



City of Loveland

**REVISED** [June 8, 2017]

**LOVELAND PLANNING COMMISSION MEETING  
AGENDA**

**Monday, June 12, 2017**

**500 E. 3<sup>rd</sup> Street – Council Chambers  
Loveland, CO 80537  
6:30 PM**

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**LOVELAND PLANNING COMMISSIONERS:** Jeremy Jersvig (Chair), Carol Dowding (Vice-Chair), Michele Forrest, Pat McFall, Rob Molloy, and Mike Ray, Jamie Baker Roskie, and Jeff Fleischer.

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. REPORTS:**

**a. Citizen Reports**

**Citizens are given time to address the Commission on matters not on the published agenda.**

**b. Current Planning Updates**

- 1. Monday, June 26, 2017 Agenda Preview**
  - i. The Brands – Flexible Zoning Overlay**
  - ii. Amendment to Intergovernmental Agreement for Growth Management with Larimer County**
  - iii. Parkside Village Annexation / Zoning**
  - iv. Hydrozone Code Amendments (Title 19) Update**
- 2. Unified Development Code Study Session: 6/19/17 at 6:00 p.m.  
(Development Center - EOC Conference Room)**
- 3. Planning Commission Vacancy Update**

- c. City Attorney's Office Updates:
- d. Committee Reports
- e. Commission Comments

#### **IV. APPROVAL OF MINUTES**

##### **Review and approval of the May 22, 2017 Meeting minutes**

#### **V. CONSENT AGENDA**

The consent agenda includes items for which no discussion is anticipated. However, any Commissioner, staff member or citizen may request removal of an item from the consent agenda for discussion. Items requested to be removed from the consent agenda will be heard at the beginning of the regular agenda.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption by the Planning Commission and acceptance by the Applicant of the staff recommendation for those items.

- Does anyone in the audience wish to remove an item from the Consent Agenda?
- Does any staff member wish to remove an item from the Consent Agenda?
- Does any Commissioner wish to add any item from the Regular Agenda to the Consent Agenda or remove an item from the Consent Agenda?

#### **VI. REGULAR AGENDA:**

##### **1. Plan of Development for the Downtown Development Authority (20 minute presentation)**

The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) is required by State Statute to be reviewed by the Planning Commission and a recommendation then made to the City Council. The DDA Plan is defined as a plan for the development or redevelopment of the DDA District over a thirty to fifty year period. The DDA Plan must go through a review of the Planning Commission review prior to approval by the City Council.

Upon the Planning Commission's recommendation, the City Council is scheduled to hold a public hearing on July 5, 2017 and consider a resolution approving the DDA Plan. The DDA may not undertake any development project until the City Council has approved the DDA Plan.

##### **2. Hydrozone Program and Recent Code Changes (20 minute presentation)**

Kim Edwards with the Water Resources office of the Water and Power Department will provide an informational overview of the City's Hydrozone program. This voluntary water budget program is designed to provide cost savings to water customers and to conserve water resources by encouraging the use of water-efficient landscaping. To qualify, applicants must submit landscape plans based on hydrozone design that demonstrate water usage that is roughly 25% less than a typical bluegrass lawn. Qualifying landscapes must be irrigated with a dedicated irrigation meter. Most program participants are HOAs and larger commercial properties. The presentation will also include a description of amendments to Title 19 (water rights) adopted by City Council on June 6th that are designed to help participants be successful in meeting program requirements.

#### **VII. ADJOURNMENT**

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**May 22, 2017**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on May 22, 2017 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Dowding, Molloy, Ray, McFall, Roskie, and. Members absent: Fleischer and Forrest. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, Assistant City Attorney; Jenell Cheever, Planning Commission Secretary.

*These minutes are a general summary of the meeting. A complete video recording of the meeting is available for two years on the City's web site as follows: <https://loveland.viebit.com/>*

**CITIZEN REPORTS**

There were no citizen reports.

**CURRENT PLANNING UPDATES**

1. **Robert Paulsen**, Current Planning Manager, reviewed the agenda items scheduled for the Monday, June 12, 2017 Planning Commission meeting.
2. **Mr. Paulsen** provided an update on the Planning Commission vacancy. The application deadline to apply for the position is 5:00 p.m. on May 26, 2017.
3. **Mr. Paulsen** noted that the Water Division will give the Planning Commission an update on the Title 19 Hydrozone Code Amendment at an upcoming meeting.
4. **Hot Topics:**
  - **Mr. Paulsen** noted that Commissioner Fleischer and Commissioner Forrest were unable to attend the meeting this evening. He expressed his condolences to Commissioner Forrest on the passing of her father.
  - **Mr. Paulsen** stated that City Council unanimously approved the Title 18 FCC Co-location amendment and the Title 16 amendment regulating FCC Co-location in the right-of-way on first reading. The Power division will provide a report to the Planning Commission on the second ordinance if it passes on second reading.
  - **Mr. Paulsen** noted that on July 5<sup>th</sup> the City Council will consider expanding the Planning Commission Membership into the Growth Management Area (GMA).
    - **Commissioner Jersvig** asked if the research performed by the City Manager's office was available regarding the expansion of the Planning Commission membership into the GMA. **Mr. Paulsen** explained that the City Manager's office has not pursued further research on this issue. Rather, there has been discussions as to how the proposed expansion might influence other boards and commissions regarding their membership provisions.

- **Mr. Paulsen** stated that the Development Services Department, including Current Planning, would give a Development Center update to the City Council on June 6<sup>th</sup>.

### **CITY ATTORNEY'S OFFICE UPDATES**

**Moses Garcia**, Assistant City Attorney, stated that he did not have any updates to report.

### **COMMITTEE REPORTS**

**Commissioner Roskie** reported that the Title 18 Committee met on May 18<sup>th</sup> to discuss the Unified Development Code.

### **COMMISSIONER COMMENTS**

**Commissioner Dowding** stated that a joint study session was held on May 10<sup>th</sup> with the Larimer County Commissioners to discuss expanding the Growth Management Area to the South East portion of Hwy 402. She expressed that overall the Larimer County Commissioners supported the expansion.

### **APPROVAL OF THE MINUTES**

*Commissioner Dowding made a motion to approve the May 8, 2017 minutes; upon a second from **Commissioner Ray** the minutes were unanimously adopted. **Commissioner McFall** abstained.*

### **CONSENT AGENDA**

**Commissioner Ray** requested to remove Item #2, Anderson First Subdivision Preliminary Plat Extension from the Consent Agenda.

#### **1. Loveland Eisenhower 1st Subdivision - Vacation of Emergency Access Easements**

**Project Description:** This is a public hearing concerning the vacation of two emergency access easements to accommodate a multifamily residential project within the 56-acre LEI development site. The vacant site is on the north side of Eisenhower Boulevard between Denver Avenue and Sculptor Drive. The easements were established at the time of initial platting in order to provide a secondary means of access to the more remotely located tracts of the Loveland Eisenhower First Subdivision in the event that those tracts were developed prior to the tracts located closer to the established streets of the project. The replatting of the property, which is now in process, will eliminate those remote tracts and thus eliminate the need for the emergency access easements. In addition to the replat, city staff is also in the process of reviewing a site development plan application for a proposed multifamily development in the area of the emergency access easements, and new emergency access easements in more suitable locations will be dedicated to the City with the site development plan approval.

Vacation applications are considered legislative. Under Loveland Municipal Code Chapter 16.36, the Planning Commission must hold a public hearing and make a recommendation to Council on the request. City Council is scheduled to hear this matter on June 6, 2017.

*Commissioner Dowding moved to approve the Consent Agenda consisting of Loveland Eisenhower 1<sup>st</sup> Subdivision Vacation of Emergency Access Easements. Upon a second by Commissioner McFall the motion was unanimously adopted.*

## **REGULAR AGENDA**

### **2. Anderson 1st Subdivision - Preliminary Plat Extension**

**Project Description:** This request requires quasi-judicial review by the Planning Commission to consider extension of the Preliminary Plat for Anderson 1st Subdivision for an additional two-year period. The preliminary plat and PUD Preliminary Development Plan were approved by the City in January 2009. Extensions have been granted by the City since that time to keep the plat and plans valid. The most recent extension was granted by the Planning Commission on 6/27/16 for one year.

The property is located at the northeast corner of South Lincoln Avenue and South 42<sup>nd</sup> Street. The western portion of the property, consisting of approximately 34 acres, is zoned E-Employment and is controlled by a Concept Master Plan. The eastern portion of the property, consisting of 89.35 acres, is zoned "Ridge at Thompson Valley PUD" which allows a maximum of 152 dwelling units, and a gross density of 1.7 dwelling units per acre. Planning Commission has final authority on this matter.

**Mr. Paulsen** stated that the applicant is requesting a two-year expiration date extension for both the Preliminary Plat and the Preliminary Development Plan. The Planning Commission has authority to approve the extension of the Preliminary Plat and the Current Planning Manager has authority to extend the Preliminary Development Plan. As done previously, the Current Planning Manager will approve the extension of the Preliminary Development Plan if the Planning Commission approves the extension of the Preliminary Plat.

**Mr. Paulsen** introduced **Larry Melton** with Realtec Loveland. **Mr. Melton** stated that he is the broker representing the seller since April 2015. The property was previously under contract but due to financial issues, the buyer backed out of the deal. There are currently two potential buyers; however, the property sale is contingent upon getting an extension granted on the Preliminary Plat and Preliminary Development Plan.

