will proceed throughout the Plan area. The forecast utilized in this report has been informed by an analysis of all properties within the project area, as well as interviews with PURA staff. The forecasts are intentionally designed to be conservative estimates and reflect community development needs that have been highlighted by this Board and the public.

The goal of this report is to provide the Pueblo Urban Renewal Authority with a realistic forecast of impacts to better inform negotiations with impacted taxing entities and ensure that the West Pueblo Urban Renewal Plan succeeds in bringing about the renewal hoped for by the Pueblo community.

Sincerely,

Andrew Arnold

CC: Jerry Pacheco and Cherish Deeg



# Executive Summary

## **The West Pueblo Urban Renewal Plan Impact Report:**

The Pueblo Urban Renewal Authority has begun the process of establishing a new Urban Renewal Plan area. This report describes the area as the West Pueblo Urban Renewal Plan. The previously completed Conditions Survey found that this plan area meets the statutory threshold of conditions outlined in C.R.S. 31-25-103. The Plan area exhibits five of the eleven statutorily defined blighting conditions, meaning that the project is eligible for renewal activities.

One type of renewal activity is the utilization of property and sales taxes to help remediate blight, incentivize redevelopment, and fund public improvements throughout the project area. This mechanism is known as Tax Increment Financing, and Colorado's Urban Renewal Law requires that an Impact Report be submitted with any Urban Renewal Plan that intends to utilize property and/or sales taxes for renewal activities in its project area (C.R.S. 31-25-107(3.5)I-V). The West Pueblo Urban Renewal Plan proposes the use of Tax Increment Financing, which triggered the need for this Impact Report.

The minimum requirements for an Impact Report are outlined in Colorado's Urban Renewal Law. Those requirements include,

- A) the estimated time to complete the Urban Renewal Project,
- B) The estimated annual property tax increment to be generated by the Urban Renewal Project and the portion of such increment to be allocated during this period to fund the urban renewal project,
- C) an estimate on the county revenue impact, and on the cost and extent of additional county infrastructure and services required to serve development within the proposed urban renewal area, and the benefit of improvements within the urban renewal area to existing county infrastructure,
- D) a statement setting forth the method under which the authority or the municipality will finance, or that agreements are in place to finance, any additional County infrastructure and services required to serve development in the urban renewal area for the period in which all or any portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of this section and levied by a county are paid to the authority,
- E) Any other estimated impacts of the urban renewal project on county services and revenues.

This Impact Report addresses each of the statutory requirements outlined above. Specifically, this Impact Report forecasts future tax incremental revenue by projecting a probable development scenario throughout the 385-acre Plan area over the next 25 years. This report assumes that the West Pueblo Urban Renewal Plan will be successful in remediating blighting conditions present within this area, which will help facilitate new development. The report also assumes that this new development will be incentivized by the Pueblo Urban Renewal Authority to address community needs, such as an increase in affordable housing, mixed-use and commercial development.

With the assistance of PURA Staff, this report evaluated probable development that is likely to occur if supported by West Pueblo Urban Renewal Plan. The report forecasted development type, density and value on each parcel using market assumptions and local development trends. These development scenarios were then phased over the Plan area's lifetime, according to the type of development and estimated market absorption rates. The resulting assessed value from these development scenarios was then contrasted with the base assessment of the West Pueblo Urban Renewal Plan area to determine the annual tax increment generated by the project. New retail space was also estimated, which was used to determine new sales tax production within the Plan area.

This redevelopment's total tax revenue and increment has been estimated by the impact report to determine the revenue impacts on effected taxing entities. The report also addresses population and student generation within the Plan area, and its potential impact to taxing entities such as the County and the School District.

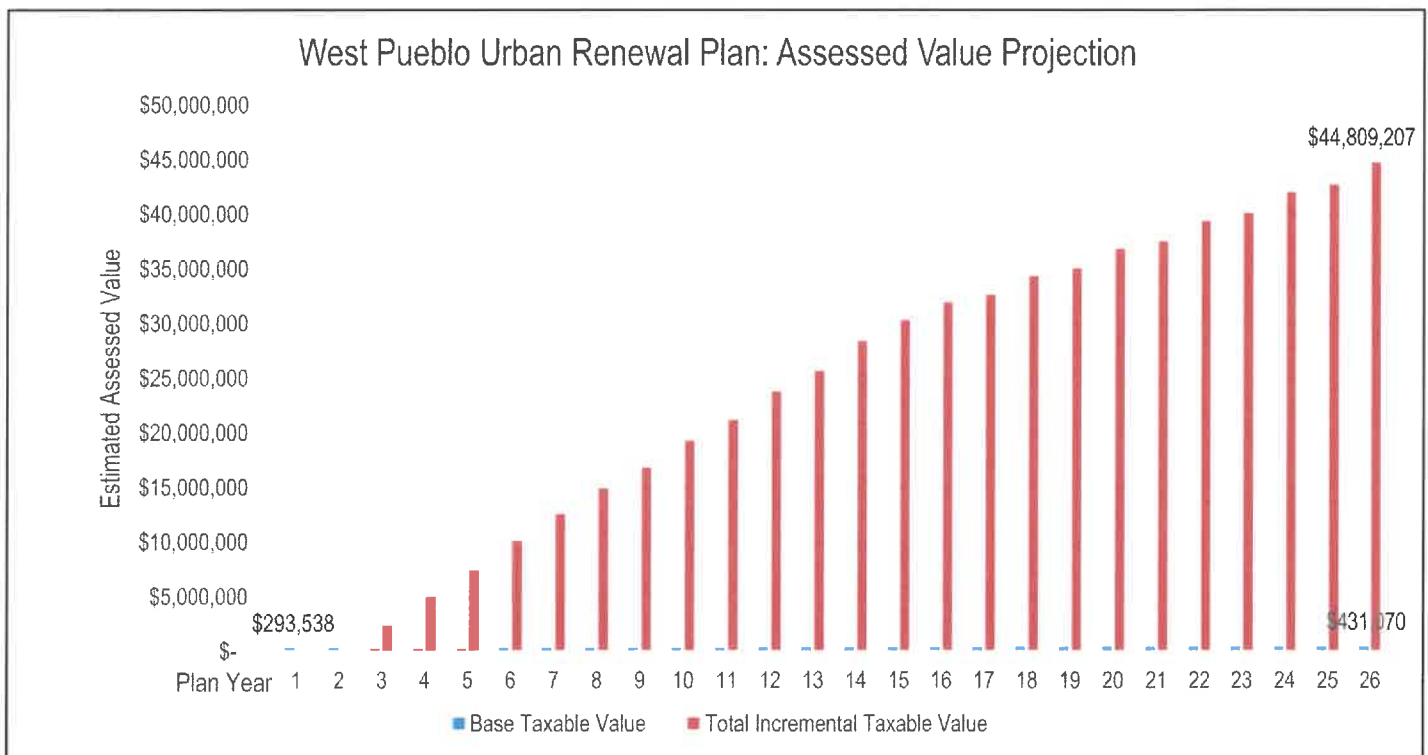
This report found that the West Pueblo Urban Renewal Plan would not adversely affect the taxing entities that collect property and sales tax within its boundary. The Renewal Plan will not require new County Infrastructure to be

## Executive Summary (continued)

successful, nor would it require substantial County funded services. Although a County facility and roadway extension are planned to be included and to connect to this area, the Plan's TIF revenue is intended to help fund these improvements. This report evaluated County budgets and property tax revenue and found that the Plan's fiscal impacts were minimal. This report also analyzed the Plan's impacts to the Pueblo School District 60. Projected development would generate a significant number of new students. However, this report concludes that this increase in students will help offset a declining pupil membership in the district. Capital improvements are unlikely to be triggered by redevelopment in the Plan area, meaning that fiscal impacts by the West Pueblo Plan were minimal. This report concludes that effected taxing entities should support the West Pueblo Urban Renewal Plan, as its benefits to the community outweigh its fiscal costs.

The West Pueblo Urban Renewal Plan represents PURA's, the City of Pueblo's and Pueblo County's commitment to achieving public private partnerships that will facilitate community-minded development where it is needed most. This Impact Report was designed not only to evaluate the potential impacts of this development, but to also provide a roadmap for achieving these redevelopment goals. Projected Property and Sales Tax Increment that would be generated within this Urban Renewal Plan Area are described in the table below:

West Pueblo Urban Renewal Plan Fiscal Projections <sup>1</sup>		
Base Assessed Value of Plan Area	\$	293,538
Total New Improvement Assessed Value	\$	43,496,000
Total Estimated Property Tax TIF Revenue (25-Years)	\$	58,601,000
Total Estimated Sales Tax TIF Revenue (25-Years)	\$	22,313,000
Annual Property Tax TIF Revenue (25-Year Average)	\$	2,253,000



<sup>1</sup> Estimates have been rounded.

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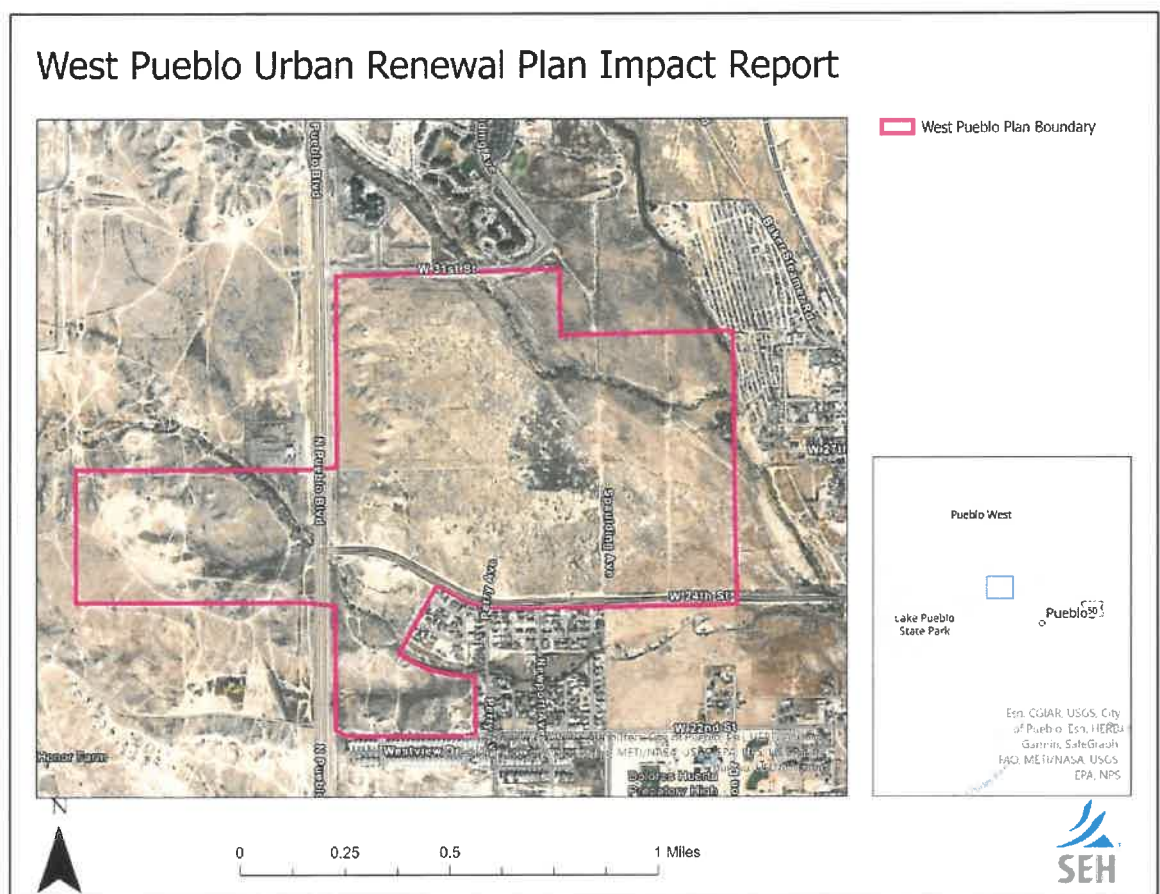
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# West Pueblo Urban Renewal Plan

## Impact Report

Prepared for the Pueblo Urban Renewal Authority

### 1 Impact Report Summary



### Project Area Existing Conditions

The West Pueblo Urban Renewal Plan area encompasses 385-acres<sup>2</sup> within the City of Pueblo. This area includes 8 parcels. This survey area has been strategically drawn to include parcels that need or will attract new investment or reinvestment. The area also includes public right-of-way that may benefit from urban renewal treatment.

