

ORDINANCE NO. 2459

AN ORDINANCE PROVIDING FOR THE CREATION OF A COMMUNITY DEVELOPMENT AGENCY; PROVIDING THAT THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA, SHALL ACT AS SAID AGENCY; PROVIDING FOR THE POWERS AND AUTHORITY OF SUCH AGENCY; DESIGNATING A STUDY AREA; AND PROVIDING THE EFFECTIVE DATE THEREOF AND REPEALING EXISTING PROVISIONS OF CITY CODE NOT CONSISTENT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. There is hereby created a community development agency, which agency shall be known as the City of Alliance Community Development Agency.

SECTION 2. Such agency shall consist of the Mayor and Council of the City of Alliance, Nebraska.

SECTION 3. Such agency shall function in a manner prescribed in this Ordinance, and may exercise all of the power and authority granted to a community redevelopment authority pursuant to Sections 18-2101 to 18-2144 and Sections 18-2147 to 18-2154 of the statutes of the State of Nebraska.

SECTION 4. The purposes for which said agency is formed will be to formulate for the City of Alliance, a workable program for utilizing appropriate, private and public resources, to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities, or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof.

SECTION 5. No member or employee of the Alliance Community Development Agency shall voluntarily acquire any interest, direct or indirect, in any redevelopment project or in any property included or planned by the agency to be included in any project or in any contract or proposed contract in connection with such project. Where the acquisition is not voluntary, such member or employee shall immediately disclose such interest in writing to the Agency and such disclosure shall be entered into the minutes of the Agency. If any member or employee of the agency presently owns or controls or owned or controlled within the preceding two (2) years, an interest, direct or indirect, in any property, included or planned by the Agency to be included in any redevelopment project, they shall immediately disclose such interest in writing to the Agency and

such disclosure shall be entered upon the minutes of the Agency. Upon such disclosure, such member or employee of the Agency shall not participate in any action by the Agency affecting such property.

SECTION 6. State law provides that a community development agency may have made surveys, appraisals, studies, and plans necessary for carrying out the purposes of the Community Development Law. A survey is authorized for the purposes of identifying potential redevelopment areas within the City of Alliance and assessing ability of such areas to be designated as redevelopment areas, within the following boundaries:

Commencing at the NW Corner of Section 35 (the intersection of 10th Street & Hwy 2/385); thence south along a line paralleling the east line of Hwy 2/385 for a distance of 3840'; thence east 2258' to the centerline of Cody Ave.; thence S 77°50'38" E for a distance of 1480' to the BNSF R.O.W.; thence N 67°22'34" E for a distance of 1370'; thence 7590' East to the centerline of Hwy 2; thence NW along centerline of said Hwy 2 for a distance of 500'; thence North 545' to the centerline of 3rd Street; thence West for a distance of 185'; thence 237' northeasterly along the centerline of Elkhorn Ave. to the east alley entrance of Block 3, Federal Addition; thence West 1140' along centerline of said alley; thence North 180' to centerline of 4th Street; thence West to the centerline of Flack Ave.; thence southwesterly along the centerline of Flack Ave. a distance of 94' to the centerline of 4th Street; thence 493' west; thence 180' south; thence 716' west; thence 60' north; thence 195' west to the centerline of Mississippi Ave.; thence 120' north to the centerline of 4th Street; thence West for a distance of 385' to the centerline of Missouri Ave.; thence South along the centerline of Missouri Ave. a distance of 225'; thence 379' west to the centerline of Yellowstone Ave.; thence 42' north to alley entrance; thence 760' west to the centerline of Niobrara Ave.; thence North 550' to the centerline of 5th Street; thence 782' west to the centerline of Laramie Ave.; thence South for a distance of 355'; thence 380' west to the centerline of Cheyenne Ave.; thence 185' south to alley entrance; thence 1712' west; thence 545' north to the centerline of 5th Street; thence 360' west to alley entrance; thence North 175'; thence 598' west along alley; thence northwesterly along the centerline of Burlington Ave. for a distance of 455'; thence 262' west to the centerline of BNSF Railroad right-of-way; thence 778' in a southeasterly direction along said R.O.W to the centerline of 4th Street if extended; then southwesterly along said centerline for a distance of 315'; thence West to the centerline of Anthony Ave.; thence 200' north; thence 910' west to the centerline of Ramblin' Road; thence northwesterly along said centerline for a distance of 230'; thence 1800' north to the centerline of 10th Street; thence 872' to the point of beginning.

SECTION 7. Any ordinance or part of any ordinance of the City of Alliance, Nebraska, in conflict with this ordinance is hereby repealed, and should any part or sections of this ordinance be declared void and unenforceable, such declaration shall not render any other part void and unenforceable.

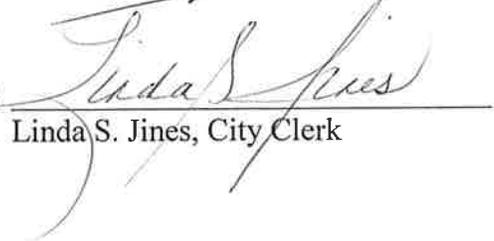
SECTION 8. This ordinance shall take effect and be enforced from and after the day of its passage, approval and publication as required by law.

PASSED AND APPROVED this 3rd day of December, 2002.

(SEAL)

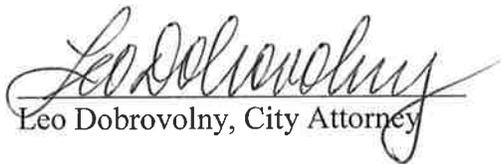


Mayor

Attest: 

Linda S. Jines, City Clerk

Approved as to Form and Legality:



Leo Dobrovoly, City Attorney

CITY OF ALLIANCE

**REDEVELOPMENT AREA
SUBSTANDARD/BLIGHT SURVEY
2002**

Prepared by: The Panhandle Area Development District

For

The City of Alliance Community Development Agency

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INTRODUCTION & PURPOSE

Previous development trends within the City of Alliance have resulted in periods of population loss and economic decline. To alleviate these conditions, the City's elected officials have been investigating and implementing strategies to assist private sector development efforts that will serve to reverse population loss, generate new employment opportunities and create economic growth within the City. One potential development strategy provided for in Nebraska's Community Development Law is the designation of a redevelopment area(s) and the use of tax increment financing.