**Commissioner Ray** expressed concerns with granting extensions and asked why the applicant was requesting a 2-year versus a 1-year extension. **Mr. Melton** stated that he is confident the property will eventually sell due to the active real estate market in Loveland; however, if the current purchase doesn't work out, **Mr. Melton** will need to start the marketing process over.

**Commissioner Molloy** stated that he felt a two-year extension was a reasonable request, especially when little to no development is going on in the area. However, if area development increases and nothing develops on this property, he would oppose a further extension.

## **CITIZEN COMMENTS:**

**Commissioner Jersvig opened the public hearing at 7:00 p.m.**

There were no public comments.

**Commissioner Jersvig closed the public hearing at 7:00 p.m.**

*Commissioner Dowding moved to approve the request for a one-year extension of the Preliminary Plat of the Anderson First Subdivision to June 15, 2019, subject to all of the original conditions of approval. Commissioner McFall seconded the motion and Mr. Melton accepted the conditions. The motion was unanimously adopted.*

### **3. Larimer County GMA Overlay Zoning Update**

**Project Description:** This is an informational item to recap the joint study session held on 5/10/17 with City of Loveland and Larimer County Commissioners. The City of Loveland and Larimer County are exploring extending the Loveland Growth Management Area (GMA) overlay-zoning district to properties in and around the State Highway 402 and US Highway 34 corridors. This zoning district will put into effect the Intergovernmental Agreement for Growth Management (IGA) between Loveland and Larimer County and create certainty for property owners that Loveland will provide services if they chose to develop.

**Karl Barton**, Senior Planner with Community and Strategic Planning Division, discussed the planning and zoning along Highway 402 and explained the Growth Management Area. **Mr. Barton** stated that he is working with Larimer County to amend the Intergovernmental Agreement (IGA) to change the Growth Management overlay zoning area. The amendment expands the area to coincide with Loveland's Growth Management Area. This expansion will give the City more land use control in these areas.

If Larimer County supports the expansion they would need to amend the Intergovernmental Agreement and add a zoning overlay on the properties to be included in Loveland's GMA. The City of Loveland would also need to amend the IGA.

**Mr. Barton** provided a timeline for approval and is hoping to have the IGA adopted in August of 2017. This timing has been presented to Larimer County staff; however, Mr. Barton will follow-up with staff to make sure the Larimer County Commissioners are in agreement.

## **COMMISSIONER QUESTIONS AND COMMENTS:**

- **Commissioner Ray** stated that he would prefer to see the GMA expanded all the way down to Highway 60 between Highway 287 and I-25. **Mr. Barton** replied that Larimer County is not comfortable with expanding this far. The City's priority is to include the Highway 402 properties and doesn't want to jeopardize this addition by requesting an expansion to Highway 60.
- **Commissioner Ray** asked how the land located within the flood plain could be developed. **Mr. Barton** replied that the flood plain regulations will remain the same; as for future development, he was unwilling to speculate.
- **Commissioner Ray** asked if including the flood plain land in Loveland's GMA would create a liability for the City. **Moses Garcia**, Assistant City Attorney, said he did not know but would research the question and provide a response to the commissioners.

#### 4. Boyd Lake Village Master Plan Amendment

**Project Description:** This is a public hearing to consider an amendment to the conceptual master plan for Boyd Lake Village. The development is located north of E. Eisenhower Boulevard, west of Boyd Lake Avenue, and on both the north and south sides of 15<sup>th</sup> Street. The master plan contains approximately 32.2 acres and 10 subdivided lots. There are two uses existing within Boyd Lake Village: the Orthopaedic and Spine Center of the Rockies (OCR) and a medical office building that contains the UCHealth Urology, Crane Orthodontics, and Reynolds Oral and Facial Surgery. McWhinney Real Estate Services is requesting two modifications to the Boyd Lake Village Conceptual Master Plan: (1) removal of the requirement for primary land use designations within the master plan and (2) modification of the architectural design standards established in the master plan to lower the percentage of solar shading on windows and permit pitched roof forms. Planning Commission has final authority on this matter.

**Kerri Burchett**, Principal Planner, provided an overview of the request to amend the Boyd Lake Village Master Plan. The zoning of the property is Employment Center which requires a master plan. The Employment Center zone allows mixed uses but focuses on primary employment uses. The Employment District requires that a minimum of 60% of the development is devoted to primary workplace uses (such as offices and medical clinics) and the remainder (40% of the development) can be used for non-primary uses (such as restaurants, retail and childcare).

The applicant is requesting two amendments to the master plan. The first amendment would remove the requirement for the development of primary workplaces. In order to remove the primary use requirement, the applicant must demonstrate that there are sufficient primary uses within a 2-mile radius of the development. **Ms. Burchett** shared the market study prepared by Cushman & Wakefield demonstrating that within a 2-mile radius there are sufficient existing primary uses and undeveloped land that can be developed as primary workplace uses. In order to maintain compatibility with the existing businesses, the applicant has proposed land use restrictions on the vacant land that would prohibit certain uses.

The second amendment relates to the architectural standards requiring that each campus has strong, unifying elements. Specifically, modification to the architectural standards to allow pitched roofs as an option when choosing which three required roofing forms to implement.

The applicant is also requesting to reduce the solar shading requirement on exterior windows from 60% to 40% coverage.

**Ms. Burchett** stated that a neighborhood meeting was held in February and the comments received were generally positive. A letter of objection was received from UCHealth Urology, Crane Orthodontics and Reynolds Oral and Facial Surgery that has been included in the packet. The letter addressed concerns with the compatibility of uses should the primary use requirement be removed and how changing the architectural standards could lower their property value. **Ms. Burchett** noted that the condition limiting the uses developed on the vacant land was added after the neighborhood meeting in order to address this concern. She noted that Orthopaedic Center of the Rockies and the owners of the medical office building were notified of this condition; however, she has not received a response from them.

**Ms. Burchett** reviewed the findings for approval and stated that staff is recommending the approval of the modification to the master plan with the exception of modifying the roofing standards in order to maintain consistency with the vision for Boyd Lake Village. **Ms. Burchett** noted that there is a 10-day appeal period for whatever action the commission takes tonight.

**Ashley Stiles**, McWhinney Real Estate Services, thanked all the staff for their help and noted that the master plan amendment request would accommodate development that is not considered a primary use, such as skilled nursing and assisted living. **Ms. Stiles** noted that there is a high demand for services that are geared towards the aging population and the potential buyer is proposing an assisted living facility.

In regards to the request to modify the roofing requirements, **Ms. Stiles** noted that the master plan would still require implementation of three roofing forms; however, it would include pitched roof as one of the options. **Ms. Stiles** noted that the potential buyer wants to build an assisted living facility that resembles a home versus an office complex. A pitched roof is more commonly associated with residential properties than a flat roof. Pictures of surrounding buildings were provided demonstrating that the pitched roof could be considered transitional.

**Ms. Stiles** stated that the request to reduce the solar shading requirement is because many of the areas requiring shading would fall into areas that they would like sunlight, such as common areas, cafeterias, and therapy rooms.

#### **COMMISSIONER QUESTIONS AND COMMENTS:**

- **Commissioner Jersvig** asked for clarification on the timeline for the establishment of development standards for this property and **Ms. Burchett** explained that the current standards were in place at the time the properties were purchased.
- **Commissioner Molloy** asked if the prohibited uses could be approved through a special review and **Ms. Burchett** stated that the prohibited uses would not be allowed at all in the designated areas.
- **Commissioner Dowding** expressed concerns that most of the buildings in this development are multi-story and she is concerned that the proposed assisted living

facility is a single story. **Ms. Stiles** stated that due to the use, most of these types of projects are single story to be compliant with assisted living facility requirements.

#### **CITIZEN COMMENTS:**

**Commissioner Jersvig opened the public hearing at 8:03 p.m.**

There were no public comments.

**Commissioner Jersvig closed the public hearing at 8:03 p.m.**

#### **COMMISSIONER COMMENTS:**

- **Commissioner Roskie** stated that the burden is on applicant to prove that a change is necessary and therefore she is not convinced that the roof requirements need to be modified.
- **Commissioner Molloy** expressed concern that these changes take away from the original design and intention of the master plan.
- **Commissioner McFall** stated that a standard was set and changing this standard is not fair to established businesses when everyone is not in agreement.
- **Commissioner Dowding** felt that the intent of this development was to have multi-story professional buildings and not single-story buildings. She did not support amending the roof requirements; however, she supported the land use change. **Ms. Burchett** noted that the existing master plan does not have a height requirement and a one-story building could be built under the current master plan.
- **Commissioner Ray** agreed with comments made by the previous commissioners.
- **Commissioner Jersvig** stated that all these properties fall under the master plan and owners bought their properties with this agreement in place. Changing the agreement is not fair if all of the property owners are not in agreement with the amendments.