<sup>2</sup> Acreage estimate includes Public Right of Way e.g. Roads and Alleys



## West Pueblo Urban Renewal Plan Area Description

The proposed West Pueblo Urban Renewal Plan targets an area needing blight remediation, reinvestment, and redevelopment. The plan area is within Pueblo's City Limits and encompasses eight large, currently vacant parcels in city's northeast quadrant. Segments of West 31<sup>st</sup> Street, West 34<sup>th</sup> Street, and North Pueblo Boulevard are also included within the plan. The boundary is bisected into west and east parts by North Pueblo Boulevard. The boundary also includes unincorporated property but is specifically drawn in a way that can advance specific Pueblo County infrastructure and public projects.

The goal of the West Pueblo Urban Renewal Project is to encourage "renewal" throughout this surveyed area by attracting additional investment within the project boundary. At the time of this impact report, three potential private developments have been proposed within the area, under the assumption that they could received support from the Pueblo Urban Renewal Authority and the West Pueblo Plan.

Pueblo County has also indicated that a major infrastructure extension and public service facility could be located within the plan area. The infrastructure improvement would involve extending a roadway that eventually would connect the plan area to Pueblo West. It had been proposed that this infrastructure improvement would service a County-owned facility and could be supported financially via tax increment financing revenue. This scenario is further explored in the Tax Entity Impacts section.

West Pueblo URA Plan Area	Totals
Number of Total Acres	385
Parcel Acreage	355
Number of Parcels	8

### 1.1 Zoning Districts

The West Pueblo Urban Renewal Plan area includes 6 City of Pueblo zoning districts. Each zoning district regulates the land uses on their respective parcels according to the City of Pueblo's Comprehensive Plan and municipal code. These zoning districts will regulate the redevelopment that will be permitted throughout the West Pueblo Urban Renewal project. The zoning districts also inform the forecasts made by this Impact Report.

There are three parcels within the plan area that are currently in unincorporated pueblo county. These parcels have a County land use designation for agricultural uses, which were included as part of the A-1 category. A summary of each zoning district's acreage, number of parcels, and assessed value has been included in the table below.

### Zoning Districts Statistics

Zoning	Number of Parcels	Number of Acres	% Parcel Acreage	Assessed Value
R-2	1	40.01	0.11	\$ 200
R-5	1	19.83	0.06	\$ 100
R-6	1	28.34	0.08	\$ 17,150
R-8	2	74.99	0.21	\$ 65,250
B-3	1	61.56	0.17	\$ 7,320
A-1	2	129.87	0.37	\$ 11,870

*Source - Pueblo County GIS, City of Pueblo GIS and Pueblo County Assessor Office*

## Current Assessment of Plan Area

The Plan area includes 8 parcels. The total equalized assessed value of these parcels, according to the Pueblo County Assessor's database, is \$101,890. Using the 2021 Certified Assessment the City of Pueblo, the existing taxable value of the West Pueblo Urban Renewal Plan area is 0.012% of the City's total taxable value and 0.0068% of the County's taxable value.

The survey boundary encompasses properties that are taxed according to three Pueblo County taxing districts, 60B, 60CT, 60D. Each district has a different mill levy, which is outlined in the table below. The number of parcels, estimated acreage and assessed value according to each Taxing District within the survey boundary is recorded in the following table.

### Taxing Districts Present

Tax District Statistics				
Tax Districts	Mill Levy	Number of Parcels	Estimated Acreage	Estimated Assessed Value
60B	97.705	4	177	\$ 72,770
60CT	81.233	2	68	\$ 28,530
60D	82.072	2	110	\$ 590

The West Pueblo Urban Renewal Plan includes three parcels that exhibit an agricultural assessment as per their 2020 assessment. To accurately forecast tax increment generation on these parcels, this report assumed that each agricultural parcel will be reassessed as vacant/commercial. The analysis assigned a new market value to each agriculturally assessed parcel and used this new value as the urban renewal plan's base value.

## 2 Impact Report Methodology

### Forecasting Future Growth

West Pueblo Urban Renewal Plan's goal is to incentivize redevelopment by remediating blighting conditions and spurring new investments in public infrastructure, amenities, and community development needs.

One of the tools urban renewal authorities can use to bring about these changes is known as Tax Increment Financing (TIF). TIF is a redevelopment strategy that leverages future tax revenues to incentivize redevelopment for urban renewal activities. Colorado's Urban Renewal Law mandates that urban renewal project areas which intend to use TIF for renewal activities submit a supplementary Impact Report to help forecast growth within a renewal area and estimate the impacts this growth will have on taxing entities that operate within that area. The impact report's purpose is to ensure that taxing entities that rely on property tax revenues will not be adversely impacted by the urban renewal project.

Quantifying these impacts requires a forecast of probable growth throughout the project area over the project's lifetime. The West Pueblo Urban Renewal Plan is expected to last 25 years, the maximum amount of time allotted by Colorado's Urban Renewal Law. This report estimates where and when this redevelopment will take place.

The analysis organized all new development into three **Phases**. Each Phase lasts a specific amount of time deemed reasonable for redevelopment. The properties selected for each phase were analyzed by a range of redevelopment factors and the presence of blighting factors<sup>3</sup>. These factors helped to organize parcels based on their redevelopment feasibility.

## Redevelopment Phases

Redevelopment Phase	Estimated Time
1	5 Years
2	8 Years
3	10 Years

The analysis assumes that the first two years of the Plan will not generate any new assessed value. After this two-year lag period, the redevelopment Phases begin. The first Phase is assumed to take place between 2024 and 2028, lasting five years. The second phase will begin in 2029 and conclude in 2036, lasting eight years. The third and final phase is projected to begin in 2037 and end with the Urban Renewal Plan in 2046<sup>4</sup>.

## Redevelopment Feasibility Analysis

The analysis assumes a particular redevelopment perspective, one that is informed by proposed development, County infrastructure extensions, and projected growth throughout the city. This underscores the order, pace and type of development that is likely to occur within the West Pueblo Urban Renewal Plan area.

This report analyzed every parcel within the Plan area using specific redevelopment metrics. These metrics included:

- *market valuation,*
- *assessments, zoning,*
- *proposed development,*
- *underutilization,*
- *vacancy,*
- *the presence of blighting factors,*
- *non-conforming lots,*
- *topography,*
- *access,*
- *utilities,*
- *floor-area ratios, and*
- *other redevelopment factors.*

The analysis created a matrix using these redevelopment factors which scored each parcel. Parcels that scored the highest for redevelopment feasibility were then placed in specific redevelopment Phases:

**Phase 1:** Parcels in this phase scored high for redevelopment feasibility. Parcel's undergoing annexations, rezonings, or featuring proposed developments were included in this phase. In general, these parcels tend to be underutilized, vacant, or exhibiting low building improvement

<sup>3</sup> All Blighting Factors geo-located within the West Pueblo Urban Renewal Plan Conditions Survey.

<sup>4</sup> Property Tax Increment in 2047 is also included as part of this report's TIF projections.

values relative to land values. Phase 1 represents the areas within the plan most likely to develop over the next seven years.

**Phase 2:** Parcels in this phase scored high for redevelopment feasibility but exhibited factors that made them less likely to develop as quickly as Phase 1. These parcels tend to be large parcels with significant topography, lacking interior street networks or infrastructure. They also are underutilized and vacant. The parcels in this Phase also exhibit regulatory hurdles, such as needing rezones and annexations. For these reasons, it is likely that these parcels will develop after Phase 1 is complete since they are adjacent to this future development.

**Phase 3:** Parcels in this phase scored lower for redevelopment feasibility than parcels in Phases 1 and 2. These parcels tend to exhibit steep topography, lack infrastructure, and are underutilized. These parcels also currently lack access and utilities, meaning that their development is dependent on surrounding parcels. The westernmost parcels in this Phase may benefit from County plans to extend surface infrastructure to the Plan area. However, until this project is complete, these Phase 3 parcels are likely to redevelopment last within the West Pueblo Plan area.

## Development Feasibility and Assumptions

This report evaluated recently completed and proposed developments throughout the City of Pueblo to help forecast the type, size, time and value of each redevelopment Phase. This provided a baseline to better project redevelopment within the West Pueblo Plan area over the next 25 years. These assumptions are cataloged below:

- **Type of Development** – Forecasted development is assumed to match its zoning district, except for the agricultural zones. All Agriculturally zoned parcels are assumed to be positioned for higher intensity development, and rezone to an R-5 designation once their redevelopment phase begins. Residential and mixed-use zones are anticipated to be favored throughout the plan area, meaning that the majority of new development will be residentially assessed.
- **Size of Development** – The scale of future development is limited by market demands, such as local absorption rates. Commercial development also needs to account for parking, ROW, and other site improvements that limits the size of vertical construction. SEH analyzed historic floor area ratios (FAR) of existing developments and compared this with recent developments within the City limits. FAR is a ratio between a property's land area and its total building area. The ratio serves as an indicator of how built up a property is relative to its land and can serve as a proxy for utilization. Because of the Plan area's zoning, and emphasis on housing development, this analysis conservatively estimated that future development would average a floor area ratio of 0.15<sup>5</sup>.
- **Time of Development** – As mentioned in the Size of Development section, market absorption rates were used to ensure that forecasted development was appropriately phased to meet local market demands. This report also assumes that early phases will need to be successfully completed before future phases can be initiated.

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<sup>5</sup> This FAR estimate considers open space, greenways, trails, and parks amenities that are assumed to be part of residential development. These amenities effectively lower FAR.



- Value of Development** – This report estimated the future value of development by comparing recent single family home sales, townhome and condominium sales, apartment rental rates, and local capitalization rates. This helped evaluate baselines for residential and commercial development, including for sale and for rent properties. These assumptions were incorporated into the TIF model based on unit pricing and price per square foot. These prices included both land and building improvement values. Unit sales price and price per square foot was chosen over cost per square foot because future taxable value is a derivative of actual assessed value. Although the County assessor uses three techniques to assess properties, recent sales price is a common appraisal method. Therefore, the sales price per square foot is a better indicator of future taxable value than cost per square foot. In order to ensure that projections did not over estimate market value, this analysis assumes that only 80% of a properties market value will become its final assessment. This report also analyzed market pricing and affordable pricing to anticipate value for development's targeting lower-income households within the plan area.

