

**STUDY SESSION AGENDA**  
CITY COUNCIL  
CITY OF WHEAT RIDGE, COLORADO  
7500 W. 29th Ave. Wheat Ridge CO

August 1, 2022

6:30 p.m.

**This meeting will be conducted as a virtual meeting, and in person, at 7500 West 29<sup>th</sup> Avenue, Municipal Building, if allowed to meet on that date per COVID-19 restrictions.**

**Some City Council members or City staff members will be physically present at the Municipal building for this meeting. The public may participate in these ways:**

1. Attend the meeting in person at City Hall. Use the appropriate roster to sign up to speak upon arrival
2. Provide comment in advance at [www.wheatridgespeaks.org](http://www.wheatridgespeaks.org) (comment by noon on August 1, 2022)
3. Virtually attend and participate in the meeting through a device or phone:
  - [Click here to join and provide public comment](#)
  - Or call +1-669-900-6833 with **Access Code: 896 5035 3752**
  - **Passcode: 096076**
4. View the meeting live or later at [www.wheatridgespeaks.org](http://www.wheatridgespeaks.org), Channel 8, or YouTube Live at <https://www.ci.wheatridge.co.us/view>

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*Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Contact the Public Information Officer at 303-235-2877 or [wrpio@ci.wheatridge.co.us](mailto:wrpio@ci.wheatridge.co.us) with as much notice as possible if you are interested in participating in a meeting and need inclusion assistance.*

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Public Comment on Agenda Items

1. Colorado Communities for Climate Action Update
2. Lutheran Legacy Campus Urban Renewal Plan Formation
3. Staff Report(s)
4. Elected Officials' Report(s)



# Memorandum

**TO:** Mayor and City Council

**FROM:** Patrick Goff, City Manager

**DATE:** July 27, 2022 (for August 1 study session)

**SUBJECT:** Colorado Communities for Climate Action Update

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**ISSUE:**

Colorado Communities for Climate Action (CC4CA) is a coalition of counties and municipalities, including Wheat Ridge, advocating for strong state and federal climate policy. Jacob Smith, CC4CA executive director, will be providing an update to City Council concerning CC4CA's activities and current policy priorities.

**PRIOR ACTION:**

At the February 1, 2021 City Council study session, staff provided proposed strategies from Sustainable Wheat Ridge to City Council. Proposed strategy 4 was "Support environmental sustainability policy on a regional, state and federal level". CC4CA was outlined as a policy advocacy group that could facilitate the adoption of the proposed strategy.

Jacob Smith presented to the Sustainable Wheat Ridge resident advisory committee on March 18, 2021 regarding Wheat Ridge joining the CC4CA coalition. The committee discussed the proposal and voted to recommend that City Council pass a resolution in support of joining the coalition in 2022.

Jacob Smith presented to City Council at the July 19, 2021 study session and consensus was reached for the City to become a member of CC4CA.

**FINANCIAL IMPACT:**

\$5,000 annual dues, determined by Wheat Ridge population size.

**BACKGROUND:**

CC4CA focuses on legislative, regulatory, and administrative action on a state and federal level through the support of their coalition of Colorado municipalities. The benefits of the coalition include collaboration, cost-effectiveness, and local support. Through CC4CA, local governments can influence state and federal actions more than individual municipalities can alone. CC4CA provides the framework for strong collaboration between state and local governments, which results in maximum return on local efforts. Through the coalition, members can pool resources to secure professional representation to ensure impactful presence at the state and federal level. The coalition also offers networking opportunities for members and produces analyses and materials in support of coalition and member priorities and actions.

### **Organization Structure**

CC4CA is guided by a Board of Directors comprised of representatives from member jurisdictions, as well as an executive director and other committees of member representatives making decisions on specific topics.

### **Policy Priorities**

Coalition members annually update a Policy Statement that guides the coalition's advocacy efforts. CC4CA's policy positions reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate. Attached is the current policy statement and goals.