The purpose of this report is to identify potential redevelopment areas within the corporate boundary of the City of Alliance and to assess their ability to become designated as redevelopment areas in conformance with Nebraska Community Development Law. A preliminary investigation of the community was conducted to identify residential, commercial and industrial areas that were most likely to conform to the substandard and blight requirements of the law.

As a result of this initial review of the community, two primary corridors exhibiting the most potential for designation as redevelopment areas were selected for additional study. Building and site condition, public infrastructure condition, building age and land use patterns, among other factors, were used to identify individual parcels and groups of parcels located within these corridors that could potentially receive an urban renewal area designation. Results of this investigation are reported in the following narrative by offering a description of applicable community development law and a comparison of study area properties relative to substandard and blight criteria contained within the law.

Geographic information system (GIS) software was used to map analysis findings thereby allowing the community the greatest latitude with future designations of urban renewal areas.

STUDY AREA DESCRIPTION

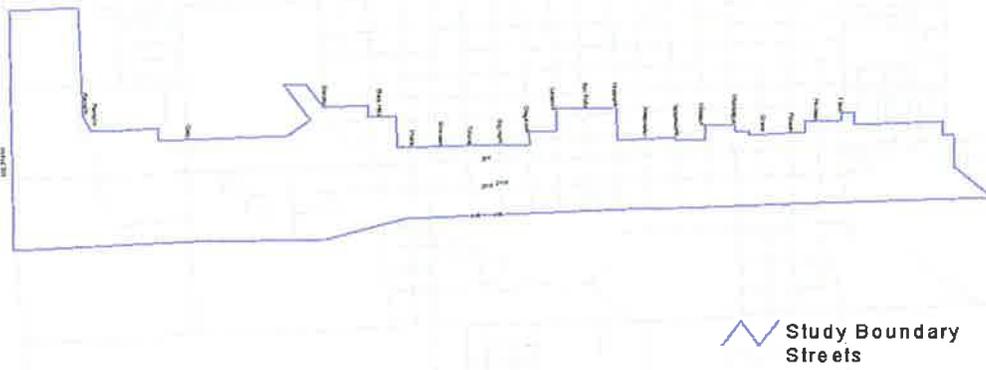
General

The two corridors evaluated are the U.S. Highway #385 corridor and the U.S. Highway #2 (3rd Street) corridor. Boundaries of the study area are identified on Map #1 and a general legal description is included as Attachment #1. For descriptive purposes only the findings of this study are presented to depict conditions in both the larger study area and within six sub-areas as described below and represented on Map #2. (It should be noted once again the study was conducted using GIS technology to allow the community significant latitude in identifying potential urban renewal designation. Future renewal areas need not conform to the boundaries of the sub areas which are used strictly for descriptive purposes.)

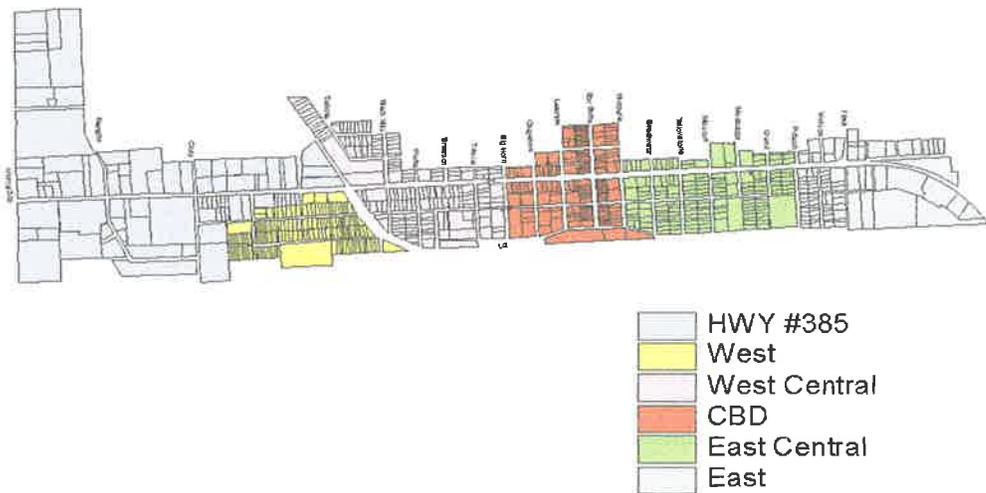
Sub Area Boundary Descriptions

- the Highway #385 service area extending east from Highway #385 to Cody Avenue and from 10th Street to 1st Street.
- the West commercial area extending east from Cody Avenue to the BNSF Railroad tracks and from 4th Street to 1st Street.
- the West Central mixed use area extending east from the BNSF Railroad tracks to Big Horn Avenue and from 6th Street to 1st Street.
- the Central Business District extending east from Big Horn Avenue to Niobrara Avenue and between 5th and 1st Streets.
- the East Central area extending east from Niobrara Avenue to Potash Avenue and from 1st Street to parcels adjacent to the 3rd Street.
- the East commercial area extending east from Potash Avenue to the Highway#2 BNSF overpass and from 1st Street north to include parcels adjacent to 3rd Street.

Map #1, Study Area Boundary



Map #2, Sub-Areas



Study Area Land Uses

The two highway corridors and their adjacent lands are comprised by a number of distinct residential, commercial, industrial and mixed land use areas. Land uses in the study area range from low intensity public recreation to heavy industrial uses. Most of the land use categories used are self explanatory. However, a few do require some explanation. These include:

- Traveler Services – establishments that cater to the traveling public such as service stations, motels and dining establishments.
- Heavy Commercial – uses of land for retail and wholesale practices that do not involve the manufacture of products on the site but which do display outdoor storage of materials and conduct practices that could be considered a nuisance lower impact businesses or residences.
- Light Industrial – manufacturing, assembly, processing facilities carried on primarily indoors.
- Heavy Industrial - manufacturing, assembly, processing facilities clearly noticeable on the outside, or which may produce dust, odor, noise, etc.
- Railroad Industrial – uses directly associated with operation of the BNSF railroad and BNSF property adjacent to such uses.