PUEBLO COMP ANALYSIS						
MARKET RATE			AFFORDABLE RATE			
	DEVELOPMENT TYPE	\$/UNIT	Rent \$/SF	\$/UNIT	Rent \$/SF	% DIFF
RESIDENTIAL	SINGLE FAMILY HOME	\$ 316,000	\$ -	\$ 275,000	\$ -	87%
	TOWNHOME	\$ 255,086	\$ -	\$ 221,989	\$ -	87%
	CONDO	\$ 255,086	\$ -	\$ 221,989	\$ -	87%
	MULTI-FAMILY	\$ 226,000	\$ 2.25	\$ 200,000	\$ 1.99	87%
		\$/UNIT	Lease \$/SF			Cap Rate
COMMERCIAL	OFFICE	\$ -	\$ 12.5			7.25%
	RETAIL	\$ -	\$ 14.0			6.80%
	LIGHT INDUSTRIAL	\$ -	\$ 14.0			7.00%

These assumptions guided this report's forecast of future development throughout the West Pueblo Urban Renewal Plan area.

## Tax Increment Financing Assumptions

As part of Statutory Requirements, this report projected the estimated property and sales tax generation for future development within the West Pueblo Urban Renewal Plan area. These projections are based on Pueblo County's 2022 certified assessments of property and the mill levies associated with the taxing entities present in the project area. The full list of taxing entities<sup>6</sup> and their associated millage rates are tabulated below:

West Pueblo Urban Renewal Plan Mill Levies			
Note:		TIF Percentages are assumed to be 100% for the Impact Report	
60B District	<b>Tax Entity</b>	<b>2022 Mill Levy</b>	<b>TIF Agreement %</b>
	PUEBLO COUNTY	30.199	100%
	CITY OF PUEBLO	15.633	100%
	S.E.WATER CONSV DISTRICT	0.839	100%
	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	1.503	100%
	PUEBLO CITY-COUNTY LIBRARY DISTRICT	5.889	100%
	SCHOOL DISTRICT 60	43.642	100%
	<b>Total</b>	<b>97.705</b>	<b>100%</b>
60D District	<b>Tax Entity</b>	<b>2022 Mill Levy</b>	<b>TIF Agreement %</b>
	PUEBLO COUNTY	30.199	100%
	S.E.WATER CONSV DISTRICT	0.839	100%
	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	1.503	100%
	PUEBLO CITY-COUNTY LIBRARY DISTRICT	5.889	100%
	SCHOOL DISTRICT 60	43.642	100%
	<b>Total</b>	<b>82.072</b>	<b>100%</b>
60CT District	<b>Tax Entity</b>	<b>2022 Mill Levy</b>	<b>TIF Agreement %</b>
	PUEBLO COUNTY	30.199	100%
	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	1.503	100%
	TURKEY CREEK CD	0	100%
	PUEBLO CITY-COUNTY LIBRARY DISTRICT	5.889	100%
	SCHOOL DISTRICT 60	43.642	100%
	<b>Total</b>	<b>81.233</b>	<b>100%</b>

<sup>6</sup> The Pikes Peak Metro District has been excluded for the purposes of this report.

This report assumes that all impacted taxing entities<sup>7</sup> will pledge 100% of their millage rate to the West Pueblo Urban Renewal Project area. Property tax projections made by this report assume that the number of taxing entities, as well as their millage rates, will remain unchanged over the project's lifetime.

Tax Increment assumptions are also based on the above mill levies and assumes that the project area's starting **base value is \$293,538**<sup>8</sup>. This report projects that both the project base and all future development will appreciate at a rate pegged to inflation. This report assumes that the **inflation rate will average 3% biennially** over the project's lifetime<sup>9</sup>.

## Sales Tax Assumptions

Colorado's Urban Renewal Law permits sales tax to be collected within urban renewal project areas to be leveraged for tax increment financing<sup>10</sup>. This report assumes that the City's sales tax rate is the only eligible sale tax for tax increment financing. The amount of sales tax that can be allocated to an urban renewal project is determined by calculating the amount of sales tax collected within the project area's boundary over the past 12 months. This is known as the sales tax base. Any increase over this base associated with new improvements within the project area is subject to negotiations between the municipality and the urban renewal authority over what portion of this increase can be paid out to fund urban renewal activities within the project area.

This report assumes that 100% of the City of Pueblo's sales tax generated by new improvements within the West Pueblo Urban Renewal Plan area will be allocated to the Pueblo Urban Renewal Authority. All sales tax calculations are estimates that have been isolated to only include new retail space forecasted to develop within the Plan area. The City of Pueblo imposes a 3.7% sales tax rate on the purchase price paid or charged on retail services. However, only 0.7% of the City's sales tax rate is already allocated to special funds. These include the police tax and economic development tax. This report assumes that only 3% of the City's 3.7% sales tax rate will be eligible for tax increment financing.

## The But-For Assumption

The final assumption made in this report is that all new development would not occur but for the West Pueblo Urban Renewal Plan and the Pueblo Urban Renewal Authority. The goal of this urban renewal plan is to incentivize development through a variety of tools, TIF being just one example, where new investments manifest throughout the Plan area because of the Pueblo Urban Renewal Authority's efforts. All tax increment estimates must therefore be considered revenue that is generated because of the Pueblo Urban Renewal Authority's efforts to attract and facilitate redevelopment to the Plan area. The Conditions Survey identified five statutorily defined blighting factors within the Plan area that impair and arrest sound development. The West Pueblo Urban Renewal Plan will remediate these conditions and bring about development that is desired by the Pueblo community. Because of this, future incremental revenues should not be considered property tax or sales tax that is abdicated by the area's taxing entities. Instead, these incremental revenues should be perceived as a future tax base that would not exist but for the creation of the West Pueblo Urban Renewal Plan.

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<sup>7</sup> The Pikes Peak Metro District has been excluded for the purposes of this report.

<sup>8</sup> This base value has been adjusted to account for agriculturally assessed properties.

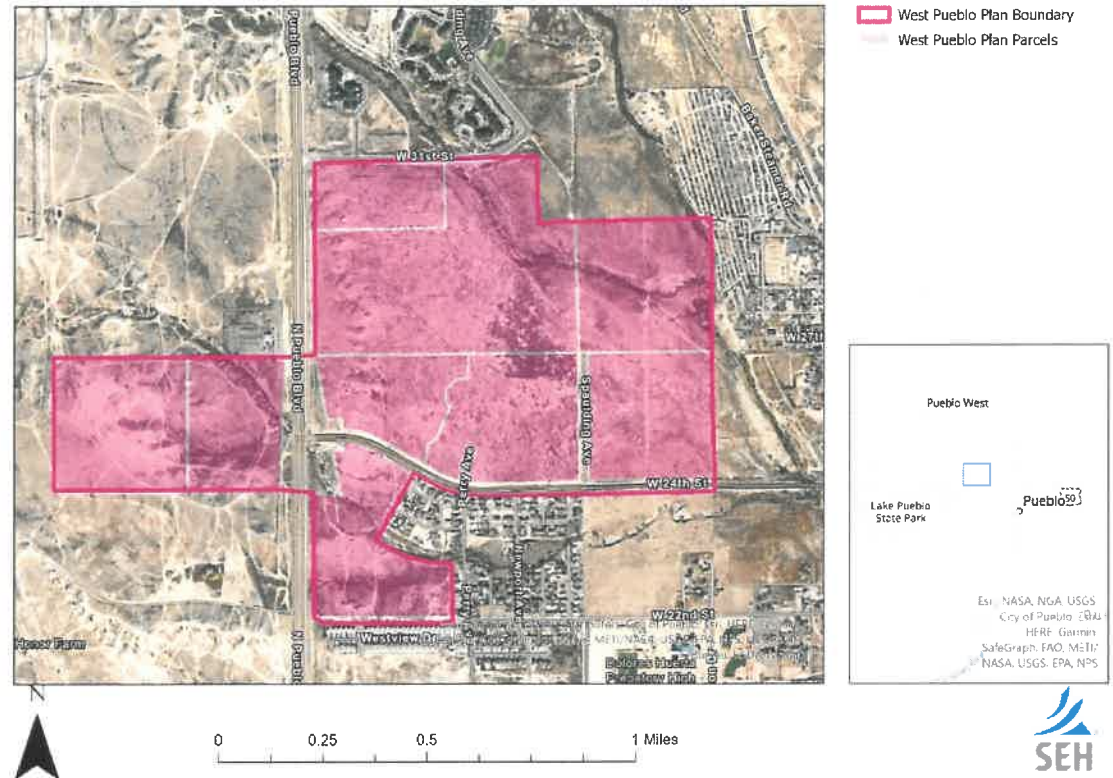
<sup>9</sup> Colorado's Urban Renewal Law requires that the base assessment be reevaluated every two years within an urban renewal project area.

<sup>10</sup> C.R.S. 31-25-107(9)(e)

### 3 Tax Increment Financing Summary

This Impact Report forecasted potential development throughout the West Pueblo Urban Renewal Plan area over the next 25 years and projected its assessed value and taxable revenue. These projections were used to estimate the amount of property tax increment and sales tax increment that will be generated within the Plan area if the urban renewal project is successful. Development projections are based on the methodology outlined in Section 2 of this report.

#### West Pueblo Urban Renewal Plan Impact Report



#### Redevelopment Parcels

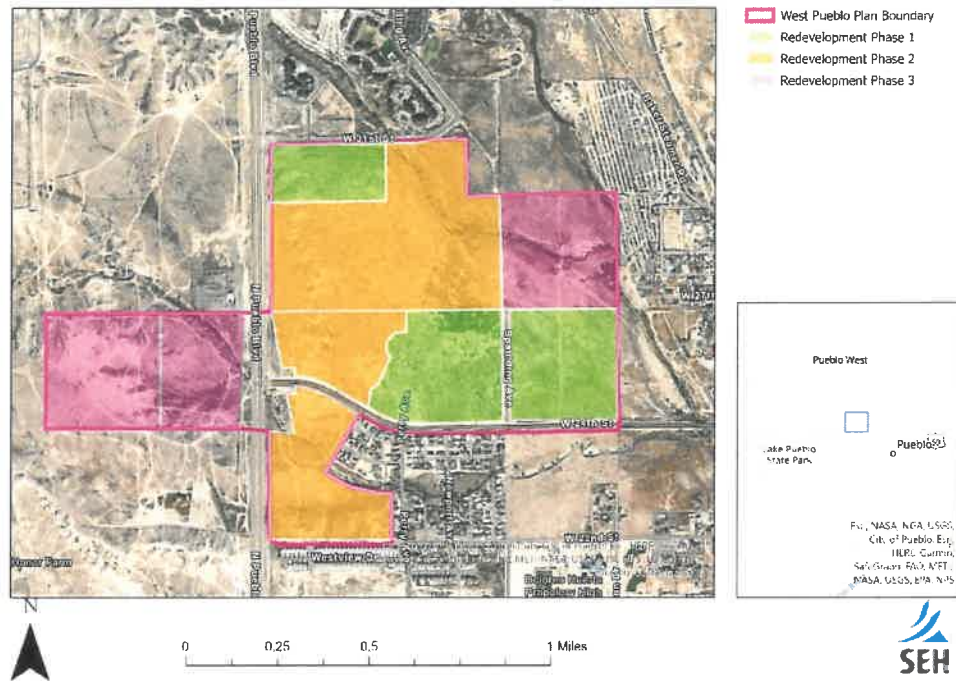
The Impact Report forecasted development on the eight (8) parcels within the Plan Area. These properties were organized into three categories based on their timeline for redevelopment. Properties that are expected to redevelop within the next seven years were categorized as **Redevelopment Phase 1**. Properties that are likely to develop in the next eight years are labeled as **Redevelopment Phase 2**. Properties that are likely to develop in the Plan's final 10 years are labeled **Redevelopment Phase 3**.