### **ATTACHMENTS:**

1. CC4CA Description
2. CC4CA Policy Statement, July 1, 2021
3. CC4CA 3-5 Year Goals, October 22, 2021
4. CC4CA Highlights, July 2022



## Colorado Communities for Climate Action July 2022

Colorado Communities for Climate Action is a coalition of counties and municipalities advocating for strong state and federal climate policy. As local governments and local elected officials, we have a unique perspective on the threats and challenges that climate change poses, a perspective that is often overlooked in the policy debates. Our members have come to understand that climate change poses unique and severe risks to our communities and that we cannot meet our own local climate goals without effective state and federal policy.

The coalition's 39 local government members include:

- Adams County
- Aspen
- Avon
- Basalt
- Boulder
- Boulder County
- Breckenridge
- Broomfield
- Carbondale
- Clear Creek County
- Crested Butte
- Dillon
- Durango
- Eagle County
- Edgewater
- Erie
- Fort Collins
- Frisco
- Gilpin County
- Glenwood Springs
- Golden
- Lafayette
- Longmont
- Louisville
- Lyons
- Mountain Village
- Nederland
- Northglenn
- Pitkin County
- Ouray County
- Ridgway
- Salida
- San Miguel County
- Snowmass Village
- Summit County
- Superior
- Telluride
- Vail
- Wheat Ridge

Colorado Communities for Climate Action has adopted, by unanimous consent among its members, a policy statement that guides the coalition's efforts. The Policy Statement includes promoting plans and actions to:

- Extend current authorities and provide new ones for local action.
- Set new state climate-protection goals.
- Define and implement concrete steps to meet those goals.
- Reduce carbon pollution through concrete new policies on electricity generation, energy efficiency, transportation, and waste management.
- Ensure that all of Colorado benefits from the clean energy transformation.

CC4CA is represented by Elisabeth Rosen of Political Advocacy, Inc. and Eliza Schultz of Schultz Public Affairs at the state capitol.

For more information:  
Jacob Smith, Executive Director  
[jsmith@cc4ca.org](mailto:jsmith@cc4ca.org) • (303) 810-6017 • [CC4CA.org](http://CC4CA.org)



## **CC4CA Policy Statement**

### **Effective July 1, 2021**

### **Adopted by the Board of Directors June 4, 2021**

Colorado Communities for Climate Action is a coalition of local governments advocating for stronger state and federal climate policy. CC4CA's policy positions reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

CC4CA generally focuses on legislative, regulatory, and administrative action, supporting efforts that advance the general policy principles and the detailed policy positions described below, and opposing efforts that would weaken or undermine these principles and positions.

### **General Policy Principles**

The following general principles guide Colorado Communities for Climate Action's specific policy positions. CC4CA supports:

- Collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection and resilience.
- State and federal programs to reduce greenhouse gas pollution, including adequate and ongoing funding of those programs.
- Analyses, financial incentives, infrastructure, and enabling policies for the development and deployment of clean energy technologies.
- Locally driven and designed programs to support communities impacted by the clean energy transformation.
- Prioritizing policies that put equity at the center of decision-making by addressing systemic environmental and governance inequities based on race and socioeconomic status and by justly transitioning and growing the clean economy.

Adams County · Aspen · Avon · Basalt · Boulder · Boulder County · Breckenridge · Broomfield  
Carbondale · Clear Creek County · Crested Butte · Dillon · Eagle County · Edgewater · Erie · Fort Collins  
Frisco · Gilpin County · Glenwood Springs · Golden · Lafayette · Longmont · Louisville · Lyons · Mountain Village  
Nederland · Northglenn · Ouray County · Pitkin County · Ridgway · Salida · San Miguel County  
Snowmass Village · Summit County · Superior · Telluride · Vail · Westminster

## **Policy Positions**

Colorado Communities for Climate Action supports the following policy positions:

### *Statewide Climate Strategies*

- 1. Reduce statewide greenhouse gas emissions consistent with or greater than the State of Colorado's 2019 codified goals.**
- 2. Secure accurate, actionable useful, and regular state greenhouse gas inventories and forecasts for Colorado which are made accessible to local governments and incorporate alignment between state and local inventory data to the extent possible.**
- 3. Adopt a comprehensive market-based approach to reduce Colorado's greenhouse gas emissions that ensures the benefits accrue justly and equitably to impacted communities.**
- 4. Expand consideration of the environmental and health costs associated with the use of fossil fuels in making and implementing climate-related policy.**

### *Local Climate Strategies*

- 5. Remove barriers and promote opportunities that allow counties and municipalities to maximize deployment of local clean energy and climate-related strategies, including resilience-oriented strategies, while promoting affordable, accessible, and equitable delivery of reliable clean energy.**
- 6. Enable local governments to obtain the energy use and other data from utilities and state agencies that they need to effectively administer climate and clean energy programs.**
- 7. Support a comprehensive public process for evaluating retail and wholesale energy choice options for communities, informed by a broad variety of stakeholders.**
- 8. Provide for cost-effective and equitable policies, strategies, and practices that enable and accelerate energy efficiency in buildings, beneficial electrification, reducing GHG emissions, improving quality of life, and making the electric grid more robust and resilient.**

### *Energy Generation*

- 9. Accelerate retirement of existing fossil fuel generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that support utilities, consumers, and the communities where these facilities have been located.**

**10. Expand the ability of electric cooperatives and municipal electric utilities to independently purchase local renewable electricity and take other steps to reduce greenhouse gas pollution.**

**11. Modernize energy infrastructure to enhance community-based resilience and integrate distributed energy resources.**

### *Energy Efficiency*

**12. Expand demand side savings from efficiency and conservation for all energy types.**

**13. Support ongoing and sustainable funding for weatherization and renewable energy assistance to low-income households, including those in fossil fuel-dominated economies, so that all Coloradans have access to comfortable and affordable homes.**

**14. Support ongoing and sustainable funding for programs that assist communities in the transition from fossil fuel-dominated economies.**

**15. Provide counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.**

### *Transportation*

**16. Ensure effective implementation of Colorado's vehicle emissions standards and other regulatory and programmatic activities designed to reduce greenhouse gas emissions from mobile sources.**

**17. Implement the 2020 Colorado Electric Vehicle Plan and other efforts to increase electrification of all motor vehicles.**

**18. Increase funding and policy incentives for multimodal transportation and multimodal-friendly development statewide.**

**19. Incentivize and select mobility alternatives, including movement of both people and goods, based on energy efficiency, and environmental costs and benefits.**

### *Fossil Fuel Extraction Activities*

**20. Expand monitoring and reduction of the full life cycle emissions from fossil fuel extractive industry activities.**

### *Waste*

**21. Grant CDPHE authority to implement a plan for meeting Colorado's statewide and regional solid waste diversion goals.**

**22. Reduce or eliminate use of disposable/single-use products and promote reuse of materials, including construction and demolition waste.**

**23. Foster circular economy policies like reuse, recycling, composting, and reducing the carbon intensiveness of materials and products.**

**24. Reduce greenhouse gas emissions from solid waste, water treatment, wastewater processing, and agricultural activities.**

*General*

**25. Encourage adoption of climate-positive innovations like telecommuting, drawing from the lessons learned during the coronavirus pandemic, to substantially reduce air and greenhouse gas pollution.**

**26. Promote proactive programs and efforts that improve the resilience and adaptability of Colorado communities in the face of natural disasters and other major challenges associated with climate change, including ensuring that disaster stabilization and recovery efforts result in reduced greenhouse gas pollution and improved resilience to future disasters.**

**27. Support exploration and deployment, when appropriate, of natural climate solutions (NCS) and of carbon capture and utilization/sequestration (CCUS).**

**28. Reduce greenhouse gas emissions and increase resilience associated with water management through water conservation, efficiency, reuse, adaptation and low impact development strategies.**

**29. Encourage investments that achieve climate-positive solutions, including policies that encourage entities investing public dollars to consider partial or full divestment as part of their investment strategies.**