*Commissioner Dowding moved to make the findings listed in Section VII of the Planning Commission staff report dated May 22, 2017 and, based on those findings, and the findings on the record, approve the amendment to the Boyd Lake Village Conceptual Master Plan Second Amendment" with the exception of the modification to the design standards related to roofing. This action shall be the final approval for the purposes of appeal. Upon a second by Commissioner McFall, the motion was adopted with 5 ayes and 1 nay.*

#### **ADJOURNMENT**

*Commissioner Dowding made a motion to adjourn. Upon a second by Commissioner Roskie, the motion was unanimously adopted.*

**Commissioner Jersvig adjourned the meeting at 8:22 p.m.**

Approved by: \_\_\_\_\_  
Jeremy Jersvig, Planning Commission Chair

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Jenell Cheever, Planning Commission Secretary

DRAFT - REVISED

**MEETING DATE:** 6/12/2017  
**TO:** Planning Commission  
**DEPARTMENT:** **ECONOMIC DEVELOPMENT**  
**DIVISION:** Mike Scholl, Economic Development  
**PRESENTER:** Mike Scholl, Economic Development Manager and Representatives of the Loveland Downtown Development Authority



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**AGENDA ITEM:** A motion to recommend the City Council adoption of the Plan of Development for the Downtown Development Authority.

**RECOMMENDED COMMISSION ACTION:** Approve the Motion

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**SUMMARY:**

The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) is required by State Statute to be reviewed by the Planning Commission and a recommendation then made to the City Council. The DDA Plan is defined as a plan for the development or redevelopment of the DDA District over a thirty to fifty year period. The DDA Plan must go through a review of the Planning Commission review prior to approval by the City Council.

Should the Planning Commission recommend approval of the DDA Plan, the City Council will hold a public hearing on July 5, 2017 and immediately thereafter consider a resolution approving the DDA Plan. The DDA may not undertake any development project until the City Council has approved the DDA Plan.

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**BACKGROUND:**

In January 2014, the Loveland City Council directed staff to work with the private sector to develop an organization that would lead downtown redevelopment efforts. In July 2014, the Loveland Downtown Partnership (LDP) was formed to act in this capacity. The City made a commitment to fund the Loveland Downtown Partnership for a period of 10 years. An election was held in February of 2015 at which time the voters approved the formation of the DDA.

The LDP (and its precursor, the “Downtown Working Group”), working with a variety of interested downtown individuals and groups, drafted and approved “A Strategic Plan for Revitalizing Downtown Loveland” (Strategic Plan) which was approved by the City Council as an official City Downtown Plan in 2015. (see attached) The Strategic Plan, along with other applicable City downtown plans and policies formed the basis of the DDA Plan.

In preparation for the upcoming 2017 ballot measure requesting authorization of debt and tax increment financing, the DDA has worked to refresh the DDA Plan with a modified legal description and other updates in planned projects, which are reflected in the DDA Plan.

It is recommended that the Planning Commission review the DDA Plan, acknowledging support and recommend approval to the City Council.

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**LIST OF ATTACHMENTS:**

1. Plan of Development
  - Appendix I: Legal Description of Downtown Development District (included in Plan of Development)
  - Appendix II: [A Strategic Plan for Revitalizing Downtown Loveland \(2014\)](#)
  - Appendix III (link): [Downtown Vision Book \(2010\)](#)
  - Appendix IV (link): [Destination Downtown: HIP Streets Master Plan \(2010\)](#)
  - Appendix V (link): [Downtown Strategic Plan and Implementation Strategy - Create Loveland – 2016 Comprehensive Plan](#)



# **LOVELAND DOWNTOWN DEVELOPMENT AUTHORITY**

Plan of Development  
2017



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# Foreword

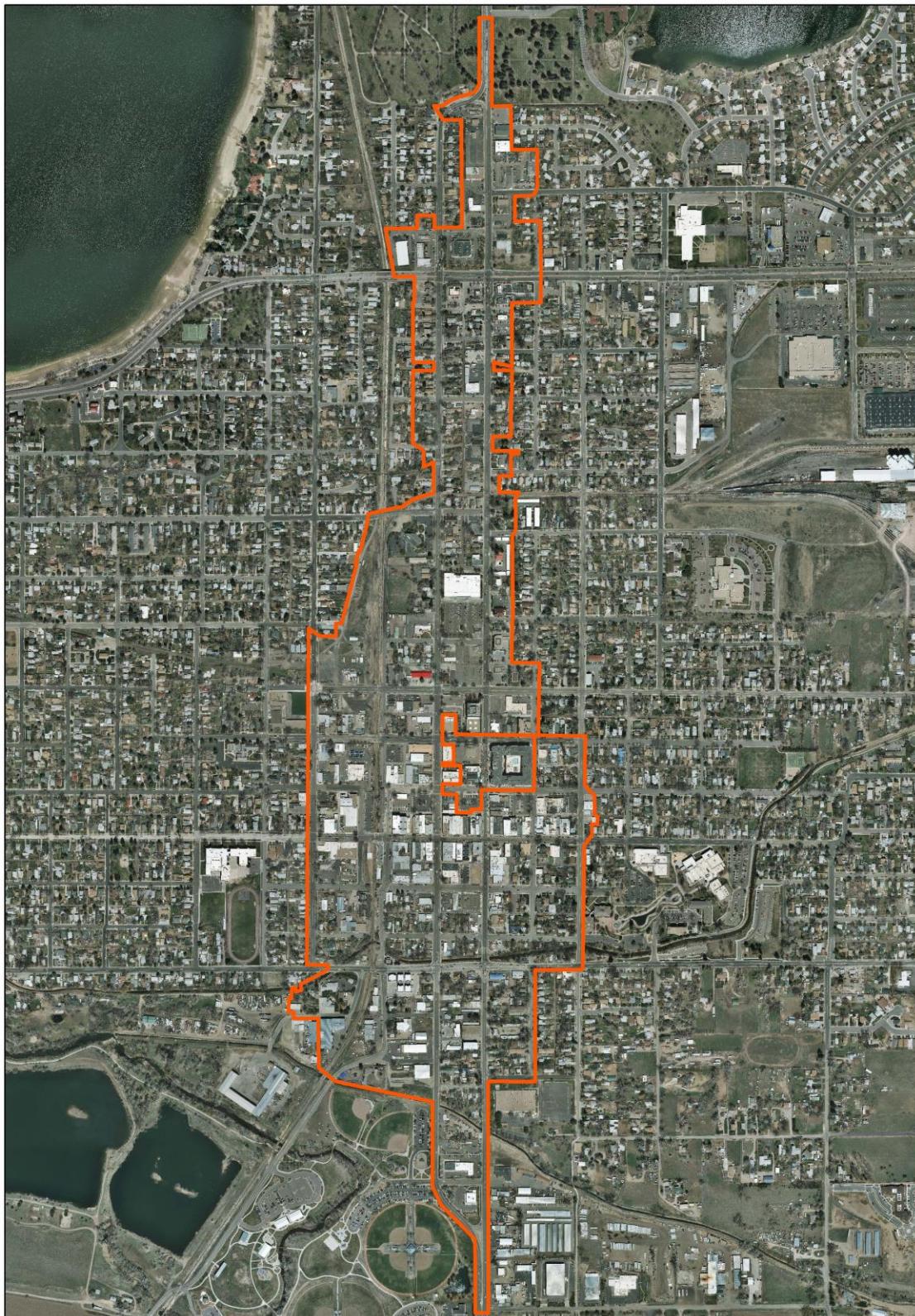
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The downtown (“Downtown”) of the City of Loveland (“Loveland”) serves as the heart of a city that from its beginnings in 1877 has defined the best of Colorado’s entrepreneurial spirit and sense of civic pride, with an emphasis on arts and cultural activities. Downtown Loveland residents, businesses and property owners believe that a strong economic foundation is critical to sustaining a vibrant community respectful of its history, committed to the full inclusion of all its citizens, and strategically positioned to thrive in a globally competitive marketplace.

This Plan of Development (the “Plan”) is an essential first legal step in creating a vibrant Downtown that provides a safe, dynamic environment to gather, live, educate, shop, work and play. The needs of the Downtown have been recognized over the past years in vision documents, comprehensive and strategic plans and master planning efforts. These documents have identified the need to have a strong Downtown for the economic health and future of Loveland.

The emphasis of this Plan is on the needs of the Downtown over a thirty (30) to fifty (50) year period and the type of projects and programs that are required to satisfy those needs, rather than dictating the physical location, dimensions and design which can only evolve through continual planning efforts.

# District Map



**Loveland Downtown Development Authority**  
Established by Ordinance No. 5927  
Revised May 16, 2017 by Ordinance No. 6115

## Boundaries of the DDA

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The boundary of the Loveland Downtown Development Authority (the “DDA”), as shown on the preceding map, outlines the area in which the DDA will exercise its statutory powers (the “District”). The District was established based on the best information available at the time. It is intended that the boundaries may change given changing times and circumstances. Property owners adjoining the District are encouraged to petition for inclusion when the uses and purposes of their properties become compatible with the purposes of the District.

The legal description of the District is attached as Appendix I to this Plan.

# Objective and Purposes

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The primary objectives of the DDA are to promote the safety, prosperity, security and general welfare of the District and its inhabitants, to prevent deterioration of property values and structures within the District, to prevent the growth of blighted areas within the District, to assist Loveland in the development, redevelopment and planning of the economic and physical restoration and growth of the District, to improve the overall appearance, condition and function of the District, to encourage a variety of uses compatible with the artistic and cultural community, to sustain and improve the economic vitality of the District, to promote the historic, artistic and cultural elements of the District, and to encourage pedestrian traffic and security in the District. To achieve these objectives, the specific goals of the DDA include the following and any other activities, plans, and development and redevelopment authorized by law.