The following maps illustrate each Redevelopment Phase and their selected parcel locations. Neighborhood Maps of each Redevelopment Phase are included in this Report's Appendix.



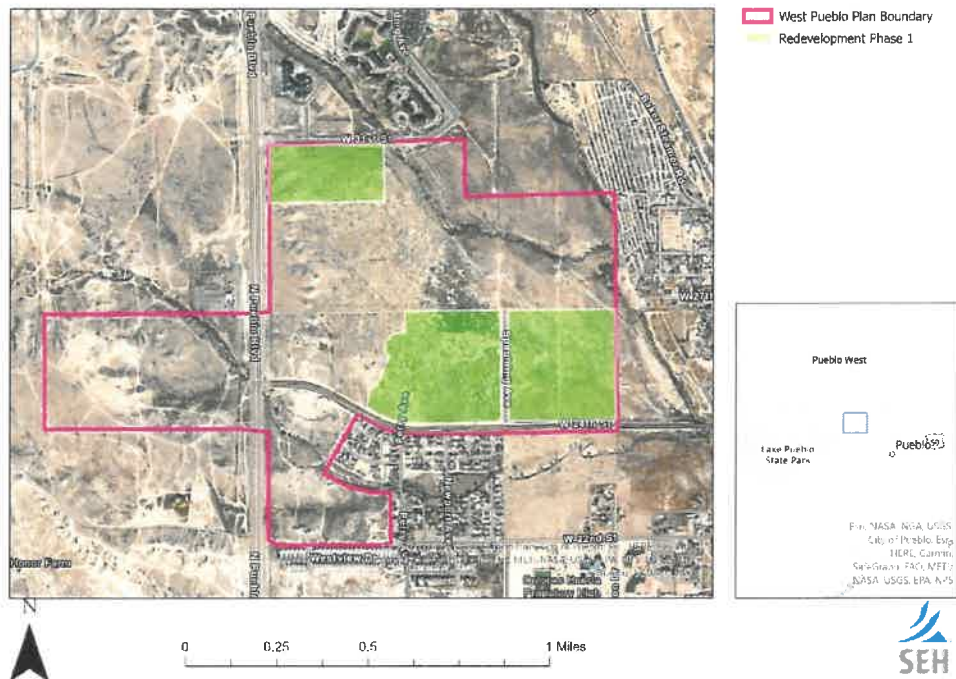
## Redevelopment Phases - Summary Map

### West Pueblo URA Plan: Redevelopment Phases



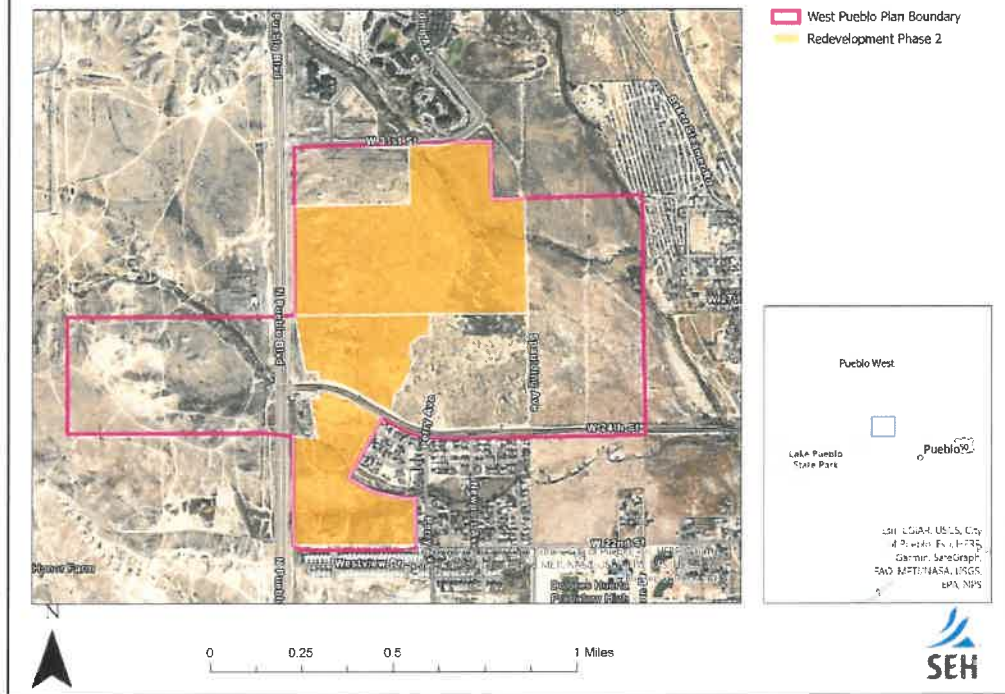
## Redevelopment Phase 1 – Summary Map

### West Pueblo URA Plan: Redevelopment Phase 1



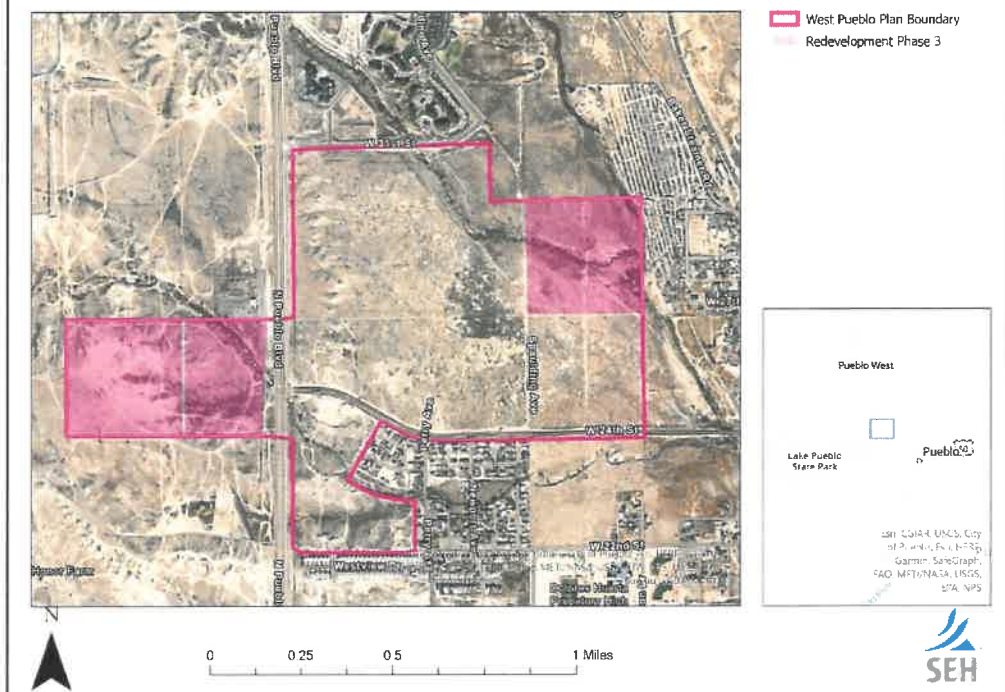
## Redevelopment Phase 2 – Summary Map

### West Pueblo URA Plan: Redevelopment Phase 2



## Redevelopment Phase 3 – Summary Map

### West Pueblo URA Plan: Redevelopment Phase 3





## Projected Assessment and Phasing

The assessed valuation for each Redevelopment Phase was estimated by this report. All assessment projections assume that future appraisals utilize a sales comparison approach to determine future value. The following table describes the estimated number of years it will take to absorb the developments, its total developable acreage, the total equalized assessed valuation (AV) of all new development<sup>9</sup>, the existing AV of the subject properties, and the Incremental AV (Net) of all new development. The Incremental (Net) AV is used to determine future tax revenue within the Plan area. NET AV also includes 20% market value reduction to account for differences in property valuation when assessed.

Redevelopment Phase 1 (2022 to 2028)				
Number of Parcels	Developable Acreage	Existing AV	New AV	Net AV
3	43.6	\$ 81,349	\$ 15,271,714	\$ 12,152,292
Redevelopment Phase 2 (2029 to 2036)				
Number of Parcels	Developable Acreage	Existing AV	New AV	Net AV
2	68.2	\$ 130,181	\$ 19,296,056	\$ 15,332,700
Redevelopment Phase 3 (2037 to 2046)				
Number of Parcels	Developable Acreage	Existing AV	New AV	Net AV
3	108.2	\$ 82,008	\$ 8,928,775	\$ 7,077,413

## Property Tax TIF Projections

This Impact Report estimated the West Pueblo Urban Renewal Plan's future TIF revenue over the next 25 years in accordance with C.R.S. 31-25-107(3.5)I-V. These estimates determine the property tax revenue that is likely to be generated by new developments within the Plan area. This tax revenue is assumed to be the result of the Pueblo Urban Renewal Authority's efforts to remediate blight and attract new investments within the Plan area.

Property tax TIF is estimated by comparing the Plan area's base value against its projected new improvement value. These assessed values each generate tax revenue based on the current millage rate of taxing entities within the Plan area. The base value's property tax revenue is not impacted by urban renewal projects. The new improvement's tax revenue, however, is the result of the urban renewal plan. That revenue is labeled as "increment". The property within the West Pueblo Urban Renewal Plan area has a current assessed value of \$293,538<sup>10</sup>. This current assessed value is known as the **Base Value** in tax increment financing.

This report estimates that new improvements within the West Pueblo Urban Renewal Plan area will amount to an additional \$43,496,000 in assessed value. This value is not generated at once but is instead phased in over the life of the Urban Renewal Plan.

This report models new development according to the phases outlined in the previous section. It then applies the tax districts' millage rates to both existing and new improvements within the plan area. Tax revenue generated by new improvements is incremental revenue. These revenues can be utilized by the Pueblo Urban Renewal Authority for urban renewal activities within the Plan area.