**30. Maintain protections and authorities currently provided under environmental laws like the National Environmental Policy Act, Clean Air Act, and Clean Water Act, and ensure that these laws are fully implemented.**



## **CC4CA 3-5-Year Goals**

### **Adopted by the Board of Directors October 22, 2021**

#### **Introduction**

CC4CA's Board of Directors adopted 3–5-year goals for each of five focus areas, four of which are advocacy-oriented and one of which is local capacity-oriented. All of these goals are guided by the general policy principles adopted by the Board as part of CC4CA's Policy Statement, which states that CC4CA supports:

- Collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection and resilience.
- State and federal programs to reduce greenhouse gas pollution, including adequate and ongoing funding of those programs.
- Analyses, financial incentives, infrastructure, and enabling policies for the development and deployment of clean energy technologies.
- Locally driven and designed programs to support communities impacted by the clean energy transformation.
- Prioritizing policies that put equity at the center of decision-making by addressing systemic environmental and governance inequities based on race and socioeconomic status and by justly transitioning and growing the clean economy.

#### **CC4CA's 3-5-Year Goals**

##### ***Focus Area: Direct Greenhouse Gas Emissions***

**Goal: Reduce statewide GHG emissions at least 26% by 2025, 50% by 2030, and 90% by 2050 (compared to 2005 levels).**

##### ***Focus Area: Solid Waste***

**Goal: By 2026, achieve a statewide municipal solid waste diversion rate of 35% and limit per capita municipal solid waste generation below 2019 levels, and adopt a "producer responsibility" system in at least one sector that internalizes environmental costs into the price of products.**

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Snowmass Village · Summit County · Superior · Telluride · Vail · Westminster · Wheat Ridge

***Focus Area: Community Transition***

**Goal: By 2026, Colorado's Just Transition Plan has been funded at no less than 25% of the state's total estimated cost to fully implement the plan. Additionally, implementation is occurring at a level commensurate with this spending and impacted communities and local communities have retained significant control over this spending.**

***Focus Area: Climate Resilience***

**Goal: By 2026, the State of Colorado will have:**

- **Implemented the strategies outlined in the Colorado Resiliency Framework Action Plan along their proposed timelines.**
- **Issued an annual progress report summarizing the status of each priority and associated strategies including achievements, challenges, and general progress.**
- **Embedded climate resilience criteria in the planning for all state-funded capital projects, integrated resiliency criteria into state competitive grant programs and investments, and funded state-led resiliency efforts at increasing year-over-year levels.**
- **Provided technical and financial support for resiliency planning in Colorado communities that includes equitable engagement and regional collaboration.**

***Focus Area: Local Capacity***

**Goal: By 2026, the majority of CC4CA's members feel that the majority of their most urgent and/or important local support needs on climate action are being met.**

**CC4CA's 3-5-Year Goals (With Background Information)**

***Focus Area: Direct Greenhouse Gas Emissions***

**Goal: Reduce statewide GHG emissions at least 26% by 2025, 50% by 2030, and 90% by 2050 (compared to 2005 levels).**

Background: These are the same targets adopted by the State of Colorado. These targets have the advantage of being widely acknowledged across Colorado, having a clear and understandable basis (i.e., Colorado's statutory targets), and, if successful, would result in substantial GHG emissions reductions. The Policy Committee considered adopting more aggressive and more complex targets but opted for these because of the operational value of alignment with the State's targets (which CC4CA was heavily involved in getting adopted).

***Focus Area: Solid Waste***

**Goal: By 2026, achieve a statewide municipal solid waste diversion rate of 35% and limit per capita municipal solid waste generation below 2019 levels, and adopt a "producer responsibility" system in at least one sector that internalizes environmental costs into the price of products.**

Background: This goal includes three elements, a statewide municipal solid waste diversion rate goal and a goal pertaining to per capita solid municipal waste generation. By combining

these, we get at both the overall rate of waste generation and the amount of waste diverted from landfills. This diversion rate is aligned with the state's current goal and is how the state tracks waste in Colorado (as opposed to another metric like "total solid waste," which is not reliably tracked). Current per capita municipal solid waste in Colorado was 6.9 lbs. per person per day in 2019.