The Plan recognizes that this is a long-term revitalization strategy focused on implementing an entrepreneurial environment in which District products and services meet local demands and attract new residents and businesses to the area.

To achieve these objectives, the specific goals of the DDA include, but are not limited to the following:

1. Work with private entities, developers and property owners to promote positive investment in the District.
2. Work with business owners, and business entrepreneurs to promote retail growth, new job growth and other uses in the District.
3. Identify and help form collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.
4. Implement key elements of Loveland's approved infrastructure plan.
5. Increase residential and employment density as catalysts for enriching life for residents and visitors alike.
6. Assist emerging and existing businesses in navigating various local, county, and state regulations and taxing policies.
7. Identify and establish a communications process with current business and property owners within the District.
8. Establish multiple communication forums with emphasis on email, social media, and newspaper.
9. Work with Loveland in evaluating and potentially implementing a "One Stop" approach to Downtown development including identifying a potential organizational structure therefor.
10. Improve the visual attractiveness of the District including but not limited to façade renovations, public streets, alleys, curbs, gutters, sidewalks, lighting along with street furniture and landscaping.
11. Underground the utility systems.
12. Promote a diversity of activities in the District.

13. Promote and encourage the renovation and reuse of vacant and deteriorated structures within the District.
14. Encourage the creation and continuation of public events within the District.
15. Promote and market the District.
16. Promote Loveland's unique identity as a destination for arts and culture.

# Plan of Development Projects

A. Plan projects may include public facilities and other improvements to public or private property of all kinds consistent with the priorities of the DDA by all means permitted by federal, state and local laws and regulations, **including but not limited to**, land assemblage, demolition, removal, site preparation, construction, renovation, repair, remodeling, reconstruction purchase of property interests, rehabilitating, equipping, selling and leasing in connection with such public and private improvements.

## Summary of Total Estimated Project Costs

Projects	City/DDA	Other Public/Non- Profit	Private
Redevelopment Projects	\$31,537,500	\$21,000,000	\$154,800,000
Infrastructure	\$27,144,000		
Other	\$2,000,000		
<b>TOTAL ALL PROJECTS</b>	<b>\$60,681,500</b>	<b>\$21,000,000</b>	<b>\$154,800,000</b>

\*All costs and funding contributions identified in the Plan as either City, DDA, Public/Non-Profit or Private are estimates only recognizing the Plan of Development is a 25 to 30 year plan for improvements in the downtown.

A. Descriptions of specific development projects that have been conceptually identified as potential key downtown **redevelopment projects** including, but not limited to, the following:

PLAN OF DEVELOPMENT PROJECTS				
PROJECT	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	DESCRIPTION
<b>Redevelopment Projects</b>				
The Foundry 1st to 3rd (Lincoln to Cleveland)	\$17,100,000	\$15,000,000	\$45,000,000	Amount includes the estimate on land plus the cost of redevelopment. Costs assume a parking structure, civic plaza and other public improvements. Other public funding may include Metro/Special Districts.
5th & Cleveland (Banner Medical Building & Retail Shop)	\$2,000,000		\$20,000,000	Assumes acquisition, demolition and redevelopment of medical office and retail buildings. Also assume public & public related improvements.
201 E 5th Street (Reporter Herald Building)	\$100,000		\$1,000,000	Assumes redevelopment and public & public related and façade improvements.
4th & Lincoln (Heartland Corner)	\$1,850,000		\$9,000,000	Assumes acquisition, demolition and redevelopment of site. Public & public-related and façade improvements. Project may include metro/special districts.

## Redevelopment Projects (con't)

Loveland Hotel	\$200,000	\$200,000	\$2,000,000	Estimates are for building improvements, public & public related and façade improvements, assumes historic grant funding if available.
Feed & Grain	\$31,250	\$2,300,000	\$2,000,000	Assumes historic/economic development grants; private investment, and façade improvements.
Safeway Redevelopment	\$3,000,000	\$-	\$30,000,000	Requires further investigation
Railroad Site	\$1,500,000	\$-	\$15,000,000	Land at 7th & Garfield
Banner Building - 320 N Cleveland	\$500,000		\$5,000,000	Redevelopment of entire corner
Project Cost Escalation (20%)	\$5,256,250	\$3,500,000	\$25,800,000	
<b>Sub-Total Redevelopment</b>	<b>\$31,537,500</b>	<b>\$21,000,000</b>	<b>\$154,800,000</b>	

B. Descriptions of specific potential public facilities and improvements that have been conceptually identified to complement private developments including, but not limited to, the following:

<b>PLAN OF DEVELOPMENT PROJECTS</b>				
<b>PROJECT</b>	<b>CITY/DDA FUNDING</b>	<b>OTHER PUBLIC FUNDING</b>	<b>PRIVATE</b>	<b>DESCRIPTION</b>
<b>Infrastructure Projects</b>				
4th Street / Phase 1-3 blocks	\$5,860,000			(2009 HIP Streets Master Plan) 4th Street from Railroad to Jefferson
4th Street / Additional 2 blocks	\$2,500,000			(2009 HIP Streets Master Plan) - 4th Street to Garfield and Washington
3rd Street	\$2,250,000			(2009 Hip Streets Master Plan) 3rd Street west of Cleveland to Feed and Grain
5th Street	\$3,010,000			(2009 HIP Streets Master Plan) 5th Street from Lincoln to Railroad
Power (electric utilities)	\$5,000,000			Estimates are for \$300,000 per block to underground the power
Railroad Avenue - 1st to 5th	\$4,000,000			May include connectivity with the trail system.
Cost Escalation (20%)	\$4,524,000			Estimates were completed in 2009, the number is 20 percent of the cost of the street/streetscape improvements
<b>Sub-Total Infrastructure</b>	<b>\$27,144,000</b>			

C. **Other specific development projects and public facilities** currently contemplated are as follows:

## PLAN OF DEVELOPMENT PROJECTS

PROJECT	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	DESCRIPTION
<b>Other Projects</b>				
Trail Expansion / Bike-Pedestrian	\$1,000,000			
Railroad Quiet Zones	\$1,000,000	\$2,000,000		Includes four rail crossings located at 1st, 4th, 6th & 7th Streets
<b>Sub-Total Other</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>		

The DDA also may seek to support other projects not directly identified above including, but not limited to, the following:

1. Beautification programs;
2. Pedestrian facilities and circulation improvements;
3. Parking that is not otherwise included within specific projects (i.e., The Foundry); and
4. Downtown hotel or other convention facilities built in conjunction with a private development.

# Strategic Downtown Plan

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The DDA, acting in coordination with the Loveland Downtown Partnership and the City of Loveland, will need to establish short and long-term priorities based on adopted strategic plans and identified development projects as such plans and projects evolve. The current plans, which are referenced below and attached as Appendices II through V to this Plan, are as follows:

## **Appendix II: *A Strategic Plan for Revitalizing Downtown Loveland (2014)***

The plan, adopted by the Loveland City Council and the Loveland Downtown Partnership, provides the comprehensive outline for short and long-term success in Downtown Loveland.

A Strategic Plan for Revitalizing Downtown Loveland is driven by the following principles:

1. We are committed to a process driven by community stakeholders and supported by the City of Loveland.
2. We are committed to a long-term revitalization strategy (25-30 yrs.) that combines immediate action to improve communications and marketing with an ongoing responsibility to maintain and improve the downtown infrastructure.
3. We are committed to shaping policies and procedures that provide adequate flexibility for the organization to respond quickly and effectively to changing conditions at the local, state, national, and/or international levels.
4. We are committed to implementing an entrepreneurial environment in which Downtown products and services meet local demands and attract new residents and businesses to the area.
5. We are committed to shaping collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.

## **Appendix III: *Downtown Vision Book (2010)***

The purpose of the Downtown Vision Book is to highlight catalyst projects, and describe the context, character and the opportunity for revitalization. In addition, the Downtown Vision Book identifies ideas, opportunities and strategies to further benefit Downtown Loveland. The Private-Public projects are designed to capture not only the value of public participation, but to be a catalyst for private investment, enhanced connections and enrichment of the community experience for residents, businesses and visitors alike.

**Appendix IV: *Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010) – to be updated in 2017.***

The Infrastructure Plan was completed in 2010, and highlights the streetscape, utility and other public infrastructure improvements in Downtown Loveland.

**Appendix V: *Downtown Strategic Plan – Amendment to the City's Comprehensive Plan (2009) /Create Loveland, City of Loveland Comprehensive Plan, adopted in June 2016.***

The Downtown Strategic Plan, adopted by the Loveland City Council as an amendment to the Comprehensive Plan, was the basis for the effort by the City and the Loveland Downtown Team to revitalize the Downtown.