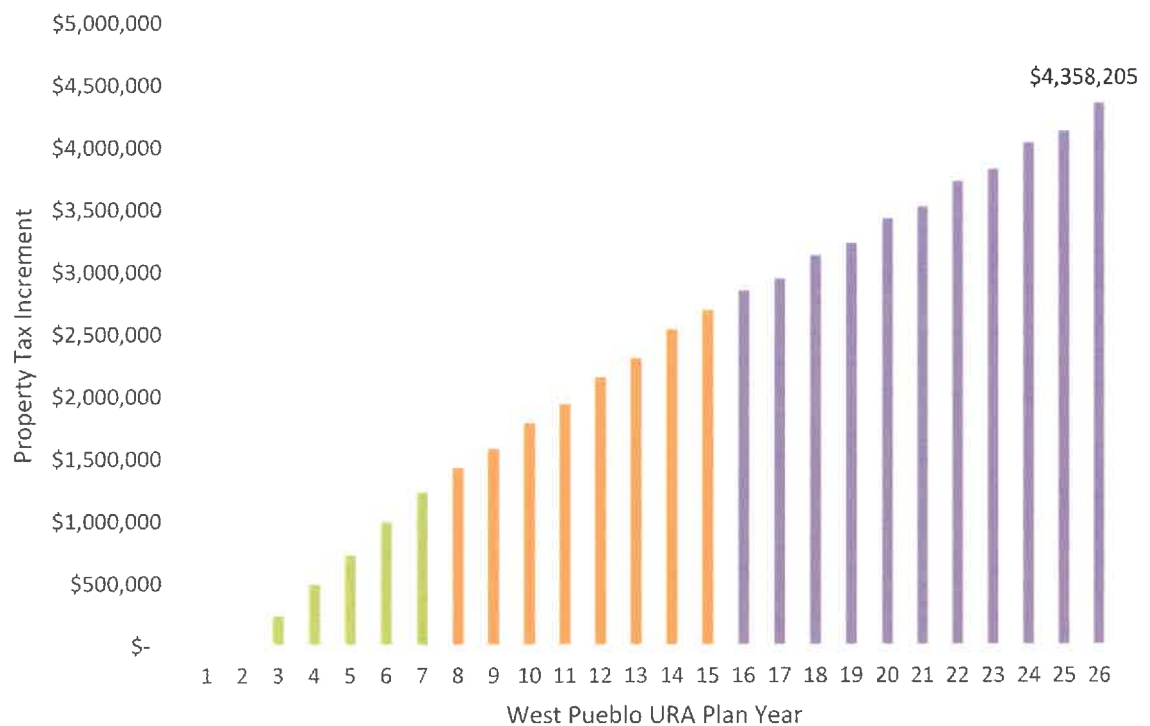
<sup>9</sup> Equalized Assessed Value is a property's value after its commercial and/or residential equalization ratio has been applied to its market value. The equalized assessed value is also a property's taxable value.

<sup>10</sup> Per Pueblo County Assessor Database, adjusted to account for ag properties.

## West Pueblo Urban Renewal Plan TIF Projections

Property TIF Estimates <sup>13</sup>					
Base Value of Plan Area					\$293,538
Total New Improvement AV				\$	43,496,000
Total TIF Revenue				\$	58,601,000
Annual TIF Revenue (25-Year Average)				\$	2,253,000
Tax District Estimates		Total Estimated Property Tax TIF			
	Tax District 60B	\$	47,792,472		
	Tax District 60CT	\$	2,361,196		
	Tax District 60D	\$	8,510,793		
Tax Entity Fund <sup>14</sup>		Millage Rate	Estimated Tax Increment (25 Years)		
			Tax District 60B	Tax District 60CT	Tax District 60D
	PUEBLO COUNTY	30.199	\$ 14,771,863	\$ 877,793	\$ 3,131,609
	CITY OF PUEBLO	15.633	\$ 7,646,893	\$ -	
	S.E.WATER CONSV DISTRICT	0.839	\$ 410,397	\$ -	\$ 87,004
	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	1.503	\$ 735,194	\$ 43,688	\$ 155,860
	PUEBLO CITY-COUNTY LIBRARY DISTRICT	5.889	\$ 2,880,609	\$ 171,175	\$ 610,684
	SCHOOL DISTRICT 60	43.642	\$ 21,347,516	\$ 1,268,540	\$ 4,525,637
	TURKEY CREEK CD	0		\$ -	\$ -

### Annual Property Tax TIF Estimate



Colors indicate projected redevelopment phases.

<sup>14</sup> The Pikes Peak Metro District has been excluded for the purposes of this report.



## Sales Tax TIF Projections

Colorado's Urban Renewal Law permits Urban Renewal Authorities to collect sales tax as a source of incremental taxable revenue. This report assumes that the West Pueblo Urban Renewal Plan will utilize sales tax revenue as a potential source of TIF revenue.

This analysis estimated potential sales tax generation by first estimating the amount new commercial square footage generated throughout redevelopment. This analysis then compared the City of Pueblo's existing commercial square footage to its annual sales tax collections. This helped determine an average sales per square foot multiplier.

This analysis then reviewed the locations of new commercial development within the West Pueblo Urban Renewal Plan area. Locations that were not conducive to retail operations, such as having poor access or being in residential only zones, were excluded from being a potential retail space.

This analysis estimates that all new commercial space will generate approximately \$250 per SF per year. The summary of these inputs and their estimated sales tax generation are listed in the table below.

<b>New Retail Space (25-Years)</b>	<b>313,977 SF</b>
<b>TIF Eligible Sales Tax Rate</b>	<b>3%</b>
<b>Estimated Sales Per SF</b>	<b>\$ 250.00</b>
<b>Estimated Sales Tax Increment (Gross)</b>	<b>\$ 7,248,000</b>
<b>Estimated Sales Tax Increment (Annual Average)</b>	<b>\$916,000</b>
<b>Percent of Annual Sales Tax Collections (City)</b>	<b>1.39%</b>

This report estimates that the West Pueblo Urban Renewal Plan will generate an additional 313,977 square feet of retail space over the next 25-years. Using an estimated sales per square of \$250 PSF and phasing retail commercial development over the next 25 years, this amount space of equates to \$22,313,000 in gross sales tax increment. Annually, this equals an average of \$916,000 in sales tax TIF collected. For comparison, the City of Pueblo collected \$66,114,677 in general sales tax (3% rate) in 2021. This means that projected retail development in the West Pueblo Urban Renewal Plan area should increase the City's sales tax collections by 1.39% annually. This estimate does not include State Sales Tax collections or County Sales Tax collections.

## 4 Taxing Entity Impacts

Assessing an Urban Renewal Plan's impacts on partnering taxing entities requires careful consideration of the revenue, services and infrastructure needed achieve that plan's goals. These impacts also need to consider the purpose of the Urban Renewal Plan. In addition to remediating blighting conditions, an Urban Renewal Plan typically is designed to bring about a public good, either in the form of a public amenity or infrastructure, or even a type of development. The West Pueblo Urban Renewal Plan area is designed to facilitate a major infrastructure improvements, public facilities, and affordable housing within and near the Plan area.

The Plan area abuts an area that has been selected by Pueblo County to house the County Jail. To service this new facility, however, the County will be required to extend a major thoroughfare from the City of Pueblo's existing limits to Pueblo West. This infrastructure improvement would effectively extend Joe Martinez Boulevard to the Plan area and intersect North Pueblo Boulevard. The West Pueblo Urban Renewal Plan would help fund this infrastructure improvement through TIF. This would in turn support the proposed Jail Facility and spur additional redevelopment throughout the Plan area.

The Plan area would also support a proposed development for attainable and affordable housing by helping fund an extension of Spaulding Avenue and a new fire station within the Urban Renewal Plan area. TIF revenue will support this development, and also open other properties of the Plan area to redevelopment.

These infrastructure improvement, facilities, and proposed developments would help to remediate the blighting conditions identified in the West Pueblo Plan area. This is an Urban Renewal Project's purpose, to alleviate blighting conditions and help attract new investment and public improvements to a specific area of the community.

This stated purpose needs to be weighed against the possible fiscal impacts caused by the Urban Renewal Plan on partnering taxing entities. Conversely, partnering taxing entities need to demonstrate an undue impact caused by the Urban Renewal Plan to justify withholding tax revenue that the Pueblo Urban Renewal Authority generated through its renewal efforts.

### Statutory Impacts

C.R.S. 31-25-107(3.5)I-V) lists requirements for Urban Renewal Impact Reports to evaluate potential impacts on effected taxing entities. The statute requires that the report examine County impacts in particular, stating the following:

- An estimate on the county revenue impact, and on the cost and extent of additional county infrastructure and services required to serve development within the proposed urban renewal area, and the benefit of improvements within the urban renewal area to existing county infrastructure,
- A statement setting forth the method under which the authority or the municipality will finance, or that agreements are in place to finance, any additional County infrastructure and services required to serve development in the urban renewal area for the period in which all or any portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of this section and levied by a county are paid to the authority,
- Any other estimated impacts of the urban renewal project on county services and revenues.

This section will answer these requirements directly about the West Pueblo Urban Renewal Plan's impacts to Pueblo County. This report will also address the impacts to the Pueblo School District 60, and the other entities that levy a tax within the Plan area.

## Assessed Value Comparison

The West Pueblo Urban Renewal Plan is located within three taxing districts, districts 60B, 60CT, and 60D. Each taxing district levies a different mill levy: 60B is 97.70500 mills, 60 CT is 81.233 mills, and 60D is 82.072 mills. Collectively these three tax districts include the following taxing entities: Pueblo County, the City of Pueblo, the Southeast Water Conservation District, the Lower Arkansas Valley Water Conservation District, the Pueblo City-County Library District, and the Pueblo School District 60. Tax District 60CT includes the Turkey Creek Conservation District. However, this district does not levy a mill and is not included as part of this analysis.

The table below illustrates the total assessed value (AV) of property currently within each taxing entity the collects a property tax. The Plan area's estimated incremental assessed value is also included as a percentage of each tax districts AV.

Residential Assessed Value						
West Pueblo URA Plan Incremental Assessed Value	CITY OF PUEBLO	PUEBLO COUNTY	S.E.WATER CONSV DISTRICT	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	PUEBLO CITY-COUNTY LIBRARY DISTRICT	SCHOOL DISTRICT 60
\$9,909,543	\$508,564,043	\$920,438,152	\$848,622,481	\$920,438,152	\$920,438,152	\$518,520,843
Percent of Taxing District	5.1%	2.8%	3.0%	2.8%	2.8%	5.0%
Commercial/Industrial Assessed Value						
West Pueblo URA Plan Incremental Assessed Value	CITY OF PUEBLO	PUEBLO COUNTY	S.E.WATER CONSV DISTRICT	LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	PUEBLO CITY-COUNTY LIBRARY DISTRICT	SCHOOL DISTRICT 60
\$36,304,538	\$339,686,160	\$584,740,095	\$523,940,384	\$391,625,889	\$584,740,095	\$362,803,610
Percent of Taxing District	5.2%	3.0%	3.4%	4.5%	3.0%	4.9%

## Pueblo County

### Revenue Impacts

The West Pueblo Urban Renewal Plan is expected to use Tax Increment Financing to help remediate blight and attract new investment to the project area. The use of future property tax could have an impact on the County's revenues, which is explored in this section.

Pueblo County issues a mill levy of 30.199 in all three districts included within the West Pueblo Urban Renewal Plan area. This mill levy is a major revenue source for the County's operations and funds. According to the Pueblo County 2022 Budget, taxes (which includes property, sales, use, excise, and specific ownership tax) account for 30% of its total revenue collected. Last year

these taxes amounted to \$116 million in revenue and helped to fund most of the County services to residents.

According to Pueblo County's OpenGov website, the total revenue collected in 2021 equaled \$240,723,797. Property tax accounted for 23.6% of the total revenue that year, or \$56,512,423 in property tax collected. To quantify potential revenue impacts to the County, this report compared the projected annual property tax revenue within the West Pueblo Urban Renewal Plan area to the County's property tax revenue. Projected property tax revenue is derived from new improvements in the Plan area, meaning that the Plan area's base assessed value was not included in this comparison.