### ***Focus Area: Community Transition***

**Goal: By 2026, Colorado's Just Transition Plan has been funded at no less than 25% of the state's total estimated cost to fully implement the plan. Additionally, implementation is occurring at a level commensurate with this spending and impacted communities and local communities have retained significant control over this spending.**

Background: We have the benefit of a newly adopted state Just Transition Action Plan that is generally aligned with the conclusions of CC4CA's Community Transition Ad-Hoc Working Group. The state's plan aims to help each of Colorado's coal communities "end up with more family-sustaining jobs, a broader property tax base, and measurably more economic diversity than when this process began in 2019." Full implementation of the plan is estimated to be \$150-\$200 million or more, including an estimated \$100 million or more for wage and wage replacement benefits and \$40 million for backfilling lost property tax revenue gaps (after that gap is reduced through equalization under that School Finance Act). Because there aren't widely accepted, easily measured, standardized measures of successful community transitions leading us to an obvious goal, the Policy Committee crafted a goal that weaves together several key considerations. Those include the overall amount of investment relative to the projected total required for full implementation, relating that total amount of spending to actual implementation, and the extent to which local transition communities are driving the strategies.

### ***Focus Area: Climate Resilience***

**Goal: By 2026, the State of Colorado will have:**

- **Implemented the strategies outlined in the Colorado Resiliency Framework Action Plan along their proposed timelines.**
- **Issued an annual progress report summarizing the status of each priority and associated strategies including achievements, challenges, and general progress.**
- **Embedded climate resilience criteria in the planning for all state-funded capital projects, integrated resiliency criteria into state competitive grant programs and investments, and funded state-led resiliency efforts at increasing year-over-year levels.**
- **Provided technical and financial support for resiliency planning in Colorado communities that includes equitable engagement and regional collaboration.**

Background: Identifying functional resilience goals is complicated in part because, as with community transition, resilience itself is so complex and there aren't dominant standardized measures of resilience on which we can draw. The Policy Committee incorporated several key elements of resilience into this proposed language, including implementation of the state's

existing plan, reporting on progress, embedding climate resilience into how the state executes capital projects, and providing assistance to local communities.

***Focus Area: Local Capacity***

**Goal: By 2026, the majority of CC4CA's members feel that the majority of their most urgent and/or important local support needs on climate action are being met.**

Background: Local government support – often referred to as "capacity building" rather than advocacy – has traditionally been a minor but important part of CC4CA's work. This decision about what CC4CA's Local Capacity goal should be will necessarily reflect how significantly we wish to prioritize this work relative to our advocacy work. The Policy Committee settled on this approach in part because of its simplicity, which seemed appropriate given that local capacity is a minor part of our work. Although this is a more subjective measure, it does get at the actual intended outcome of CC4CA's local capacity work.



## Colorado Communities for Climate Action Highlights (July 2022)

Colorado Communities for Climate Action is a coalition of 39 counties and municipalities across Colorado advocating for effective state climate policy. Our members span the Western Slope and Front Range; small rural towns and major suburbs; counties and municipalities; and wealthy, middle income, and low-income neighborhoods.

New members last year included Durango and Wheat Ridge. Representing nearly one-quarter of all Coloradans, with rural communities making up two-thirds of the membership (and half our member communities on the Western Slope), and with populations ranging from under 1,000 to more than 500,000, CC4CA has become a high-impact voice for clean air, climate action, and public health protection.

