



# Colorado Smelter Urban Renewal Plan

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## 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 described in Exhibit A and depicted 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.

Colorado Smelter Revitalization Plan means the EPA Region 8 and Superfund Redevelopment Initiative Plan document adopted by the City of Pueblo in June 2020.

Comprehensive Plan means the Pueblo Comprehensive Plan adopted in 2022, as amended.

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, the City Strategic Plan, and the Colorado Smelter Revitalization Plan that apply to the Urban Renewal Area. The provisions of this Plan are intended to help provide important services to the Area, attract private investment, eliminate and prevent conditions of blight, remediate environmental contamination, promote redevelopment and rehabilitation of the urban renewal area, utilize underdeveloped land, and leverage public investment and funding mechanisms to promote redevelopment and rehabilitation, 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 BOUNDARIES**

An urban renewal plan area covering portions of the Colorado Smelter Revitalization Plan (CSR), the EPA Superfund site's Operable Unit 1 and Operable Unit 2, as well as additional parcels that need or will likely attract new investment or reinvestment. The area also includes public right-of-way that may benefit from urban renewal treatment. The Urban Renewal Plan Area encompasses 2,642 acres which includes 4,343 individual parcels.

## **IV. SUMMARY OF STATUTORY CRITERIA**

On January 24, 2022, Pueblo City Council approved Resolution No. 14796, instructing the Pueblo Urban Renewal Authority to conduct a blight study of the area described Colorado Smelter 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 "Colorado Smelter URA Plan: Conditions Survey" (the Conditions Survey) dated April 5, 2022, consisting of 40 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:

1. Slum, deteriorated, or deteriorating structures.
2. Predominance of defective or inadequate street layout.
3. Faulty lot layout in relation to adequacy, accessibility, size or usefulness.
4. Unsanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Unusual topography or inadequate public improvements or utilities.
7. Conditions that endanger life or property by fire or other causes.

8. Buildings that are Unsafe or Unhealthy or unhealthy for persons to live or work in.
9. Environmental contamination of buildings or property; and
10. Substantial physical underutilization or vacancy of sites, buildings, or other improvement.

## **V. DESCRIPTION OF URBAN RENEWAL PROJECT**

This Plan will be implemented as part of a comprehensive program to eliminate and prevent blight in the Colorado Smelter 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, attract new investment within the Urban Renewal Project, and advance the goals outlined in the Colorado Smelter Revitalization Plan.

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

#### **1. Goals of the Plan**

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

- a. To 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 assist in the Revitalization of the Grove, Eilers Heights/Bojon Town, and Bessemer Neighborhoods.
- e. To assist in the environmental remediation efforts surrounding the former smelter site and slag pile.
- f. 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.
- g. To invest in culture and community spaces.
- h. To create thriving neighborhoods to providing residents with home buying assistance, increasing affordable and accessible housing options, increasing small lot infill development and increasing and diversifying recreation and service amenities.

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

The Plan conforms with and is designed to implement the following guiding principals, goals, policies and strategies outlined in the Pueblo Area Council of Governments Regional Comprehensive Plan (2022):

- a. **Guiding Principal 1 – Diverse Lifestyles, Attainable Housing Options.**
  - i. The Plan will help advance regional goals and policies outlined under this guiding principle, including:
    - 1. Goal 1.1 – Expand housing options to meet the needs of existing and future residents of all ages, abilities, and income levels.
    - 2. Goal 1.2 – Promote reinvestment in existing neighborhoods – housing stock, infrastructure, and amenities.
    - 3. Goal 1.3 – Preserve and expand the supply of workforce and affordable housing within the region.
  
- b. **Guiding Principle 4 – Celebrate Pueblo**
  - i. The Plan will help advance regional goals and policies outlined under this guiding principle, including:
    - 1. Goal 4.1 – Protect and Preserve Pueblo County’s Historic,
    - 2. Goal 4.6 – Enhance the appearance of public spaces, rights of way, and community gateways.
  
- c. **Guiding Principle 5 – A Future Ready Workforce**
  - i. The Plan will help advance regional goals and policies outlined under this guiding principle, including:
    - 1. Goal 5.2 Diversify the region’s economic base.
  