This Report projected the West Pueblo Urban Renewal Plan area's annual property tax TIF per the County's millage rate and compared it as a percentage to total revenue collections. The West Pueblo Urban Renewal Plan area's property tax increment generated at the County's 30.199 millage rate will account for 1.30% of Pueblo County's annual revenue collections.

Pueblo County	2021 Property Tax Revenue (Actual)	Plan Area Estimated Property Tax TIF (25-Year Annual Average)	Percent of Total
General Fund	\$ 56,915,720	\$ 738,226	1.30%

The West Pueblo Urban Renewal Plan is expected to last 25-years. Over that time, the new improvements incentivized by this Plan and the Pueblo Urban Renewal Authority will begin to accumulate incremental property tax revenue. The incremental property tax represents a revenue stream that can be remitted to the Pueblo Urban Renewal Authority via TIF agreement in support of its remediation and redevelopment efforts in the West Pueblo Urban Renewal Plan area. West Pueblo TIF revenue is also expected to help support County initiatives such as the Joe Martinez Boulevard extension. This report estimates that new improvements within the Plan area account for \$19,194,000 in property tax TIF over 25-years.

Property tax is not the only revenue source generated by this Plan area's redevelopment. The West Pueblo Urban Renewal Plan will seek to attract new commercial development, a portion of which will be sales tax producing. Pueblo County levies a 1% sales tax rate that will not be used for Tax Increment Financing. This means that new commercial development within the West Pueblo Plan area represents a new source of revenue to the County. Over a 25-year horizon, the projected sales tax will amount to \$2,416,000.

The West Pueblo Urban Renewal Plan is not expected to generate significant revenue impacts on Pueblo County's General Fund. The Plan area's new development accounts for only 1.30% of the County's annual property tax revenue collections, a third of which will be offset by sales tax collections. The West Pueblo Urban Renewal Plan will alleviate blight without significantly detracting from the County's expected revenues. **This report does not find a negative revenue impact caused by the West Pueblo Urban Renewal Plan.**

### Infrastructure and Service Impacts

The West Pueblo Urban Renewal Plan area is unique in that it includes unincorporated property within its plan area. This is because the Plan area is designed to assist Pueblo County develop new infrastructure and facilities to the West of the Plan area. Normally, an Urban Renewal Plan



area that requires new County infrastructure would need to estimate the cost of that infrastructure and evaluate how much, if any, of the costs can be paid for via TIF. In the West Pueblo Urban Renewal Plan's case, this infrastructure is intended to be supported by TIF revenue, despite that Plan area not directly requiring its construction. In this regard, the West Pueblo Urban Renewal Plan will assist Pueblo County complete infrastructure and facility improvements. The financial assistance provided by TIF will exceed any fiscal impacts caused by the Plan to the County, which is why the County is supportive of including unincorporated property within an Urban Renewal Plan area.

New development within the Plan area is projected to generate 1,407 residential units over 25-years. These residences will be within the City of Pueblo's municipal limits and be served by the City's department of health and human services. Using Colorado State demographer data, this number of households equates to 3,349 new residents. Pueblo County's total population in 2020 was estimated at 168,434 persons. New residents generated because of the West Pueblo Urban Renewal Plan will account for approximately 2% of the County's population. This increase is not likely to generate significant impacts on the County's health or human services.

### County Impact Conclusion

This report concludes that the West Pueblo Urban Renewal Plan will not generate adverse fiscal impacts on Pueblo County revenue, infrastructure or services. In fact, the Plan is designed to help assist the County in developing new infrastructure and services that will benefit the public.

## Pueblo School District 60

### Revenue Impacts

The Pueblo School District 60 is the taxing entity that levies the largest millage rate within the West Pueblo Urban Renewal Plan area. The Pueblo School District 60 millage rate is 43.642. The School District is therefore an important partner to the Pueblo Urban Renewal Authority and vulnerable to the Plan's tax increment financing impacts.

According to the FY 2021-2022 adopted budget, the Pueblo School District 60 collected \$143,381,799 in total program funding. Property tax revenue accounted for 20.4%, or \$29,187,883 of that total. The following table compares these annual tax revenues with the estimated annual incremental property tax revenue generated by the West Pueblo Urban Renewal Plan area.

West Pueblo Urban Renewal Plan Impacts			
Pueblo School District 60 Fund	2019-2020 Property Tax Revenue	Estimated Property Tax TIF (Annual Average)	Percent of Total
Total	\$ 29,187,883	\$ 1,066,903	3.7%

The West Pueblo Urban Renewal Plan is not expected to generate a significant impact to the school district annual revenue. This report estimates that future incremental tax revenue amounts to only 3.7% of the School District's total property tax revenue. Property tax revenue is only 20.4% of the School District's total revenue, meaning that the West Pueblo Urban Renewal Plan's incremental property tax TIF represents 0.74% of all revenue.

## Student Population Generation

The West Pueblo Urban Renewal Plan is projected to generate residential and commercial development over the next 25-years. The commercial development will create a negligible impact on the school district. However, residential development leads to additional households and students. This report forecasted potential student generation to quantify that impact.

The Pueblo School District 60 is within the City of Pueblo. The table below summarizes City's demographic data<sup>12</sup>. These estimates, including household size and students per household, were used to estimate the number of students the West Pueblo's Urban Renewal Plan could generate over the next 25 years.

Estimated Population Generation	
Pueblo (City) Total Population	111,893
Household Population	108,691
Number of Households	45,704
Persons Per Household	2.38
Number of Students (District 60)	15,134
Students Per Household	0.33
<u>West Pueblo Urban Renewal Plan Development Projections</u>	
Projected Residential Units	1,407
Projected Population	3,349
Projected Students	464

The addition of 464 students over the next 25 years represents 3.07% of the current student population. According to Colorado's Department of Education, the school district has lost 12.52% of its pupil membership over the last 5-years, or 2,165 students. An additional 464 students generated by redevelopment within the West Pueblo Urban Renewal Plan is not a significant impact to the school district. In fact, it could help to reverse an ongoing decline of pupil membership within the Pueblo City 60 school district.

## School District Impact Conclusion

The West Pueblo Urban Renewal Plan is not likely to generate significant adverse impacts on Pueblo City School District 60. The estimated student generated by the plan will not significantly raise its pupil membership and may even help to offset a 5-year decline. Its fiscal impacts are also minimal, as projected property tax TIF represents only 3.7% of the district's annual property tax revenue.

## Impact Summary on Taxing Entities

This report did not find any substantial fiscal impacts to the taxing entities effected by the West Pueblo Urban Renewal Plan. The projected assessed value and property tax increment of the Plan amounts to a small percentage of each Taxing entities budget.

<sup>12</sup> Colorado State Demographer's Office 2020 County Population and Pupil Counts.

The Plan will not create fiscal, infrastructure or service burdens on the County. Instead, the Plan is being designed to help financially support infrastructure improvements that will benefit the City and County as a whole.

The Plan will not create negative fiscal impacts to the Pueblo City School District 60, as it only represents 3.7% of its annual property tax revenue. The Plan is likely to generate new students, but this increase in pupil membership will only help to offset a 5-year decline in student population.

The Plan will not create negative fiscal impacts to the City of Pueblo. The Plan is expected to generate approximately \$382,000 annually in property tax TIF at the City's mill levy. This amount is unlikely to trigger negative financial burdens for the City. Also, the City of Pueblo could elect to retain all sales tax increment generated by the Plan. Average sales tax generation is estimated at \$916,000 annually, meaning that the Plan would generate 68% more revenue for the City than property tax TIF alone. The West Pueblo Urban Renewal Plan will also remediate blighting conditions and support affordable housing development. These outcomes, coupled with the minimal financial impacts, imply that the Plan's benefits outweigh its costs to the City.

The following table outlines the estimated property tax revenue that will be generated within the plan area for each taxing entity. Generating significant tax increment may prove more troublesome than ensuring that taxing entities receive adequate base revenues, which is why this report recommends that each taxing entity agree to allocate 100% of their potential tax increment revenue to the Pueblo Urban Renewal Authority in support of the West Pueblo Urban Renewal Plan.

## West Pueblo Urban Renewal Plan TIF Summary Table, 25-Year Total

Tax Increment Financing Analysis <sup>16</sup>					
Tax Entity Fund	Millage Rate	Estimated Tax Increment (25 Years)			
		60B	60CT	60D	
PUEBLO COUNTY	30.199	\$ 14,763,547	\$ 864,493	\$ 3,131,609	
CITY OF PUEBLO	15.633	\$ 7,642,589	\$ -		
S.E.WATER CONSV DISTRICT	0.839	\$ 410,166	\$ -	\$ 87,004	
LOWER ARKANSAS VALLEY WATER CONSV. DISTRICT	1.503	\$ 734,780	\$ 43,026	\$ 155,860	
PUEBLO CITY-COUNTY LIBRARY DISTRICT	5.889	\$ 2,878,987	\$ 168,582	\$ 610,684	
SCHOOL DISTRICT 60	43.642	\$ 21,335,499	\$ 1,249,320	\$ 4,525,637	
TURKEY CREEK CD	0		\$ -	\$ -	
25 Year Total		\$ 47,765,569	\$ 2,325,421	\$ 8,510,793	

<sup>16</sup> The Pikes Peak Metro District has been excluded for the purposes of this report.