### Legislative Successes

The 2022 legislative session was another impressive session, substantially building on the transformative success of the 2019 and 2021 sessions. CC4CA directly engaged on 29 bills, securing the desired outcomes on 23 of those. This included passing 18 pieces of legislation (among them six of our eight high priority bills) and defeating five harmful bills. Some of the most consequential outcomes focused on creating a producer responsibility system to reduce solid waste and improve recycling, improved local government wildfire/natural disaster funding, creating a new circular economy development center, expanding affordable housing and building efficiency, funding for coal community transition programs, reducing air toxics, improving building codes, establishing free transit during part of the peak ozone season, and more.

### Electric Utilities

In part due to the sustained pressure from CC4CA and other local governments within its service area, Tri-State finally committed to 80% greenhouse gas emissions reductions by 2030, and through our successful campaign in coalition with other aligned groups, we locked this in through the Tri-State Electric Resource Plan. This ERP also dramatically expands the ability of member co-ops to procure clean energy, improves energy efficiency, avoids

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Snowmass Village · Summit County · Superior · Telluride · Vail · Wheat Ridge

construction of new natural gas plants, and may even result in accelerated retirements of their coal plants.

The results of our efforts on Xcel's Electric Resource Plan are similarly substantial, including accelerated coal plant retirements, no new natural gas plants, and retiring the Comanche 3 coal-fired power plant (the worst of the remaining facilities) by 2031.

## **Pushing for Strong Executive Branch Policies and Programs**

December 2021 marked the adoption of two truly landmark, precedent-setting state agency regulations, both of which were top priorities for CC4CA. The Air Quality Control Commission voted unanimously to substantially increase controls of GHG and ozone-forming Volatile Organic Compound (VOC) emissions from oil and gas operations. The centerpiece of the suite of new rules is new toughest-in-the-nation statewide requirements for operators to substantially increase the frequency to find and fix leaks from oil and gas wells and compressor stations. The rules also break new ground in protection of Disproportionately Impacted Communities (DICs) and of buildings, schools, and other public places in close proximity to well sites.

In addition, the Transportation Commission adopted a rule establishing GHG budgets for future projects of CDOT and Metropolitan Planning Organizations through 2050. The rule creates a strong financial incentive for CDOT and the five MPOs (covering the Denver Metro Area, the North Front Range, the Pikes Peak region, Pueblo, and Grand Junction) to include in their project funding plans investments in capital projects that will reduce GHG and VOC emissions. Encompassing a range of important co-benefits for expanded mobility options, better transit networks, and reduced air pollution, the rule incorporates important protections for DICs from further transportation system impacts, as well.

There were other significant outcomes over the past year. We successfully supported strengthening the Regional Haze State Implementation Plan by making federally enforceable the retirement of 15 coal plant units at sites statewide by 2029. We celebrated a successful effort to secure AQCC approval of the Ozone Nonattainment State Implementation Plan, which includes provisions to limit future emissions of ozone-forming VOCs and nitrogen oxides (NOx), as well as to require faster repair times for oil and gas leaks discovered within 1,000 feet of occupied areas. And in the so-called "industrial rulemaking," the AQCC required energy intensive, trade-exposed steel and cement manufacturers to reduce GHG emissions 5% by 2030, bolstered by provisions for emissions audits every five years testing whether they are using the Best Available Control Technologies and for using the best available energy efficiency practices.

And already in 2022 we have celebrated a major regulatory success with the COGCC's adoption of new financial assurance rules followed by successful efforts on the setting of fees for orphan well mitigation and the new transportation enterprise funds.

## **Elevating the Local Government Voice**

CC4CA ensures that its members – local elected officials and local government staff – have the opportunity to serve as witnesses during legislative hearings, meet with their legislators,

testify during agency rulemaking processes, speak to reporters, and publish opinion pieces in local and statewide media outlets. In the past year alone, we supported:

- 118 local officials testifying in 32 regulatory hearings and sessions
- 37 elected officials submitting written comments in regulatory proceedings
- 33 local officials testifying in 17 separate legislative hearings
- 50 public officials in 12 meetings with state and federal lawmakers, and we have met with the governor's team many dozens of times

Additionally, more than 240 local officials joined sign-on letters to members of Colorado's federal delegation, we supported 42 elected officials in publishing guest editorials and letters to the editor, and we helped influence at least 23 news stories.