# Methods of Financing Projects and Commitment of Funds

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In order to finance the projects and purposes of the DDA, the following financial sources and commitment of funds are authorized:

Methods of Financing Projects - The DDA is permitted to receive and utilize the following funding sources:

- A. Proceeds of bonds, loans or advances to, or indebtedness incurred by the City of Loveland secured by the pledge of the following tax revenues for the maximum period of time authorized by C.R.S. § 31-25-807(3):
  1. Property Tax Increment: All of that portion of property taxes in excess of such taxes which are produced by the levy at the rate fixed each year by or for any public body upon the valuation for assessment of taxable property within the boundaries of the District last certified prior to the effective date of approval by the City Council of Loveland of this Plan or, as to an area later added to the boundaries of the District, the effective date of the modification of this Plan.
  2. Municipal Sales Tax Increment: All of that portion of municipal sales tax in excess of such taxes collected within the boundaries of the District for the twelve-month period ending on the last day of the month prior to the effective date of approval by the City Council of Loveland of this Plan. For purposes of calculating the amount of municipal sales tax, "municipal sales tax" shall be as defined in Section 3.16.010 and Section 3.16.020A of the Loveland Municipal Code.
    - a. Municipal sales tax or property tax increment revenues that are obligated to be paid in accordance with the specific terms and conditions of any economic incentive agreement or financing plan committing said revenues in effect as of the approval date of this Plan shall be deducted from those sales or property tax increment revenues available for use for other approved DDA projects until said obligations are legally terminated.
  3. Other Sources: Such other sources of revenue for repayment of bonds, loans, advances or other indebtedness of Loveland as may be authorized by law.

All such taxes described in this Paragraph A shall be adjusted, collected, allocated and used as set forth in C.R.S. § 31-25-807(3), as amended from time to time.

- B. Membership fees;
- C. Private contributions;
- D. Proceeds of loans to the DDA;
- E. Fees and other charges imposed in connection with projects undertaken by the DDA;

- F. Grants and other funds made available by public agencies and other entities;
- G. All types of bond issues, including industrial development revenue and special assessment bonds; and
- H. All such other sources and methods as may be authorized by law from time to time, including but not limited to, C.R.S. § 31-25-801, *et seq.*

**Commitment of Funds** - Certain DDA eligible funds have been, or may be, committed to the following financial obligations.

- a. On January 27, 2015, the City of Loveland and Thornton Long Term Investments, L.L.C. entered into that certain Agreement for City Incentive, Fee Waiver, and Construction Materials Use Tax Waiver with Thornton Long Term Investments, L.L.C. for a Sprouts Farmers Market (the "Agreement"). Pursuant to the Agreement, a \$2,200,000 incentive was provided by the City of Loveland which is to be repaid at a rate of three percent (3%) interest, amortized over a ten (10) year period, in accordance with the terms and conditions of the Agreement.
- b. On March 14, 2017, the City of Loveland entered into those certain Certificates of Participation (the "COPs") for the purpose of financing the construction costs of a parking structure and other public improvements associated with the Foundry development located north of 1st Street and south of Backstage Alley between Lincoln Avenue and Cleveland Avenue. Currently, tax increment revenue attributable to the Loveland Urban Renewal Authority ("LURA") is intended to repay the COPs. It is anticipated that, assuming voter approval of the debt questions presented at the November 7, 2017 election, the LURA may be dissolved and the DDA will utilize both sales and property tax increment revenue generated from the development as provided above to assist with the repayment of the COPs.

# Appendices

## **Appendix I: *Legal Description of Downtown Development District***

Beginning at the point of intersection of the south right-of-way (ROW) line of E. 4<sup>th</sup> Street and the east ROW line of N. Washington Avenue;

Thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 3<sup>rd</sup> Street;

Thence continuing southerly to the point of intersection of the south ROW line of E. 3<sup>rd</sup> Street and the east ROW line of N. Washington Avenue;

Thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of E. 1<sup>st</sup> Street;

Thence southwesterly to the point of intersection of the south ROW line of E. 1<sup>st</sup> Street and the east ROW line of S. Washington Avenue;

Thence westerly to the point of intersection with the south ROW line of E. 1<sup>st</sup> Street and the west ROW line of S. Washington Avenue;

Thence westerly along said south ROW line of E. 1<sup>st</sup> Street to the point of intersection of the east ROW line of South Jefferson Avenue and the south ROW line of E. 1<sup>st</sup> Street;

Thence southerly along said east ROW line of South Jefferson Avenue to the point of intersection of the north ROW line of 3<sup>rd</sup> Street S.E. and the east ROW line of South Jefferson Avenue,

Thence southerly along the east ROW line extended of South Jefferson Avenue to the point of intersection of the south ROW line of 3<sup>rd</sup> Street S.E.;

Thence continuing westerly along said south ROW line to its point of intersection with the east ROW line of S. Lincoln Avenue;

Thence southerly along said east ROW line to its point of intersection with the north line extended of the 5<sup>th</sup> Street S.E. ROW;

Thence continuing southerly along said east ROW line to its point of intersection with the south line of the 5<sup>th</sup> Street S.E. ROW line;

Thence southerly along said east ROW line to its point of intersection with the north line of the 8<sup>th</sup> Street S.E. ROW;

Thence continuing southerly along said east ROW line to its point of intersection with the south line of the 8<sup>th</sup> Street S.E. ROW;

Thence westerly along the south line extended of the 8<sup>th</sup> Street S.E. ROW to the west line of the S. Lincoln Avenue ROW;

Thence northerly along the west ROW line of S. Lincoln Avenue to its point of intersection with the southwest line of the S. Cleveland Avenue ROW;

Thence continuing northwesterly along said southwest ROW line to its point of intersection with the south line of the 5<sup>th</sup> Street S.E. ROW;

Thence northerly along the west line of the S. Cleveland Avenue ROW to its point of intersection with the north line of the 5<sup>th</sup> Street S.E. ROW;

Thence continuing northerly along said west ROW line of S. Cleveland Avenue to its intersection with the north bank of the Farmer's Ditch;

Thence northwesterly along said bank to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad and the south line of Henrikson Addition;

Thence continuing northwesterly along said south line to the southwest corner of Henrikson Addition;

Thence northerly along the west line of said Henrikson Addition to its point of intersection with the south ROW line of 2<sup>nd</sup> Street S.W.;

Thence westerly along said south ROW line to the NW corner of Mill First Addition;

Thence northerly perpendicular to said ROW line to a point on the south line of Mill Second Addition;

Thence westerly along said south line to the SW corner of Mill Second Addition;

Thence northerly and easterly along the west line of said Mill Second Addition to the NW corner thereof;

Thence easterly and southerly along the north line of Mill Second Addition to the NE corner thereof;

Thence northeasterly to the SE corner of Riverside Addition;

Thence northerly along the east line of Riverside Addition to its point of intersection with the south ROW line of W. 1<sup>st</sup> Street;

Thence continuing northwesterly to the point of intersection of the north ROW line of W. 1<sup>st</sup> Street and the west ROW line of the N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 2<sup>nd</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 2<sup>nd</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 3<sup>rd</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 3<sup>rd</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly to the point of intersection of the south ROW line of the alley between W. 3<sup>rd</sup> Street and W. 4<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 4<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 4<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 4<sup>th</sup> Street and W. 5<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 5<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 5<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 6<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 6<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 7<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of W. 7<sup>th</sup> Street and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line its point of intersection with the south ROW line of the alley between W. 7<sup>th</sup> Street and W. 8<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 8<sup>th</sup> Street;

Thence southeasterly to the point of intersection of the east ROW line of N. Garfield Avenue and the north ROW line of W. 8<sup>th</sup> Street, which is the southwest corner of lot 14 of Block 3 of the original Loveland town plat;

Thence easterly along said north ROW line of W. 8<sup>th</sup> Street to the southeast corner of lot 10 of Block 3 of the original Loveland town plat;

Thence northerly along the east property line of said lot 10 to a point of intersection with the south boundary of lot 19 of block 5 of the Amended Plat of Lakeside Addition;

Thence easterly to the southeast corner of lot 19 of block 5 of the Amended Plat of Lakeside Addition;

Thence northeasterly to a point along said east boundary of the Amended Plat of Lakeside Addition located 50 feet north of the south lot line of lot 17 of the Amended Plat of Lakeside Addition;

Thence west to the southeast corner of the Lakeside 9<sup>th</sup> Subdivision;

Thence northeasterly along the east boundary of the Lakeside 9<sup>th</sup> Subdivision to the northeast corner of the Lakeside 9<sup>th</sup> Subdivision;

Thence easterly along the south boundary to the southeast corner of the Lakeside 9<sup>th</sup> Subdivision;

Thence easterly along the south boundary line of lot 16 of Block 5 of the Amended Plat of Lakeside Addition to the southeast corner of said lot 16;

Thence northeasterly to the northeast corner of said lot 16 of Block 5 of the Amended Plat of Lakeside Addition;

Thence northeasterly along the east boundary of the Amended Plat of Lakeside Addition to the intersection of the south ROW line of W. 10<sup>th</sup> Street;

Thence northeasterly to a point of intersection of the north ROW line of W. 10<sup>th</sup> Street and the west ROW line of the Burlington Northern/Santa Fe Railroad;

Thence northeasterly to the point of intersection of the north ROW line of E. 10<sup>th</sup> Street and the east ROW line of Bartholff Court;

Thence easterly along the north ROW line of E. 10<sup>th</sup> Street to the intersection of the west ROW line of N. Cleveland Avenue and the north ROW line of E. 10<sup>th</sup> Street;

Thence northerly along the west ROW line of N. Cleveland Avenue to its point of intersection with the south line of the Little Barnes Ditch;