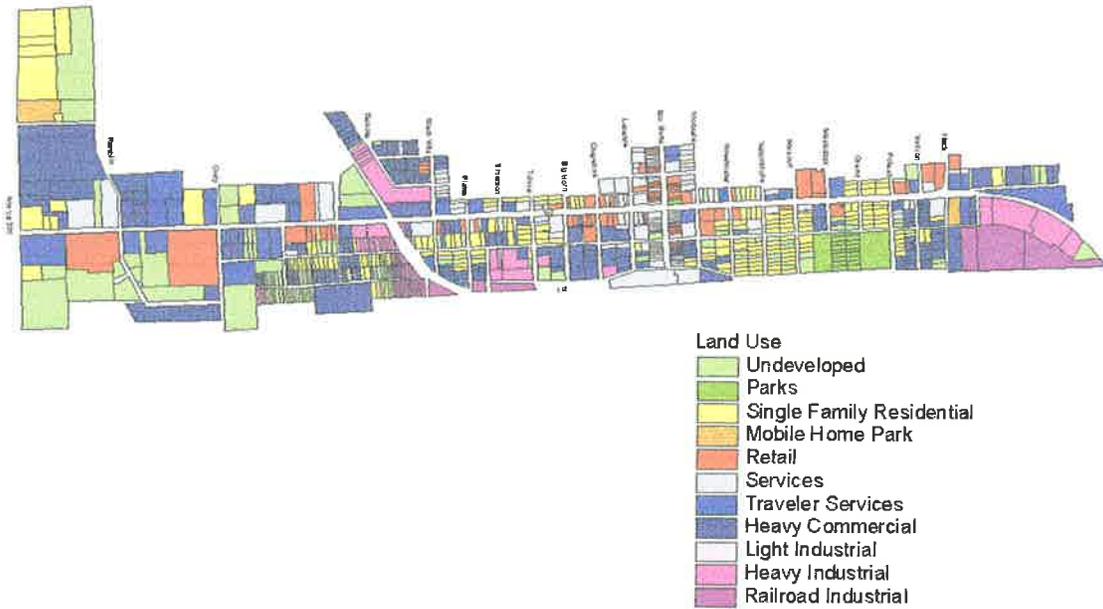
Predominate land uses, in terms of land parcel development include single family housing and heavy commercial uses at 23% of all parcels each, undeveloped parcels at 15% and retail uses at just of 9% of all parcels. The large percentage of undeveloped parcels suggests that renewal efforts are needed to encourage in-filling developments that make use of existing infrastructure capacity.

Land Use	# Parcels
Undeveloped	125
Parks/Open Space	21
Single Family Residential	188
Multi-Family Residential	2
Retail	77
Services	114
Traveler Services	40
Heavy Commercial	188
Light Industrial	1
Heavy Industrial	36
Railroad Industrial	30
Total	822

The distribution of land uses throughout the study area is depicted on Map #3. The most concentrated commercial zones are located in the Central Business District area and the Highway #385 area west of the BNSF railroad underpass. The largest concentration of industrial land uses occurs in the east area near the Highway #2/BNSF railroad overpass. Residential land uses are interspersed among both commercial and industrial land uses throughout the study area. However, the majority of these mixed uses are found in the west and west-central sub areas.

Mixed land uses have resulted from leap frog and strip development patterns along primary rail and highway transportation corridors. In addition, the sub-areas have experienced transitional land development patterns resulting from urban expansion (sprawl) as the community has grown over time. Transitional land development patterns and the multitude of mixed land uses are indicative of the need for urban renewal efforts.

Map # 3, Study Area Land Use



Sub Area Land Uses

The following descriptions provide a summary of existing land uses in each of the six sub-areas.

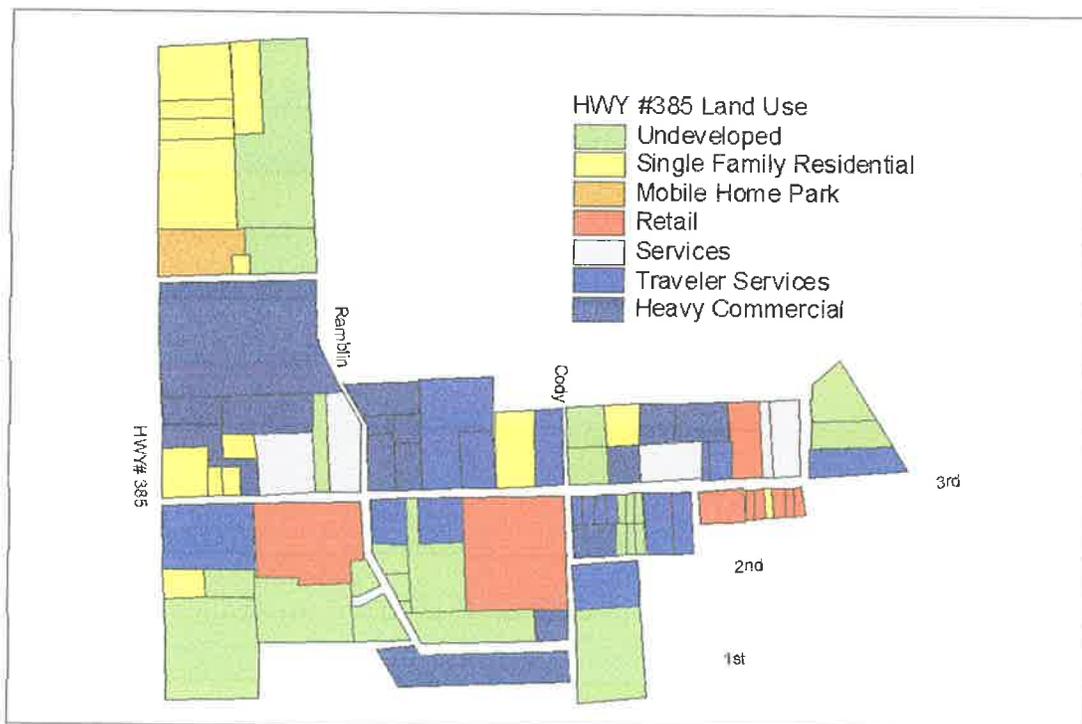
Highway #385

The Highway #385 sub area is comprised of 86 parcels of land. Land uses in the area range from single family residential to heavy commercial uses. This area serves as primary retail and traveler services hub for surrounding residents and through traffic. Lands within the Highway #385 corridor are likely to experience the most development pressure in years to come as the Heartland Expressway becomes further developed.