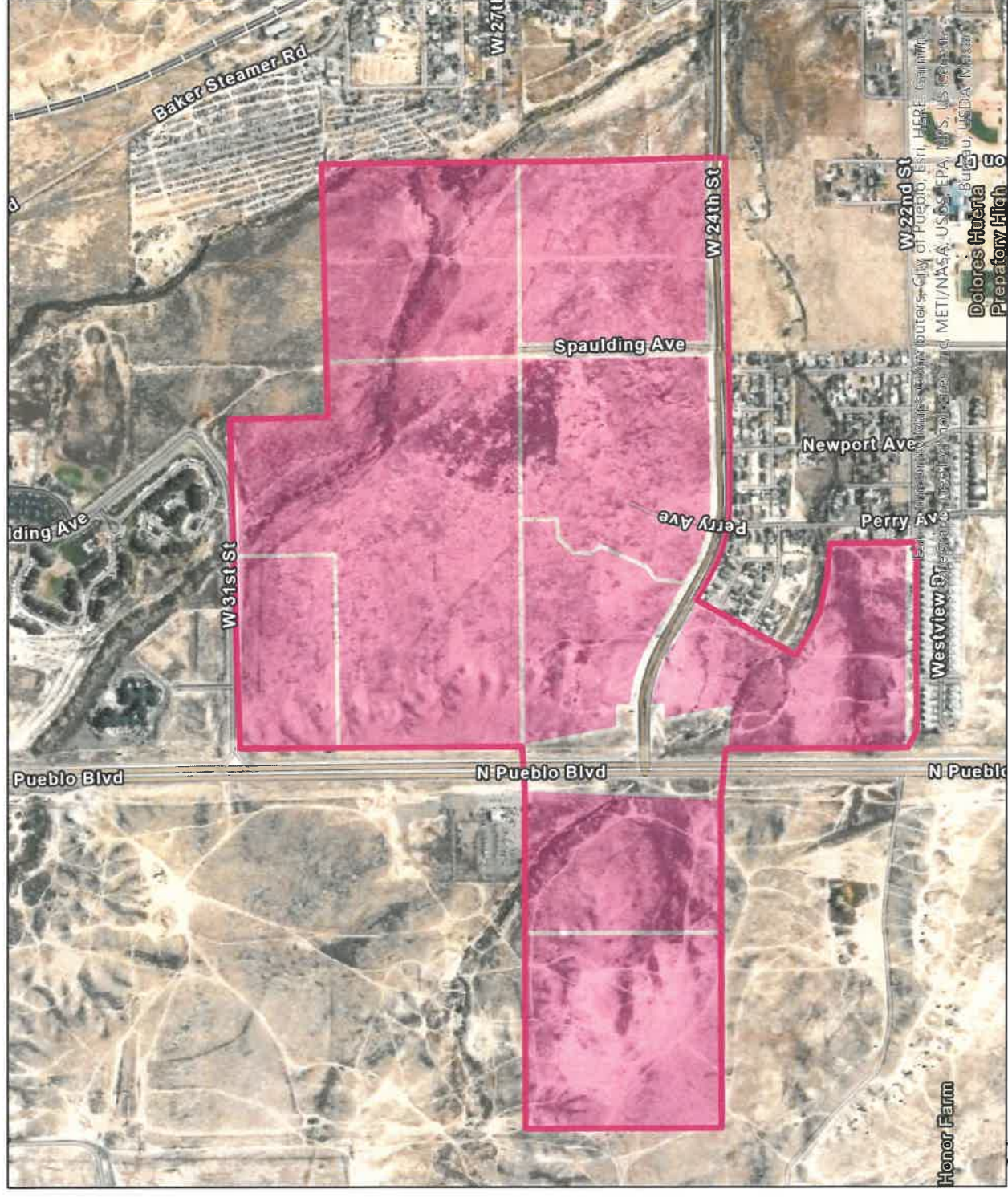
## Impact Report Appendix





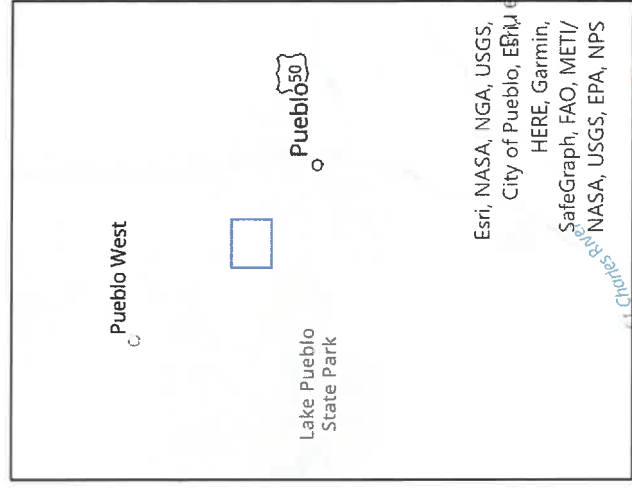
# Appendix A

Redevelopment Phasing Maps

# West Pueblo Urban Renewal Plan Impact Report



-  West Pueblo Plan Boundary
-  West Pueblo Plan Parcels

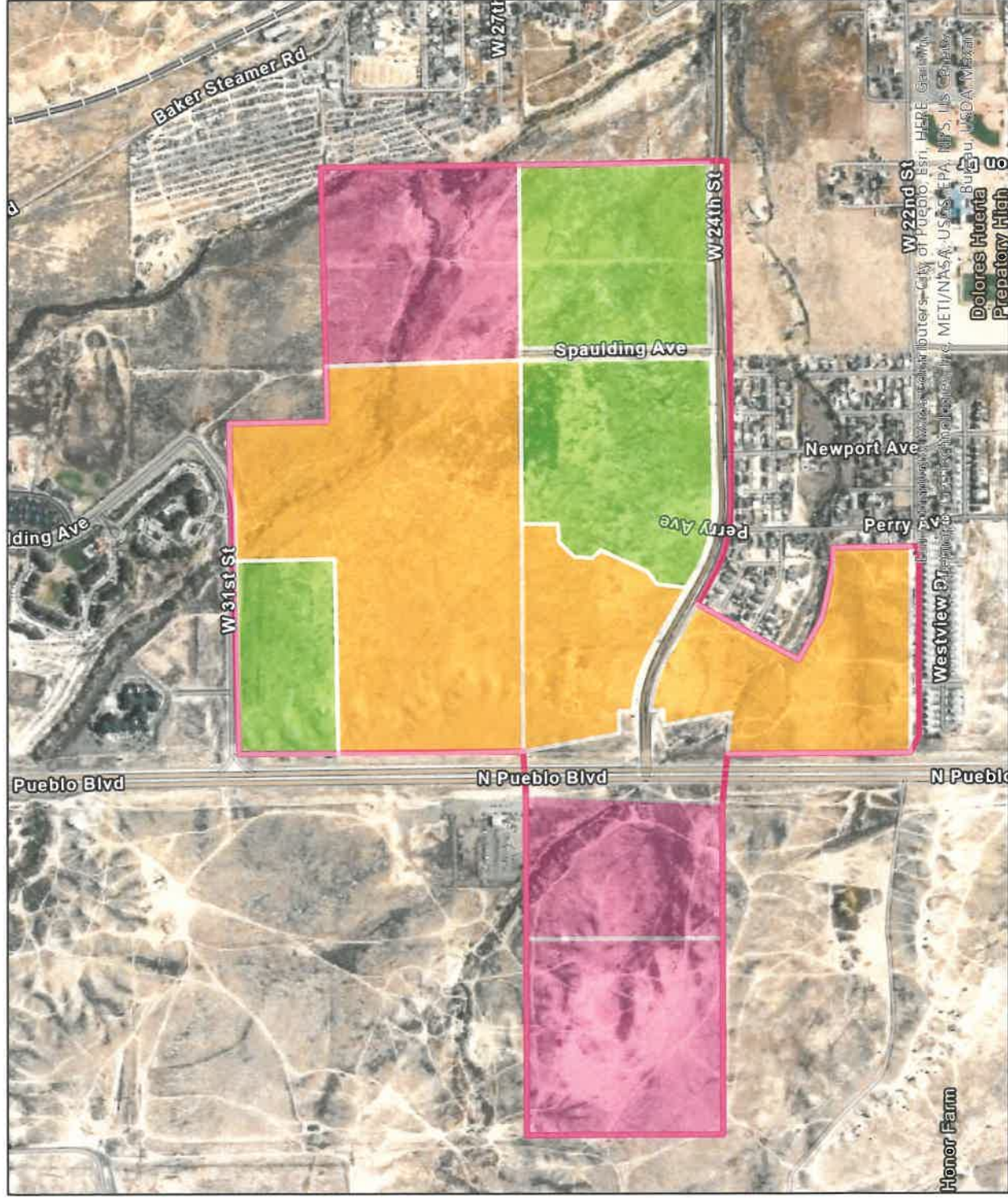


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HERE, Garmin,  
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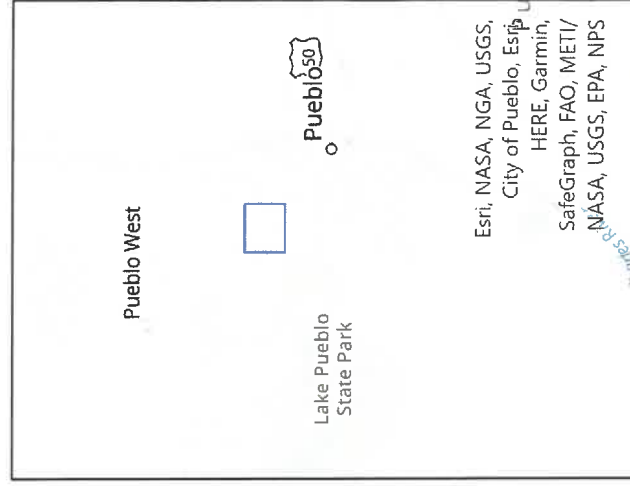




# West Pueblo URA Plan: Redevelopment Phases



- West Pueblo Plan Boundary
- Redevelopment Phase 1
- Redevelopment Phase 2
- Redevelopment Phase 3



## Appendix B

Tax Increment Financing Pro Forma



West Pueblo UWA Plan		Period												Total Available	
Contract Annual Payments		1	2	3	4	5	6	7	8	9	10	11	12	13	14
Administrative Schedule															
Phase 1	Residential Units	161	161	161	161	161	161	161	161	161	161	161	161	161	161
Phase 2	Commercial Units	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023	3,023
Phase 3	Commercial Units														
Phase 4	Commercial Units														
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**PROPERTY TAX INCREMENT REVENUE AGREEMENT**  
(Pueblo City–County Library District – West Pueblo Urban Renewal Project)

1.0 **PARTIES.** This Agreement (the “Agreement”) is made and executed effective as of \_\_\_\_\_, 2022, by and between the PUEBLO URBAN RENEWAL AUTHORITY, a body corporate and politic of the State of Colorado (the “Authority”) and the PUEBLO CITY-COUNTY LIBRARY DISTRICT, a political subdivision of the State of Colorado (the “District”). The Authority and the District are also referred to herein collectively as the “Parties” or individually as a “Party.”

2.0 **RECITALS.** The following recitals are incorporated in and made a part of this Agreement. Capitalized terms are defined in Section 4.0.

2.1 **Urban Renewal Project.** Pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”), the City of Pueblo (the “City”) and Pueblo County (the “County”) have agreed to jointly undertake the West Pueblo Urban Renewal Project (the “Urban Renewal Project” or “Project”) pursuant to the “West Pueblo Urban Renewal Plan” (the “Urban Renewal Plan” or “Plan”).

2.2 **Authorization.** The area (the “Area” or “Urban Renewal Area”) included in the proposed Urban Renewal Plan includes real property in unincorporated Pueblo County that is contiguous to a portion of the Urban Renewal Area that is within the municipal limits of the City as authorized by Section 31-25-112.5 of the Act.

2.3 **Agricultural Land.** The proposed Urban Renewal Area includes approximately \_\_\_\_\_ acres of property that is or, within the previous five years, has been classified by the Pueblo County Assessor as agricultural land (“Agricultural Land”) for the purposes of levying ad valorem property taxes. The Parties intend that this Agreement shall constitute written approval by the District to inclusion of such Agricultural Land in the Urban Renewal Area as provided by Section 31-25-107(1)(c)(II)(C) of the Act.

2.4 **City Approval of the Plan.** In accordance with the Act, the City Council of the City will consider approving the Plan at its meeting on \_\_\_\_\_, 2022 pursuant to the notices of public hearing required by the Act.

2.5 **County Approval of the Plan.** In accordance with Section 31-25-112.5 the Act, the County Commissioners of the County will consider approving the Plan at its meeting on \_\_\_\_\_, 2022 pursuant to the notices of public hearing required by the Act.

2.6 **Purpose of the Plan.** The purpose of the Plan is to eliminate conditions of blight documented in the “West Pueblo Urban Renewal Plan: Conditions Survey” dated May 2, 2022 (the “Conditions Survey”), and to redevelop and rehabilitate the Urban Renewal Area described in the Plan by private enterprise as required by the Act. The benefits and potential burdens of the Urban Renewal Project on the District and other taxing entities are described in that certain document entitled “West Pueblo Urban Renewal Plan Impact Report” dated August 22, 2022 (the “Impact Report”).