Thence continuing northerly to the point of intersection of the north line of the Little Barnes Ditch and the west ROW line of N. Cleveland Avenue;

Thence southwesterly along the north line of the Little Barnes Ditch to a point 75 feet west of the west ROW line N. Cleveland Avenue;

Thence northerly to the point on the south ROW line of E. 11<sup>th</sup> Street, 75 feet west of the west ROW line of N. Cleveland Avenue;

Thence northwesterly to the point of intersection of the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the north ROW line of E. 11<sup>th</sup> Street;

Thence northerly along said west alley ROW line to its point of intersection with the south ROW line of the alley between E. 11th Street and E. 12<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of the alley between E. 11th Street and E. 12<sup>th</sup> Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue;

Thence continuing northerly along said west alley ROW line to its point of intersection with the south ROW line of E. 12<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of E. 12<sup>th</sup> Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue;

Thence continuing northerly along said west alley ROW line to its point of intersection with the south ROW line of the alley between E. 12th Street and E. 13<sup>th</sup> Street;

Thence easterly to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the midpoint of the westerly Lot line of Lot 8 of Block 5 of Loveland Heights Addition;

Thence easterly through the east-west centerline of said Lot 8, to a point of intersection of west ROW line of N. Cleveland Avenue and the midpoint of the easterly lot line of Lot 8 of Block 5 of Loveland Heights Addition;

Thence continuing northerly along the west ROW line of N. Cleveland Avenue to the northeast corner of Lot 10 of Block 5 of Loveland Heights Addition;

Thence westerly along the north property line of said Lot 10 to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the northwest corner of Lot 10, Block 5 of Loveland Heights Addition;

Thence westerly across said alley ROW along the north property line extended of Lot 10, Block 5 of Loveland Heights Addition to its intersection with the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of E. 13<sup>th</sup> Street;

Thence continuing northerly to the point of intersection of the north ROW line of E. 13<sup>th</sup> Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue;

Thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between E. 13th Street and E. Eisenhower Boulevard;

Thence continuing northerly to the point of intersection of the north ROW line of said alley between E. 13<sup>th</sup> Street and E. Eisenhower Boulevard and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue;

Thence continuing northerly along said west ROW line to the point of intersection of the east line of Lot 21, Block 4, Loveland Heights Addition and the south line of the vacated alley ROW;

Thence easterly along said south line to the centerline of the vacated alley ROW;

Thence northerly along said centerline to its point of intersection with the south ROW line of E. Eisenhower Boulevard;

Thence continuing northerly along the west line extended of said Lots to its point of intersection with the centerline of E. Eisenhower Avenue;

Thence westerly along said centerline, to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad;

Thence northwesterly along said west ROW line to its point of intersection with the north line extended of the E. 15<sup>th</sup> Street ROW;

Thence easterly along said north line extended to its point of intersection with the west ROW line of Jackson Avenue;

Thence easterly along said north line extended of the East 15<sup>th</sup> Street ROW to its point of intersection with the east ROW line of Jackson Avenue;

Thence continuing easterly along the north ROW of E. 15<sup>th</sup> Street to its point of intersection with the east ROW line of the alley between Jackson Avenue and N. Cleveland Avenue;

Thence northerly along said east ROW of the alley to a point at the intersection of the said east ROW of the alley and the southwest corner of lot 8 of the Capitol Hill Addition;

Thence easterly along the south lot line of lot 8 of the Capitol Hill Addition to the intersection of the west ROW line of N. Cleveland Avenue and the south lot line of said lot 8;

Thence southerly along the west ROW line of N. Cleveland Avenue to the point of intersection of the north ROW line of E. 15<sup>th</sup> Street and the west ROW line of N. Cleveland Avenue;

Thence easterly to the intersection of the north ROW line of E. 15<sup>th</sup> Street and the east ROW line of N. Cleveland Avenue;

Thence easterly along the north ROW line of E. 15<sup>th</sup> Street to a point at the intersection of the west ROW line of the alley between N. Cleveland Avenue and N. Lincoln Avenue;

Thence northerly along the west ROW line of said alley to a point of intersection of the south ROW line of E. 16<sup>th</sup> Street and the alley between N. Cleveland Avenue and N. Lincoln Avenue;

Thence northerly to a point of intersection of the north ROW line of E. 16<sup>th</sup> Street, and the west ROW line of the alley between N. Cleveland Avenue and N. Lincoln Avenue;

Thence northerly along the west ROW line of said alley to the northeast corner of Lot 6 of Cleveland of North End Addition;

Thence westerly along the north boundary of lot 6 of the Cleveland of North End Addition to the northwest corner of said Lot 6;

Thence northwesterly to the point of intersection of the west ROW line of N. Cleveland Avenue and the southern property line of the Loveland Burial Park Cemetery;

Thence easterly along said southern property line to its point of intersection with the west ROW line of N. Cleveland Avenue;

Thence northeasterly along the northwestern ROW line of N. Cleveland Avenue to its point of intersection with the west ROW line of N. Lincoln Avenue;

Thence northerly along said west ROW line to its point of intersection with the south line extended of the E. 20<sup>th</sup> Street ROW;

Thence easterly along said south line extended to its intersection with the east ROW line of N. Lincoln Avenue;

Thence southerly along said east ROW line to its point of intersection with the south boundary line of the Stephenson 1<sup>st</sup> Subdivision;

Thence easterly along said south boundary line to its point of intersection with the west boundary of the Conger Subdivision of the North End Addition;

Thence southerly along said west boundary line to its intersection with the south boundary of the Conger Subdivision of the North End Addition;

Thence easterly along said south boundary to its intersection with the west boundary line of the Grandview Subdivision of North End Addition;

Thence southerly along said west boundary line to its intersection with the north ROW line of E. 16<sup>th</sup> Street;

Thence southerly along said west boundary line to its intersection with the south ROW line of E. 16<sup>th</sup> Street;

Thence westerly along the south ROW line of E. 16<sup>th</sup> Street to the point of intersection of the south ROW line of E. 16<sup>th</sup> Street and the west ROW line of N. Jefferson Avenue;

Thence westerly along the south ROW line of E. 16<sup>th</sup> Street to the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue;

Thence southerly along the east ROW line of said alley to a point at the intersection of the Turney Briggs 2<sup>nd</sup> Subdivision and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue;

Thence easterly along the north boundary of Turney Briggs 2<sup>nd</sup> Subdivision to the intersection of the northeast corner of the Turney Briggs 2<sup>nd</sup> Subdivision and the west ROW line of N. Jefferson Avenue;

Thence easterly across N. Jefferson Avenue to the intersection of the east ROW line of N. Jefferson Avenue and the southwest corner of Lot 29, Block 3 of Turney Briggs Addition;

Thence southerly along said east ROW line of N. Jefferson Avenue to its point of intersection with the north ROW line of E. Eisenhower Blvd.;

Thence southerly along said east ROW line to its point of intersection with the south ROW line of E. Eisenhower Blvd;

Thence continuing southerly along said east ROW line to its point of intersection with the south boundary line extended of the WARNOCK ADD AMD L1-4 35-39 & POR L40 & VACATED ALLEY Subdivision;

Thence westerly along said south boundary line extended to its intersection with the west ROW line of N. Jefferson Avenue;

Thence westerly along said south boundary line to its point of intersection with the west ROW line extended of the alley between N. Lincoln Avenue and N. Jefferson Avenue;

Thence southerly along said west alley ROW line to its point of intersection with the north ROW line of E. 13<sup>th</sup> Street;

Thence continuing southerly to the point of intersection of said west alley ROW line and the south ROW line of E. 13<sup>th</sup> Street;

Thence continuing southerly along said west alley ROW line to its point of intersection with north bank of the Big Lateral Ditch;

Thence northwesterly along north bank of said ditch to its intersection with the east ROW line of N. Lincoln Avenue;

Thence southerly along the east ROW line of N. Lincoln Avenue to a point 50 feet north of the southwest corner of Lot 6, Block 1 of the McKee Meadows Addition;

Thence easterly along a line 50 feet north of the southern property line of said Lot 6, Block 1 to its intersection with the west ROW line of the alley between N. Lincoln Avenue and N. Jefferson Avenue;

Thence continuing southerly along said west alley line to its point of intersection with the north ROW line of E. 12<sup>th</sup> Street;

Thence continuing southerly to the point of intersection of said west alley line with the south ROW line of E. 12<sup>th</sup> Street;

Thence continuing southerly along said west alley ROW line to its point of intersection with the north line of Lot 17, Block 2 of the McKee Meadows Addition;

Thence continuing westerly along north line of said Lot 17 to its point of intersection with the east ROW line of N. Lincoln Avenue;

Thence continuing southerly along the east ROW line of N. Lincoln Avenue to its point of intersection with the centerline of the alley ROW vacated via Ordinance 3317 and recorded at Reception Number 86051452 adjoining Block 2, Lincoln Place Addition;

Thence easterly along the centerline of said vacated alley to its point of intersection with the east line of Lot 10, Block 2, Lincoln Place Addition;

Thence southerly along said east line 20 feet to a point; Thence westerly perpendicular to said east line to a point on the east line of Lot 11, Block 2, Lincoln Place Addition;

Thence southerly along the east line of said Lot 11 to its point of intersection with the north ROW line of E. 11<sup>th</sup> Street;