Land Use	# Parcels
Undeveloped	25
Parks	0
Single Family Residential	14
Multi-Family Residential	1
Retail	9
Services	5
Traveler Services	16
Heavy Commercial	16
Light Industrial	0
Heavy Industrial	0
Railroad Industrial	0
Total	86

This area also exhibits mixed uses that should be monitored and controlled for aesthetic purposes. Sixteen heavy commercial properties were identified, several of which have a negative impact upon the community. The Highway #385 corridor provides the primary entrance to the community and should be protected and enhanced to provide a positive first image.

The several large undeveloped land parcels found within this area also provide significant development potential for the future. Most of this area is zoned for Highway Commercial development.



West

The West sub-area is comprised of 161 parcels of land. Predominant land uses in this area include industrial uses, followed by heavy commercial uses and single family residences. Residential land uses are distributed throughout the area making it difficult to single preserve a viable, established residential sector.

Land Use	# Parcels
Undeveloped	49
Parks	0
Single Family Residential	32
Multi-Family Residential	0
Retail	0
Services	0
Traveler Services	0
Heavy Commercial	37
Light Industrial	1
Heavy Industrial	19
Railroad Industrial	23
Total	161

In addition to the large number of undeveloped parcels in this area, the twenty-three railroad industrial parcels are practically void of development. These parcels are classified as railroad industrial uses as they border the BNSF railroad tracks, are owned by the BNSF Railroad and may have little potential for future development unrelated to railroad activities.

The West sub-area is zoned for heavy industrial development.



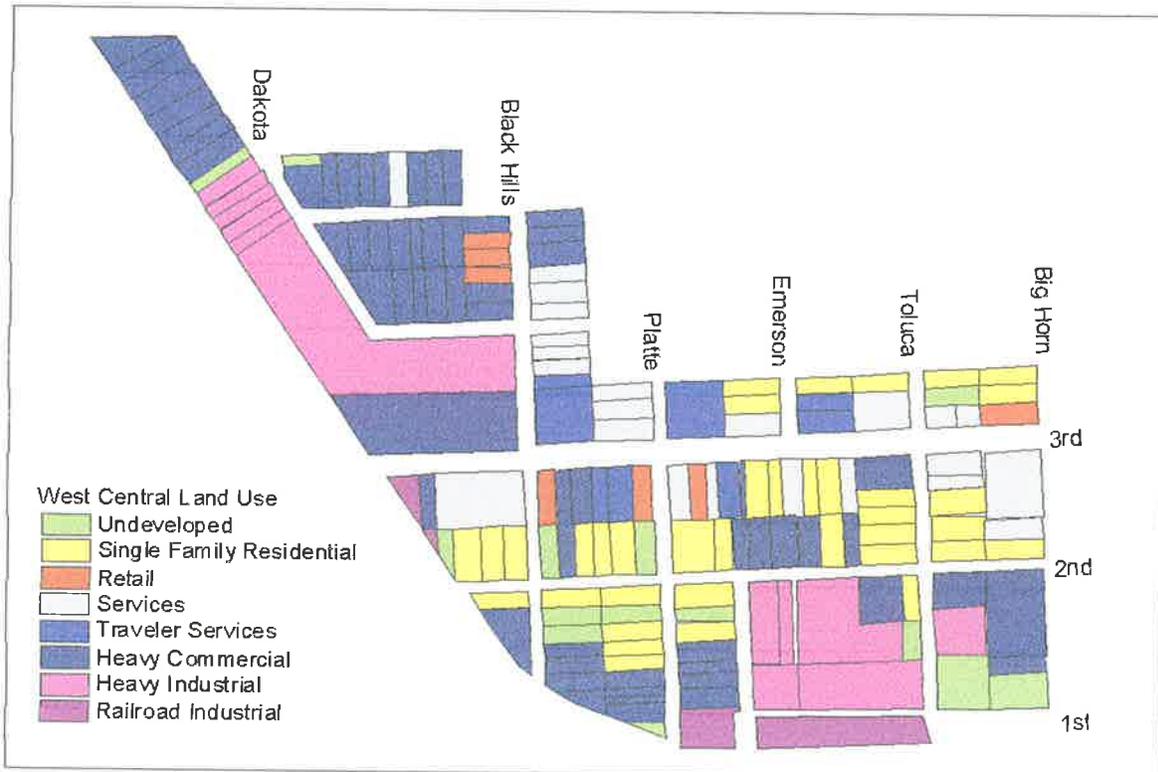
West Central

The West Central sub-area is comprised of 168 parcels of land. Land uses in the area range from single family residential to heavy industrial uses. Heavy commercial uses represent the largest percentage of land uses in the area followed by single family residences and service industry establishments. Strip and leap frog commercial development patterns are clearly evident along 3rd Street in this sub-area. Undeveloped properties are limited.

Land Use	# Parcels
Undeveloped	14
Parks	0
Single Family Residential	37
Multi-Family Residential	0
Retail	7
Services	23
Traveler Services	9
Heavy Commercial	62
Light Industrial	0
Heavy Industrial	12
Railroad Industrial	4
Total	168

This area includes a heavy commercial/industrial area adjacent to the BNSF railroad north of 3rd Street and a similar area located between 1st and 2nd Streets. The remainder of the area consists of mixed residential, retail, services and heavy commercial uses. However, residential uses in north of 3rd Street are directly adjacent to large residential tracts. The area south of 3rd Street is viewed as a transitional area.

The area is currently zoned to accommodate both commercial and industrial land uses. The city's comprehensive plan also indicates the area should transition to these types of development.



Central Business District

The Central Business District sub-area is comprised of 161 parcels of land. Land uses in the area range from park lands to heavy industrial uses. The central business district is the primary service and retail sector in the community. Land uses are the least mixed in this area.