Importantly, 65 of the people we supported in regulatory proceedings, at the Legislature, publishing opinion pieces, and in other ways were first-timers – this was the first time we had worked with them, representing a substantial expansion in our network of local officials engaging in these key policy venues.

In just six years, Colorado Communities for Climate Action has evolved from a promising idea into an influential coalition shaping state climate policy. It can be very difficult for individual local governments to influence state policy on their own, but this coalition of counties and municipalities all speaking with one voice is having an outsized impact.

For more information:

Jacob Smith • [jsmith@cc4ca.org](mailto:jsmith@cc4ca.org) • (303) 810-6017 • [CC4CA.org](http://CC4CA.org)

# Memorandum

**TO:** Mayor and City Council

**THROUGH:** Corey Hoffmann, Renewal Wheat Ridge Legal Counsel  
Patrick Goff, City Manager

**FROM:** Steve Art, Renewal Wheat Ridge Executive Director

**DATE:** August 1, 2022

**SUBJECT:** Lutheran Legacy Campus Urban Renewal Plan Formation

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**ISSUE:**

The Lutheran Medical Campus is located in the heart of Wheat Ridge and has operated as a medical center since 1905. A new Lutheran hospital is currently being constructed at the Clear Creek Crossing development, and the hospital's move presents a rare opportunity to reimagine the future of the Lutheran Legacy Campus.

City Council adopted the Lutheran Legacy Campus Master Plan on October 25, 2021. The primary goal of the Master Plan was to establish a development framework to guide future planning and development of the Lutheran Legacy Campus. The development framework is intended to communicate key development parameters and considerations to ensure that any future redevelopment of the campus reflects the values and priorities expressed by the community throughout the planning process.

The Master Plan calls for the inclusion of community amenities that can support the redevelopment of the campus and the creation of a community gathering place. As well, the ultimate redevelopment of the campus will necessitate significant capital infrastructure investments from both the future developer and the City to achieve the vision for the area. Urban Renewal and tax increment financing (TIF) are two tools the Master Plan recommends the City explore in concert with the redevelopment of the campus.

**BACKGROUND:**

Colorado Revised Statutes of 1973, Section 31-25-101, allows for the organization and establishment of urban renewal authorities at the local level. The Wheat Ridge Urban Renewal Authority d/b/a Renewal Wheat Ridge (RWR) was established by City Council in 1981 to accomplish the redevelopment and rehabilitation of blighted areas in the City to provide a safer and more useful environment for their users and inhabitants; to promote improved traffic patterns and eliminate traffic hazards; and to ensure sound social and economic growth patterns within the City. The City's first urban renewal plan was the Wheat Ridge Town Center Project which was adopted in 1981. This plan facilitated the redevelopment of what is now the Safeway Shopping Center at 38<sup>th</sup> and Wadsworth. This plan has expired; however, the following five urban renewal plans still exist today:

- West End 38 Urban Renewal Plan, adopted 2015
- I-70/Kipling Corridors Urban Renewal Plan, adopted 2009
- Wadsworth Boulevard Corridor Redevelopment Plan, adopted 2001
- 38<sup>th</sup> Avenue Corridor Redevelopment Plan, adopted 2001
- West 44<sup>th</sup> Avenue & Ward Road Redevelopment Plan, adopted 2001

Urban renewal activities in these plan areas have included, but are not limited to, the expansion of Wheat Ridge Cyclery, Perrin’s Row townhomes, Corners at Wheat Ridge, Town Center North, West End 38, the Parallel Apartments, Clear Creek Crossing, redevelopment of the Walmart space, Hacienda Colorado, environmental remediation of 38<sup>th</sup> and Yukon Court property and many other improvements remediating blight conditions throughout Wheat Ridge.