Thence continuing southerly to the point of intersection of the east line of Lot 11, Block 3, Lincoln Place Addition and the south ROW line of E. 11<sup>th</sup> Street;

Thence westerly along said south ROW line to its point of intersection with the east line of Lot 13, Block 3, Lincoln Place Addition;

Thence southerly along said east line to its point of intersection with the north ROW line of the Great Western/Omni Railroad;

Thence easterly along said north ROW line to its point of intersection with the east line of Lot 10, Block 3, Lincoln Place Addition;

Thence southwesterly to the point of intersection of the east line of Lot 2, Block 5, Orchard Park Addition and the south ROW line of said Railroad;

Thence continuing southerly along the east line of said Lot 2 to the NE corner of Lot 1, Block 5, Orchard Park;

Thence continuing south along the east line of said Lot 1 to its point of intersection with the north ROW line of E. 10<sup>th</sup> Street;

Thence southwesterly to the point of intersection of the south ROW line of E. 10<sup>th</sup> Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue;

Thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 8<sup>th</sup> Street;  
Thence continuing southerly to the point of intersection of the south ROW line of E. 8<sup>th</sup> Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue;  
Thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 8<sup>th</sup> Street and E. 7<sup>th</sup> Street;  
Thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Jefferson Avenue;  
Thence continuing easterly to the point of intersection of said north ROW line and the east ROW line of N. Jefferson Avenue;  
Thence southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue;  
Thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 7<sup>th</sup> Street;  
Thence continuing southerly to the point of intersection of the south ROW line of E. 7<sup>th</sup> Street and the east ROW line of E. Jefferson Avenue;  
Thence continuing southerly along said east line to its point of intersection with the north ROW line of the alley between E. 7<sup>th</sup> Street and E. 6<sup>th</sup> Street;  
Thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue;  
Thence continuing southerly along said east line to its point intersection with the north ROW line of E. 6<sup>th</sup> Avenue;  
Thence easterly along said north line to its point intersection with the west ROW line of N. Washington Avenue;  
Thence continuing easterly to the point intersection of the north ROW line of E. 6<sup>th</sup> Avenue and the east ROW line of N. Washington Avenue;  
Thence southerly to the point of intersection of the south ROW line of E. 6<sup>th</sup> Avenue and the east ROW line of N. Washington Avenue;  
Thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 6<sup>th</sup> Street and E. 5<sup>th</sup> Street;  
Thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Washington Avenue;  
Thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 5<sup>th</sup> Street;  
Thence southeasterly across E. 5<sup>th</sup> Street to the intersection of the south ROW line of E. 5<sup>th</sup> Street and the northeast corner of Harris Subdivision;  
Thence southerly along the east boundary of Harris Subdivision to the north ROW line of the alley between E. 5<sup>th</sup> Street and E. 4<sup>th</sup> Street;  
Thence southeasterly across said alley to a point along the south ROW line of the alley between E. 5<sup>th</sup> Street and E. 4<sup>th</sup> Street at 100 feet west of the N. Washington ROW;  
Thence southerly to the northeast corner of Lot 2 of Block 1 of Everett's Eighth Subdivision;  
Thence westerly along the north boundary of said lot 2 to the northwest corner of Lot 2 of Block 1 of Everett's Eighth Subdivision;  
Thence southerly along the west boundary of said Lot 2 to the north ROW line of E. 4<sup>th</sup> Street;  
Thence southwesterly across E. 4<sup>th</sup> Street to the Point of Beginning;  
And,  
Less [County building parcel] LOTS 13 THRU 16, BLK 7, City of Loveland, County of Larimer, State of Colorado; ALSO POR VACATED ALLEY PER BK 1712 PG 733; and [Former Home State Bank parcel] LOTS 1 THRU 8, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Museum parcel] LOTS 19-24, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Vacant Parking Lot parcel] LOTS 1-7, LESS S 25 FT LOTS 1-3 AND LESS S 25 FT OF E 5 FT LOT 4, BLK 13, City of Loveland, County of Larimer, State of Colorado; and [Lincoln Place parcel] The subdivision LINCOLN PLACE COMMUNITY CONDOS, City of Loveland, County of Larimer, State of Colorado (20100069697) in its entirety (formerly known as Block 41 of Finley's Addition, City of Loveland, County of Larimer, State of Colorado); and [Street & Alley ROW] The full right-of-way of East 6th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and All public alley right-of-way within BLK 12, City of Loveland, County of Larimer, State of Colorado; and The full right-of-way of East 5th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the westerly boundary line of the N. Lincoln Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The north half of the street right-of-way of the intersection of East 5th Street and N. Lincoln Avenue, north of the centerline of East 5th Street, City of Loveland, County of Larimer, State of Colorado; and The north half of the right-of-way of East 5th Street north of the centerline of East 5th Street, east of the easterly

boundary of the N. Lincoln Avenue right-of-way, and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The west half of the street right-of-way of N. Jefferson Avenue south of the southerly boundary of East 6th Street, and north of the northerly boundary of E 5th Street, City of Loveland, County of Larimer, State of Colorado.

Prepared by: Troy W. Jones, Architect, Land Planner  
MTA Planning & Architecture  
Fort Collins, Colorado

Reviewed by: Scott Pearson  
Engineering Technician  
Public Works Engineering  
City of Loveland, Colorado

**Appendix II: *Link to “A Strategic Plan for Revitalizing Downtown Loveland” (2014)***

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9376>

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**Appendix III: *Link to Downtown Vision Book (2010)***

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9378>

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**Appendix IV: *Link to Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010)***

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9729>

**Appendix V: *Create Loveland, City of Loveland Comprehensive Plan, adopted in June 2016.***

<http://www.cityofloveland.org/home/showdocument?id=33023>



## Loveland Downtown Development Authority

Plan of Development 2017

### Summary

- State Statute requires a DDA Plan of Development
- The Plan is a 30-50 year development & redevelopment Plan for the District.
- The Plan is required to be reviewed by the Planning Commission and formally approved by the City Council.
- City Council will hold a public hearing on July 5, 2017 and consider a resolution approving the DDA Plan.

# Background

**"In preparation for the upcoming 2017 ballot measure requesting authorization of debt and tax increment financing, the DDA has refreshed the Plan of Development."**

- January 2014 - Council directed staff to work with the private sector to develop an organization that would lead downtown redevelopment efforts.
- In July 2014, the Loveland Downtown Partnership (LDP) was formed.
- Council committed to fund the Loveland Downtown Partnership for a period of 10 years @ \$500,000 annually (as appropriated).
- Voters approved forming the DDA in November 2015
- The LDP (and its precursor, the "Downtown Working Group"), drafted & approved "A Strategic Plan for Revitalizing Downtown Loveland". The Plan was approved by Council as an official City Downtown Plan in 2015.
- The Strategic Plan, along with other applicable City downtown plans and policies formed the basis of the DDA Plan of Development.
- In preparation for the upcoming 2017 ballot measure requesting authorization of debt and tax increment financing, the DDA has worked to refresh the DDA Plan with a modified legal description and other updates in planned projects.

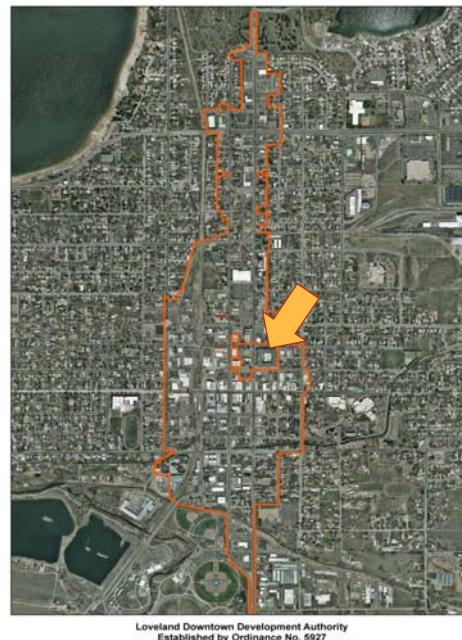
## Elements of the Plan of Development



## The District

### Boundary Map

- Generally, North couplet to south couplet & Garfield to Washington.
- Finley Block exclusion



## Objectives and Purpose

Promote	Promote the safety, prosperity, security and general welfare of the District and its inhabitants,
Prevent	Prevent deterioration of property values and structures within the District
Prevent	Prevent the growth of blighted areas within the District
Assist	Assist Loveland in the development, redevelopment and planning of the economic and physical restoration and growth of the District
Improve	Improve the overall appearance, condition and function of the District
Encourage	Encourage a variety of uses compatible with the artistic and cultural community
Improve and sustain	Improve and sustain the economic vitality of the District
Promote	Promote the historic, artistic and cultural elements of the District, and
Encourage	Encourage pedestrian traffic and security in the District.



## Plan of Development

Development & Redevelopment Projects

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...may include, but not limited to...