Land Use	# Parcels
Undeveloped	6
Parks / Open Space	1
Single Family Residential	7
Multi-Family Residential	0
Retail	45
Services	68
Traveler Services	7
Heavy Commercial	26
Light Industrial	0
Heavy Industrial	1
Railroad Industrial	0
Total	161

Few lots are available to accommodate future development without clearance activities. As the oldest established commercial area in the community there is an evident need for renewal efforts.

The Central Business District is zoned to accommodate commercial and service businesses.



East Central

The East Central sub-area is comprised of 159 parcels of land. Land uses in the area range from parks to heavy commercial uses. This area is predominately residential in nature but has experiencing the encroachment of retail, service and commercial uses along primary thoroughfares and on lots adjacent to the central business district.

Land Use	# Parcels
Undeveloped	21
Parks	20
Single Family Residential	86
Multi-Family Residential	0
Retail	11
Services	10
Traveler Services	3
Heavy Commercial	8
Light Industrial	0
Heavy Industrial	0 </td
Railroad Industrial	0
Total	159

This area is zoned for single family residential with limited commercial development zones existing along portions of 3rd Street. The housing resources in this area should be preserved as a viable residential neighborhood remains in existence.

The East Central sub-area is zoned primarily for single family residential land uses. However, some portions along 3rd Street are zoned for commercial uses.



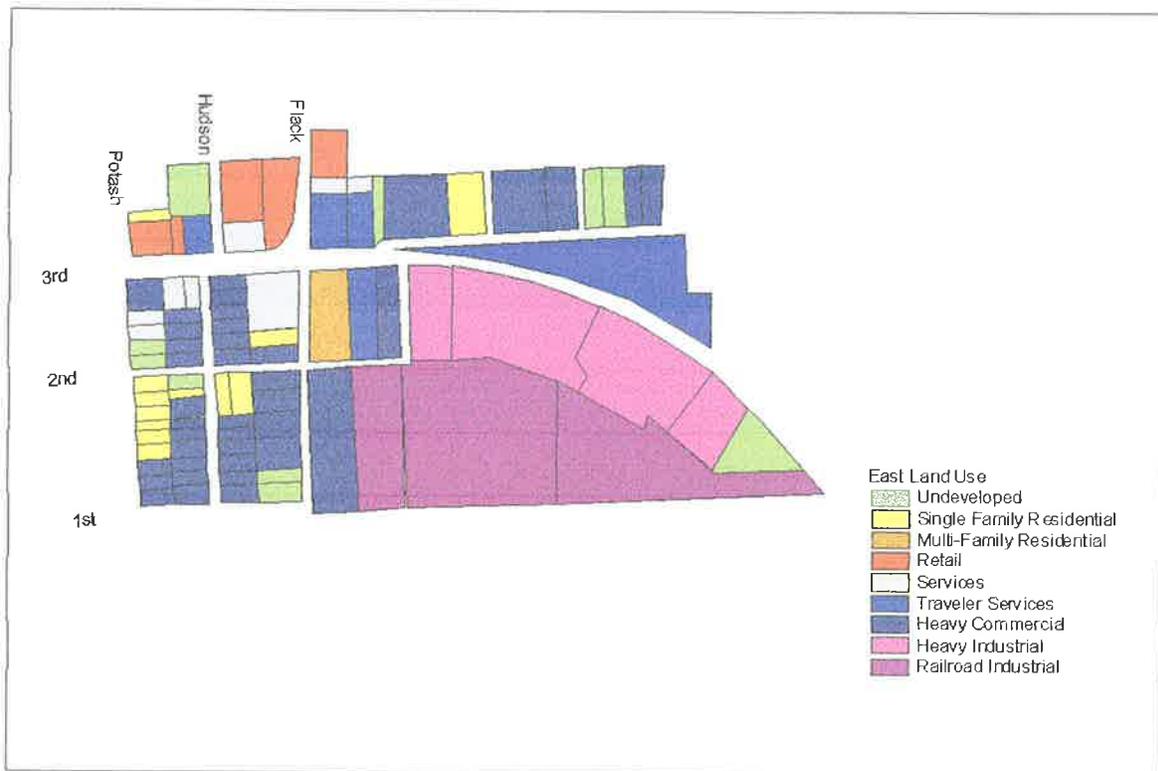
East

The East sub-area is comprised of 87 parcels of land. Land uses in this area range from single family residential to heavy commercial and railroad. The most predominate land use in terms of parcel development is heavy commercial followed by single family residential. The most predominate land uses in terms of total land area are industrial uses.

Land Use	# Parcels
Undeveloped	10
Parks	0
Single Family Residential	12
Multi-Family Residential	1
Retail	5
Services	8
Traveler Services	5
Heavy Commercial	39
Light Industrial	0
Heavy Industrial	4
Railroad Industrial	3
Total	87

This area also serves as key entrance to the community along Highway #2 from the east. As such, this area should be enhanced to present a positive initial image of the community. Several "junk" depositories have developed in this area.

Future land use patterns identified in the comprehensive plan suggest the area should develop as a light and heavy industrial zone. However, measures could be enacted to screen unsightly land uses from view. Land in this area is zoned for commercial and industrial development.



SUBSTANDARD and BLIGHTED DEFINITIONS

According to Nebraska Community Development Law, Sections 18-2102 and Sections 18-2103(10), (11); in order for a project area to be eligible for redevelopment and tax increment financing, the area must first qualify as a “**substandard and blighted area**”. This qualification must be within the definition set forth in Nebraska Community Development Law. Although the presence of one factor alone (deteriorated structures) could provide enough evidence to declare a parcel both substandard and blighted, this study attempts to document the presence of any of the factors described within Nebraska Community Development Law. Following is a description of the specific conditions that must be documented.

Section 18-2103(10), Substandard Areas:

Substandard areas shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of:

- dilapidation, deterioration,
- age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces,
- high density of population and overcrowding, (this factor is not applicable due to the generally low population densities in Alliance and the study area)
- or the existence of conditions which endanger life or property by fire and other causes,
- or any combination of such factors,

is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals, or welfare.