- d. **Guiding Principle 6 – Grow Smarter**
  - i. The Plan will help advance regional goals and policies outlined under this guiding principle, including:
    - 1. Goal 6.1 – Promote a fiscally and environmentally responsible pattern of growth.
    - 2. Goal 6.2 – Encourage infill and reinvestment in established communities and neighborhoods.
  
- e. **Guiding Principle 7 – Strong Local and Regional Connections**
  - i. The Plan will help advance regional goals and policies outlined under this guiding principle, including:
    - 1. Goal 7.3 – Encourage and Prioritize the use of alternative forms of transportation.

3. **Relationship to the Colorado Smelter Revitalization Plan**

The Plan conforms with and designed to implement the following goals detailed in the EPA Region 8’s, City of Pueblo, and BEGIN Network’s Colorado Smelter Revitalization Plan:

- a) Connectivity and Cultural Heritage – The Plan will help to reconnect the Bessemer, Eilers Heights/Bojon Town and Grove neighborhoods.

This connectivity will be achieved through incentivizing the development of Greenway trails, sidewalk and streetscape improvements, enhancing commercial nodes, and adding cultural heritage signage.

- b) Thriving Neighborhoods – The Plan will help revitalize the Bessemer, Eilers Heights/Bojon Town, and the Grove neighborhoods by incentivizing catalyst mixed-use projects and providing funding for residential rehabilitation and affordable housing options.
  
- c) Vibrant Commercial – The Plan will help to identify and incentivize and catalyst public-private project that combines investment in civic space, workforce housing, neighborhood services and streetscape improvements. The Plan will help target investment into commercial corridors with the project area.

## **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 Plan 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 Project 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 and secondary codes therein adopted by reference, and other applicable standards and regulations of the City of Pueblo ("City Regulations"). Permitted uses for properties in the Urban Renewal Area shall be those uses allowed in the City of Pueblo Land Use Code.

## **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 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, 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; 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 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 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 560 acres, and is generally described as follows:

Beginning at the center point of the intersection of Stone Avenue and West Arroyo Avenue; thence easterly along said centerline of West Arroyo to its intersection with Interstate 25; thence easterly across said Interstate 25 right-of-way to the eastern right-of-way line of Interstate 25; thence northeasterly along said eastern right-of-way line of Interstate 25 northeasterly to the southern edge of the Arkansas River Multi-Use Path; thence east-southeasterly along said southern edge of the Arkansas River Multi-Use Path to the eastern right-of-way line of South Santa Fe Avenue; thence south-southeasterly along said eastern right-of-way line of South Santa Fe Avenue to the northern edge of the Lansing Street right-of-way; thence easterly along the northern right-of-way line of Lansing Street to the southern bank of the Arkansas River; thence easterly along said south bank of the Arkansas River to western edge of the Colorado 227 Highway right-of-way line; thence southerly along said Colorado 227 Highway right-of-way line to the centerline of Santa Fe Drive; thence westerly along said centerline of Santa Fe Drive to the intersection Santa Fe Drive and East Northern Avenue; thence west-southwesterly to the western edge of the Interstate 25 right-of-way line; thence south along said western Interstate 25 right-of-way line to the centerline of Logan Avenue; thence west along said centerline of Logan Avenue to the centerline of East Abriendo Avenue; thence north along said centerline of East Abriendo Avenue to the south right-of way line of Jones Avenue; thence west along said south right-of way line of Jones Avenue to the center point of the intersection of Jones Avenue and East Stone Avenue; thence north from said center point of the intersection of Jones Avenue and East Stone Avenue along the centerline of the East Stone Avenue right-of-way to the center point of the intersection of Stone Avenue and West Arroyo Avenue said point of beginning.

EXCLUDING the following Parcels Numbers:

140600064, 1406000102, 1406300019, 1406000066, 1406000110, 1406000005, 1406000017, 1406000065, 1406000007, 1512126001, and 1512125007.

**EXHIBIT B**  
**MAP**

**COLORADO SMELTER PROPOSED  
URBAN RENEWAL AREA**