## Plan of Development

### Infrastructure

**4th Street / Phase 1-3 blocks**

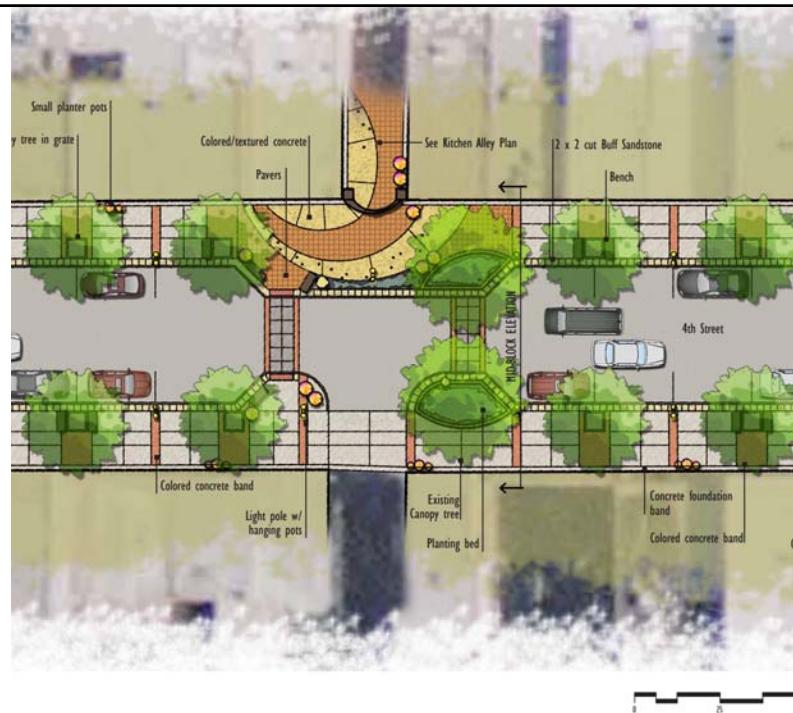
**4th Street / Additional 2 blocks**

**3rd Street**

**5th Street**

**Power (electric utilities)**

**Railroad Avenue - 1st to 5th**



## Plan of Development Other

- Trail Expansion / Bike-Pedestrian
- Railroad Quiet Zones



## Strategic Downtown Plan

- Appendix II: *Link to “A Strategic Plan for Revitalizing Downtown Loveland” (2014)*  
<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9376>
- Appendix III: *Link to Downtown Vision Book (2010)*  
<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9379>
- Appendix IV: *Link to Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010)*  
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- Appendix V: *Create Loveland, City of Loveland Comprehensive Plan, adopted in June 2016.*  
<http://www.cityofloveland.org/home/showdocument?id=33023>

## Methods of Financing

- Proceeds of bonds, loans or advances to, or indebtedness incurred by the City of Loveland secured by the pledge of the following tax revenues for the maximum period of time authorized by C.R.S. § 31-25-807(3):
  - *Property Tax Increment*
  - *Municipal Sales Tax*
    - Municipal sales tax or property tax increment revenues that are obligated to be paid in accordance with the specific terms and conditions of any economic incentive agreement or financing plan committing said revenues in effect as of the approval date of this Plan shall be deducted from those sales or property tax increment revenues available for use for other approved DDA projects until said obligations are legally terminated.

## Methods of Financing (con't)

- Membership fees;
- Private contributions;
- Proceeds of loans to the DDA;
- Fees and other charges imposed in connection with projects undertaken by the DDA;
- Grants and other funds
- All types of bond issues, including industrial development revenue and special assessment bonds; and
- All such other sources and methods as may be authorized by law

## Next Steps

- July 5<sup>th</sup> – Public Hearing & Council Resolution Approving Plan
- August 1<sup>st</sup> – 1<sup>st</sup> Reading Ordinance Ballot Title
- August 15<sup>th</sup> – 2<sup>nd</sup> Reading Ordinance Ballot Title
- November 7<sup>th</sup> - Election Day

## **Proposed Amendments to Title 19, Municipal Code Hydrozone Program**



**Kim Edwards, Staff Engineer**  
**June 12, 2017**

# Current Title 19 code change timeline

- ⌚ LUC approved code changes- April 19, 2017
- ⌚ CAB approved code changes- April 26, 2017
- ⌚ City Council passed changes unanimously
  - ⌚ First reading - May 16, 2017 (regular agenda)
  - ⌚ Second reading – June 7 (consent)
- ⌚ Will present to Planning Commission- June 12
- ⌚ New Code will go into effect June 16<sup>th</sup>!!!!

# History of Hydrozone Program

- Coloradoans expect alternatives to traditional bluegrass
- Landscaping that uses less water also means smaller upfront water rights dedication
  - This interests the developer to pay less upfront
- Community involvement: professionals in landscape and irrigation joined forces with City Staff and City Council to recommend the Hydrozone Program
- Hydrozone Program was implemented in 2007

# What is the Hydrozone Program?

- Hydrozone refers to grouping of plants by similar water use needs
  - High – 20 gallons per square foot or 3 acre-feet per acre
  - Moderate- 10 gallons per square foot
  - Low- 3 gallons per square foot
  - Very low – no water rights collected (native seed area sometimes)
- Must demonstrate a 25% reduction in water use from standard water rights
- A specific “water budget” is calculated specifically for the landscaped area
- List of Hydrozone plants are in the Site Development and Performance Standards and Guidelines (this is also being updated and we want to be consistent)

# Some examples of Hydrozone Plan Holders

- ◉ Lake Vista Apartments
- ◉ Van De Water Apartments
- ◉ Lakes at Centerra
- ◉ Promenade Shops at Centerra
- ◉ Loveland Housing Authority
- ◉ Mariana Butte 14<sup>th</sup> Sub
- ◉ Deer Meadows Creek District



# Municipal Code

- ⌚ Stormwater is mandated by State Permit
- ⌚ Title 16, 17 & 18 – Planning
- ⌚ Title 19 – Water Rights & Hydrozone
- ⌚ Title 18 - Site Development Standards & Guidelines
  - ⌚ Chapter 4 – Landscaping & Optional Water Efficient Landscape
  - ⌚ Soil Amendment Requirements are in these guidelines

# Opportunity 1

## PROBLEM: DISCONNECT BETWEEN DEVELOPER AND CUSTOMER

- ⌚ End users are not always aware they are part of the Hydrozone program
- ⌚ A bill is sent to the HOA when the HOA is not aware of the program or what triggered the large surcharge bill

## SOLUTION: EXECUTE A HYDROZONE AGREEMENT

- ⌚ A formal agreement with the landowner or developer that describes the program requirement and the potential monetary penalties for exceeding the annual water budget
- ⌚ Record Agreement with Larimer County so it will show up on title commitments and carry forward with real property
- ⌚ Require that current landowners must notify any new owners of the program requirements



# Opportunity 2

## PROBLEM: ESTABLISHMENT PERIOD IS NOT LONG ENOUGH

- ⌚ A single season is not enough to establish landscaping
- ⌚ Native seed areas are difficult to establish in one season

## SOLUTION: ALLOW THREE YEARS FOR ESTABLISHMENT

- ⌚ Customers will have three full irrigation seasons to establish their landscaping before the surcharge provision applies
- ⌚ During the Establishment period, if the water budget is exceeded
  - Customers are not billed a surcharge
  - This will not count as a year of “overuse.”
  - They will still be charged the regular irrigation rate



# Opportunity 3

## PROBLEM: NO PROVISION FOR REPLANTING LANDSCAPE

- Various reasons occur for landscape to be replaced: landscape dies out, leaks occur etc.

## SOLUTION: ALLOW AN EXEMPTION YEAR FOR REPLACEMENT



- During exemption year, no surcharge incurred
- Water users will not be billed a surcharge and this will not count as a year of “overuse”, but they will still be charged the regular irrigation rate

# Opportunity 4

## PROBLEM: WATER BUDGET IS NOT ADEQUATE

- ⌚ Initial requirements based on ideal conditions
- ⌚ Low and moderate water use categories too restrictive

A large, 3D-style graphic of the number '20%' in bright green. The numbers are slightly angled, with a shadow underneath, giving them a sense of depth. The '2' and '0' are on top, and the '%' is below them.

## SOLUTION: COLLECT MORE WATER FOR BUDGET

- ⌚ Require 20% more water rights on low and moderate water use areas
- ⌚ Additional water for budget may increase chances of customers staying within budget

# Opportunity 5

## PROBLEM: ADEQUATE SOIL WATER HOLDING CAPACITY

- ⌚ Turf usually needs amended soil for success
- ⌚ Landscape is difficult to establish without good soil moisture

## SOLUTION: REQUIRE SOIL AMENDMENT AFFIDAVIT

- ⌚ Adding soil amendments will help increase the soils water holding capacity and may aid in landscape's long-term success
- ⌚ Require affidavit confirming installation of soil amendments or that they were not needed
- ⌚ Relies on professional expertise and owner compliance



# Opportunity 6

## PROBLEM: WATER BUDGET EXCEEDANCE RESULTS IN LARGE PAYMENT

- Once going off the program the full water rights payment can be so large it is cost-prohibitive for customer to pay

## SOLUTION: ALLOW INCREMENTAL PURCHASE OF WATER RIGHTS

- Customer may decide amount to add to budget, based on actual use. This will be a huge cost savings to end user!!!!



# Summary

## Opportunities for improvement

1. Execute Hydrozone Program agreement
2. Extend establishment period for landscape
3. Allow exemption for replanting landscape
4. Collect more water upfront for budget
5. Require soil amendment affidavit
6. Allow incremental purchase of water rights to increase water budget

After these changes are made, City staff will continue to monitor the effectiveness of the Hydrozone Program, with an eye toward continuous improvement

# QUESTIONS?