Section 18-2103 (11), Blighted Areas:

Blighted area shall mean an area, which (a) by reason of the presence of:

- a substantial number of deteriorated or deteriorating structures,
- existence of defective or inadequate street layout,
- faulty lot layout in relation to size, adequacy, accessibility or usefulness,
- unsanitary or unsafe conditions,
- deterioration of site or other improvements,
- diversity of ownership,
- tax or special assessment delinquency exceeding the fair value of the land,
- defective or unusual conditions of title,
- improper subdivision or obsolete platting,
- or the existence of conditions which endanger life or property by fire and other causes,

or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use **and** (b) in which there is at least one of the following conditions:

- (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
- (ii) the average age of residential or commercial units in the area is at least forty years;
- (iii) more than half of the plotted and subdivided property in the area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
- (iv) the per capita income of the area is lower than the per capita income of the city or village in which the area is designated; or
- (v) that the area has had either stable or decreasing population based upon the last two decennial censuses.

Presence of Substandard Conditions

To qualify as substandard at least one of the conditions described in Section 18-2103(10) must be substantiated within the study area. Several substandard conditions were identified throughout the study area. Data germane to each of the “substandard” conditions as described in State Statute are presented for the study area as a whole and then for each sub-area.

Generally speaking, the conditions of dilapidation/deterioration, age & obsolescence and conditions which endanger life or property by fire or other causes were the most frequently noted. High density of population and overcrowding were not evaluated as potential substandard conditions as this is infrequently a condition in rural communities.

The following documentation is provided to verify the presence of such substandard conditions.

Methodology

Substandard conditions were identified by conducting field surveys and records research at the Box Butte County Courthouse. County Assessor records were used to identify building/structure ages. Field surveys were used to document evidence of site and building dilapidation and deterioration, and conditions which may endanger life, property or the general welfare of the public.

Although many of the buildings in the study area have been reasonably maintained, there are several factors that verify the “age & obsolescence” of structures. In addition, building and infrastructure conditions which present potential dangers to life or property are present. These include:

1. instances where cracked facades and cornices are present posing a threat to pedestrians,
2. structures are not accessible to handicapped individuals,
3. entrance steps protrude onto public sidewalks creating a potential hazard to pedestrians,
4. buildings are collapsing and open to trespass, and
5. due to building sizes (width) and construction methods (zero lot line development) the buildings are not conducive to many modern applications of usage in terms of light and ventilation, and
6. due to building age electrical **wiring** is in some cases may be outdated **creating** a potential hazard,

Data obtained in the course of the study were recorded using geographic information systems (GIS) software to allow the greatest latitude in future designations of urban renewal areas. In addition, nearly all properties were photographed as well as infrastructure conditions. All of the data collected is tied to County Assessor records by parcel numbers.

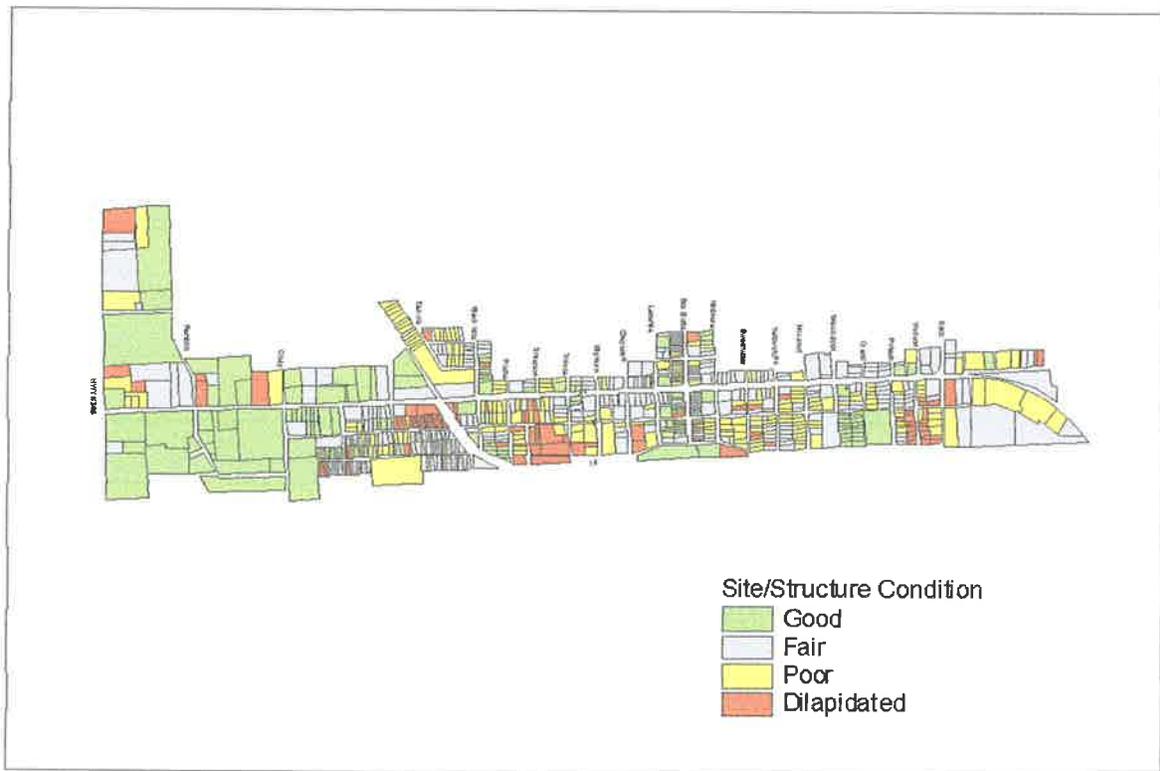
Study Area Dilapidation & Deterioration

The entire study area contains 822 land parcels. Of these parcels it was determined that 97 properties, or twelve percent of all properties, could be considered dilapidated due to deteriorated levels of the structures on the property or due to the general condition of the properties themselves. An additional 226 parcels, or twenty-seven percent of all parcels, were considered to be in poor condition.