2.7 Tax Increment Financing. The Urban Renewal Plan contains provisions that permit the financing of the Urban Renewal Project by means of property tax increment financing ("TIF Financing") contained in Section 31-25-107(9) of the Act and is therefore subject to the requirements contained in House Bill 15-1348 enacted in 2015, as amended in 2016, by Senate Bill 16-177, and in 2017 by Senate Bill 17-279 (collectively, the "Amended 1348 Requirements").

2.8 Enhanced Base Valuation. In addition to the other benefits of the Urban Renewal Project, inclusion of Agricultural Land in the Plan will result in the benefit to the District of the enhanced assessed base value required by Section 31-25-107(9)(g) of the Act in connection with the authorization for TIF Financing.

2.9 Nature of Urban Renewal Project and Purpose of Agreement. The proposed Urban Renewal Project consists of any and all undertakings and activities authorized in the Plan and the Act to eliminate conditions of blight and to comply with Section 31-25-107(4)(g) of the Act that requires the Plan afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation and redevelopment of the Urban Renewal Area by private enterprise.

2.10 Colorado Urban Renewal Law. In accordance with the Act as amended to the date of this Agreement (including the Amended 1348 Requirements), the Parties desire to enter into this Agreement to facilitate adoption of the Plan and redevelopment of the Urban Renewal Area.

3.0 AGREEMENT. In consideration of the covenants, promises and agreements of each of the Parties hereto, to be kept and performed by each of them, it is agreed by and among the Parties hereto as set forth herein.

4.0 DEFINITIONS. In this Agreement, unless a different meaning clearly appears from the context:

4.1 "Act" means the Colorado Urban Renewal Law, §§31-25-101, *et seq.*, C.R.S., as amended.

4.2 "Agreement" means this Agreement, as it may be amended or supplemented in writing. References to sections or exhibits are to this Agreement unless otherwise qualified.

4.3 "Agricultural Land" means land described in Section 2.3 of this Agreement.

4.4 "Amended 1348 Requirements" means the requirements applicable to use of Property Tax Increment Revenues imposed by House Bill 15-1348 enacted in 2015, as amended in 2016, by Senate Bill 16-177, and in 2017 by Senate Bill 17-279.

4.5 "Authority" means the Party described in Section 1.0, and its successors and assigns.



4.6 “Bonds” means any bonds (including refunding bonds), notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, debentures, or other obligations provided in the Act.

4.7 “City” means the City of Pueblo, a home rule city of the State of Colorado.

4.8 “District” means the Party described in Section 1.0, and its successors and assigns.

4.9 “Duration” means the twenty-five (25) year period that the tax increment or tax allocation provisions of the Plan will be in effect as specified in Section 31-25-109(a) of the Act and the Plan and the Authority will receive the Property Tax Increment Revenues.

4.10 “Party” or “Parties” shall have the meaning described in Section 1.0.

4.11 “Plan” or “Urban Renewal Plan” means the urban renewal plan defined in Section 2.1.

4.12 “Project” shall have the same meaning as Urban Renewal Project.

4.13 “Project Documents” means the Conditions Survey, Impact Report, Urban Renewal Plan, and the notices of public hearing described in Sections 2.4 and 2.5.

4.14 “Property Tax Increment Revenues” means all revenues produced by property tax levies on the TIF portion of the property tax assessment roll, as described in Section 31-25-107(9)(a)(II) of the Act allocated to the Special Fund for the Duration of the TIF Financing provisions of the Plan.

4.15 “Special Fund” means the fund described in the Plan and Section 31-25-107(9)(a)(II) of the Act into which the Property Tax Increment Revenues will be deposited.

4.16 “TIF Financing” means the financing authorized and permitted pursuant to the tax allocation or tax increment provisions of the Plan and Section 31-25-107(9) of the Act.

4.17 “Urban Renewal Area” means the area included in the boundaries of the Plan.

4.18 “Urban Renewal Project” means all undertakings and activities, or any combination thereof, required to carry out the Urban Renewal Plan authorized by and pursuant to the Act.

5.0 COOPERATION. In accordance with Section 31-25-112 of the Act, this Agreement shall constitute an agreement in writing by the District to aid the Authority in (1) the elimination of conditions of blight from the Urban Renewal Area, (2) written approval of the District to inclusion of Agricultural Land in the Plan, and (3) providing necessary infrastructure through the unqualified payment or reimbursement of eligible costs of the Project.

5.1 Property Tax Increment Revenues. The District agrees the Authority may retain and expend in furtherance of the Urban Renewal Project 100% of the Property Tax Increment Revenues it receives from the Pueblo County Treasurer each year from the property tax levy of the District against the TIF portion of the assessment roll as authorized in the Plan for the maximum period of twenty-five (25) years that the Authority is authorized to receive Property Tax Increment Revenues pursuant to the Act (the “Duration”).

5.2 Pledge of Property Tax Increment Revenues. The District recognizes and agrees that in reliance on this Agreement, the Authority intends to and shall have the unqualified right to irrevocably pledge all the Property Tax Increment Revenues it receives to payment of the eligible costs of the Urban Renewal Project for the duration of the Urban Renewal Project. The Authority has elected to apply the provisions of Section 11-57-208, C.R.S. to this Agreement. The Property Tax Increment Revenues, when and as received by the Authority shall be subject to the lien of such pledge for the Duration of the Project without any physical delivery, filing, or further act and shall be an obligation of the Parties pursuant to Section 31-25-107(9) of the Act. The Parties agree that the creation, perfection, enforcement and priority of the pledge of the Property Tax Increment Revenues shall be governed by Section 11-57-208, C.R.S.

5.3 Amended 1348 Requirements. The Parties acknowledge that the Amended 1348 Requirements created new requirements applicable to new or modified urban renewal projects. By entering into this Agreement, the Parties intend to resolve all questions concerning the applicability of these statutory changes to the matters described herein to aid in the timely execution of the Urban Renewal Project.

5.4 Receipt of Project Documents; Waivers. The District acknowledges receipt of the Project Documents and agrees that the Project Documents and execution of this Agreement satisfy the requirements of the Act regarding all applicable Amended 1348 Requirements for the adoption of the Plan, TIF Financing for this Urban Renewal Plan, approvals for inclusion of Agricultural Land in the Plan, and notices related thereto, except those that may apply to future modifications of Plan as required by Sections 31-25-107 (3.5) and (7) of the Act. Subject to such right to receive notice of any proposed future modification of the Plan, the District hereby waives (1) the right to receive any funds to finance any additional infrastructure and services required to serve development within the Urban Renewal Area; (2) the right to enjoin any activity of the Authority pursuant to the Plan, including the right of the Authority to issue Bonds necessary to finance the Project; (3) the rights to receive the notice and share in Property Tax Increment Revenues in accordance with the provisions of Sections 31-25-107 (9.5) and (11) of the Act; (4) the arbitration rights contained in Section 31-25-107 (12) of the Act; and (5) any other right or remedy that would materially interfere with or impair the validity of the Bonds or the rights and remedies of any holder of the Bonds.

6.0 NOTIFICATION OF PROPOSED MODIFICATIONS OF THE PLAN; AGREEMENT NOT PART OF PLAN. The Authority agrees to notify the District of any proposed modification of the Plan as required by Sections 31-25-107(3.5) and (7) of the Act. This Agreement is not part of the Plan.

7.0 AGREEMENT CONFINED TO URBAN RENEWAL PLAN. This Agreement applies only to the Urban Renewal Plan and the Urban Renewal Area, and does not include any other urban renewal plan or urban renewal area.

8.0 MISCELLANEOUS.

8.1 Delays. Subject to Section 8.2 herein, any delays in or failure of performance by any Party of its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God; fires; floods; earthquake; abnormal weather; strikes; labor disputes; accidents; regulation or order of civil or military authorities; shortages of labor or materials; or other causes, similar or dissimilar, including economic downturns, which are beyond the control of such Party.

8.2 Termination; Subsequent Legislation or Litigation. In the event of termination of the Plan, including its TIF Financing provision, the Authority may terminate this Agreement by delivering written notice to the District. The Parties further agree that in the event legislation is adopted or a decision by a court of competent jurisdiction on or after the effective date hereof that invalidates or materially effects any provisions hereof, the Parties will in good faith negotiate for an amendment to this Agreement that most fully implements the original intent, purpose and provisions of this Agreement, but does not impair any otherwise valid contracts or financial obligations in effect at such time.

8.3 Entire Agreement. This instrument embodies the entire agreement of the Parties with respect to the subject matter hereof. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the Parties hereto. No modification to this Agreement shall be valid unless agreed to in writing by the Parties.

8.4 Binding Effect. This Agreement shall inure to the benefit of and be binding upon the Parties and their successors in interest.

8.5 No Third-Party Enforcement. It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned Parties and nothing in this agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement; provided, however, a bond trustee or lender may enforce its rights as provided under the documents authorizing the issuance or sale of the Bonds. It is the express intention of the undersigned Parties that any person or entity other than the undersigned Parties receiving services or benefits under this Agreement shall be an incidental beneficiary only.

8.6 No Waiver of Immunities. No portion of this Agreement shall be deemed to constitute a waiver of sovereign or governmental immunity that the Parties or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this agreement.

8.7 Amendment. This Agreement may be amended only by an instrument in writing signed by the Parties.

8.8 Parties not Partners. Notwithstanding any language in this Agreement or any other agreement, representation, or warranty to the contrary, the Parties shall not be deemed to be partners or joint venturers, and no Party shall be responsible for any debt or liability of any other Party.

8.9 Interpretation. All references herein to Bonds shall be interpreted to include the incurrence of debt by the Authority in any form consistent with the definition of "Bonds" in the Act, including payment of eligible costs or any other lawful financing obligation related to the Project.

8.10 Incorporation of Recitals and Exhibits. The provisions of the Recitals and any exhibits attached to this Agreement are incorporated in and made a part of this Agreement.

8.11 No Assignment. No Party may assign any of its rights or obligations under this Agreement; provided, however, the Agreement may be assigned by a Party to a successor of such Party.

8.12 Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

8.13 No Presumption. The Parties to this Agreement and their attorneys have had a full opportunity to review and participate in the drafting of the final form of this Agreement. Accordingly, this Agreement shall be construed without regard to any presumption or other rule of construction against the Party causing the Agreement to be drafted.

8.14 Severability. If any provision of this Agreement as applied to any Party or to any circumstance shall be adjudged by a court to be void or unenforceable, the same shall in no way affect any other provision of this Agreement, the application of any such provision in any other circumstances or the validity, or enforceability of the Agreement as a whole.

8.15 Minor Changes. This Agreement has been approved in substantially the form submitted to the governing bodies of the Parties. The officers executing this Agreement are authorized to make and may have made, minor changes to this Agreement as they have considered necessary. So long as such changes were consistent with the intent and understanding of the Parties at the time of approval by the governing bodies, the execution of the Agreement shall constitute the approval of such changes by the respective Parties.

*[SIGNATURE PAGE FOLLOWS]*



IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized officials to execute this Agreement effective as of the day and year first above written.

ATTEST:

PUEBLO URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_  
Secretary/Executive Director

By: \_\_\_\_\_  
Chair

ATTEST:

PUEBLO CITY-COUNTY LIBRARY DISTRICT

By: \_\_\_\_\_

By: \_\_\_\_\_

DRAFT