**TAX INCREMENT FINANCING**

The use of tax increment financing (TIF) is a major tool that can be used to fund projects. TIF uses net new tax revenue (potentially including property, sales and uses taxes) generated by the development to fund public improvements that are needed and support the redevelopment. TIF redirects the incremental property taxes from all taxing entities (including city, county, school district, and any special districts) from a new development within a defined urban renewal plan area to pay for eligible expenses including extraordinary costs for remediation and infrastructure. To use TIF for the redevelopment of the Lutheran Legacy Campus, the City must create an urban renewal area and plan for the campus, which authorizes the use of TIF for the removal of blight conditions.

**FORMING A NEW URBAN RENEWAL PLAN AREA**

The City has an active and engaged Urban Renewal Authority (Renewal Wheat Ridge) that has funded several projects in the recent past. RWR’s approach has been to use individual tax increment districts within urban renewal areas to fund needs of specific projects. To use TIF, RWR will have to perform a conditions study for the campus to document site conditions to justify the designation of the campus as an urban renewal area. Urban Renewal Law requires that an urban renewal plan identify the presence of at least 4 of the following 11 factors that determine blight:

- a. slum, deteriorated or deteriorating structures;
- b. predominance of defective or inadequate street layout;
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- d. unsanitary or unsafe conditions;
- e. deterioration of site or other improvements;
- f. unusual topography or inadequate public improvements or utilities;
- g. defective or unusual conditions of title that render property nonmarketable;
- h. existence of conditions that endanger life or property by fire or other causes;
- i. buildings that are unsafe or unhealthy for persons to live or work in;
- j. environmental contamination of buildings or property; and
- k. substantial physical underutilization or vacancy of sites, buildings, or other improvements.

In addition, an urban renewal plan must be developed which typically contains a number of provisions including the following:

1. Identification of the boundaries and the presence of conditions of blight;
2. Identification of the purpose and of the plan which is to reduce, eliminate and prevent the spread of blight and to stimulate and catalyze growth and investment within the area boundaries;
3. Conformance to other City documents including the Master Plan;
4. Identification of the types of undertakings and activities which may include public improvements and infrastructure; and the promotion of development and redevelopment that might not be feasible absent the adoption of an urban renewal plan;
5. Identification of potential financing mechanisms and methodology, including the use of public financing to accomplish the above tasks. Such tools may include the issuance of bonds, notes or other obligations as defined in urban renewal law and the use of tax increment financing (TIF).

Any new urban renewal plan must be forwarded for adoption to City Council following a public hearing process that includes both the Planning Commission (for compliance with the Master Plan) and the City Council.

#### **IMPLICATIONS OF FORMING A NEW URBAN RENEWAL PLAN AREA:**

In 2015, Governor John Hickenlooper signed into law House Bill 15-1348 which went into effect on January 1, 2016. The bill amended the Urban Renewal Law statute to include several additional operational requirements for local urban renewal authorities. These new requirements only go into effect when an urban renewal authority makes a significant modification to a current urban renewal plan or creates a new urban renewal plan. If City Council moves forward with the creation of an urban renewal area and plan for the Lutheran Legacy Campus, the following operational changes will be required for Renewal Wheat Ridge:

- Three new members would be added to the RWR Board, consisting of one member appointed by the Board of County Commissioners of Jefferson County, one elected member of the Jefferson County School Board, and one Board member of a special district selected by agreement of the special districts levying a mill levy in the urban renewal area (The City may also appoint one other Board member to keep the Board with an odd number of members).
- RWR and the other taxing entities levying a mill levy in an urban renewal area must meet and negotiate an agreement concerning the types and limits of tax revenues to be allocated. The agreement must address the estimated impacts of the urban renewal plan on county or district services. There may be separate agreements with each taxing entity or a joint agreement with multiple taxing entities. Thus, an outcome of this negotiation process may be that less than all the property tax incremental revenues from taxing entities will be available for use by RWR for redevelopment activities.

#### **RECOMMENDATIONS:**

Staff is seeking consensus and direction from City Council to authorize Renewal Wheat Ridge to begin the process of creating a new urban renewal area and plan for the Lutheran Legacy Campus.