Site/Structure Condition	# Parcels
Good	145
Fair	354
Poor	226
Dilapidated	97
Total	822



(Evidence of site deterioration/dilapidation)





(Evidence of infrastructure deterioration)



(Evidence of building deterioration)

Age & Obsolescence

County Assessor records were reviewed for all parcels of land in the study area to document structure age. Out of the total number of parcels 506 contained data documenting building/structure age. Of these parcels 405 contained structures over forty years of age. In addition, several of the structures are obsolete in terms of useful design or size for modern development.

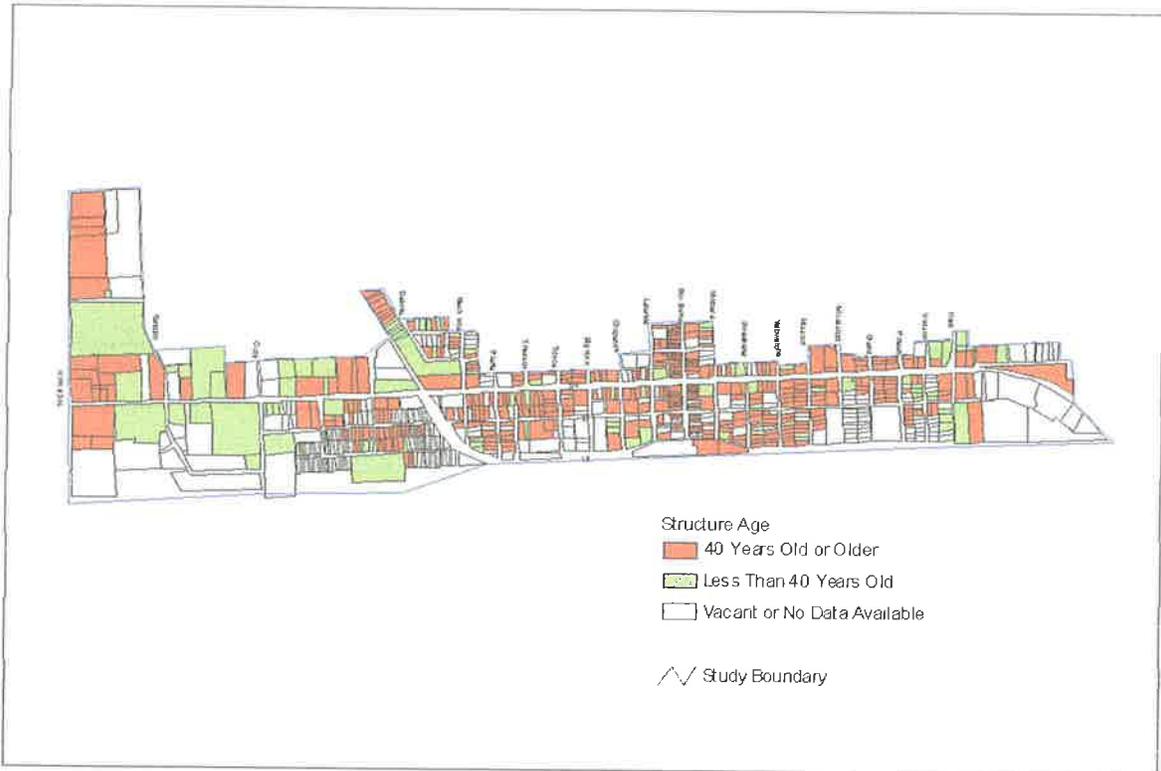
Structure Age	# Parcels
Over 40 Years	405
Under 40 Years	101
Vacant or No Data Available	316
Total	822



(Example of a deteriorated structure)



(Example of an obsolete structure)



(Map of study area structure ages)

Conditions Which Endanger Life or Property

Field surveys were used to document evidence of site, infrastructure or building deterioration that present a danger to life or property.



(Evidence of infrastructure deterioration posing a hazard)



(Evidence of building deterioration posing a hazard.)



(Evidence of site conditions posing a safety/fire hazard.)

Sub Area Dilapidation & Deterioration

Data for the study area was broken down into each of the six sub-areas for descriptive purposes. Data presentation in this manner would also allow the designation of an entire sub-area as an urban renewal area.

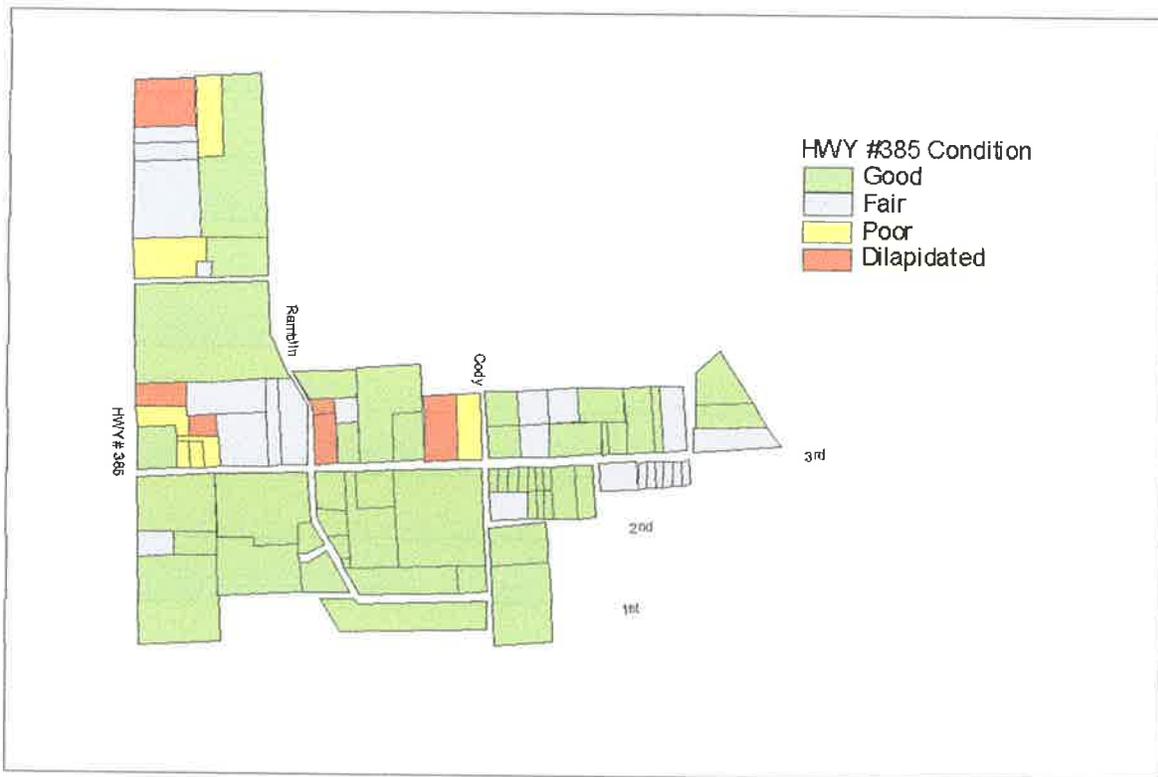
Highway #385

The Highway #385 area contains only six dilapidated sites/structures and seven considered to be in poor condition.

Site/Structure Condition	# Parcels
Good	50
Fair	23
Poor	7
Dilapidated	6
Total	86



(Evidence of site deterioration.)



West

The west sub-area contains 58 parcels with deteriorated or dilapidated sites/structures, or approximately one-third of all parcels in the area.

Site/Structure Condition	# Parcels
Good	21
Fair	81
Poor	29
Dilapidated	29
Total	160



(Evidence of site/building deterioration)



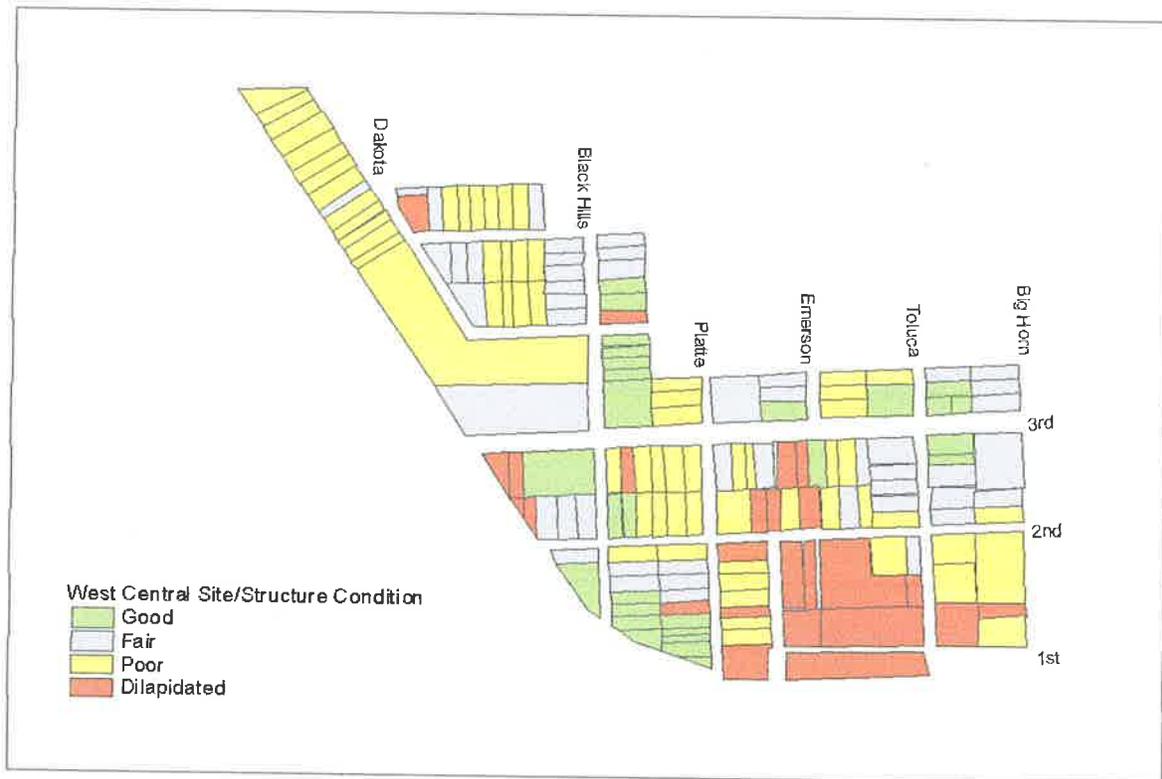
West Central

The West Central sub-area contains 91 parcels that are in poor or dilapidated condition. This represents over fifty percent of all parcels in the sub area.

Site/Structure Condition	# Parcels
Good	28
Fair	49
Poor	66
Dilapidated	25
Total	168



(Evidence of site deterioration)



Central Business District

The Central Business District contains 161 parcels. Forty-five of these parcels, or approximately 25% of all parcels, can be considered deteriorated in terms of building and/or site condition.

Site/Structure Condition	# Parcels
Good	20
Fair	96
Poor	39
Dilapidated	6
Total	161



(Evidence of site/infrastructure deterioration)



East Central

The East Central sub-area contains 159 parcels. Sixty-four parcels, or 40% of all land parcels, are considered to be in deteriorated condition.

Site/Structure Condition	# Parcels
Good	23
Fair	72
Poor	58
Dilapidated	6
Total	159



(Evidence of Site Deterioration)



East

The east sub-area contains 87 parcels of land of which 51, or approximately 57%, are deteriorated.

Site/Structure Condition	# Parcels
Good	3
Fair	33
Poor	26
Dilapidated	25
Total	87



(Evidence of site deterioration)



Sub Area Age and Obsolescence

To satisfy the requirement of age and obsolescence County Assessor records were reviewed. The age of structures on each parcel of land was recorded to determine the number of structures in each sub-area that is forty years old, or older. Building age, in and of itself, does not render a building obsolete. However, structures over forty years old generally require rehabilitation improvements and many were not designed to accommodate current lifestyles (in terms of housing) or business practices.

Highway #385

The Highway #385 sub-area contains 30 structures over age forty. This represents approximately 55% of all structures with available age data.

Structure Age	# Parcels
Over 40 Years	30
Under 40 Years	24
Vacant or No Data Available	32
Total	86



West

The West sub-area contains 43 structures over age forty. This represents approximately 76% of all structures with available age data.

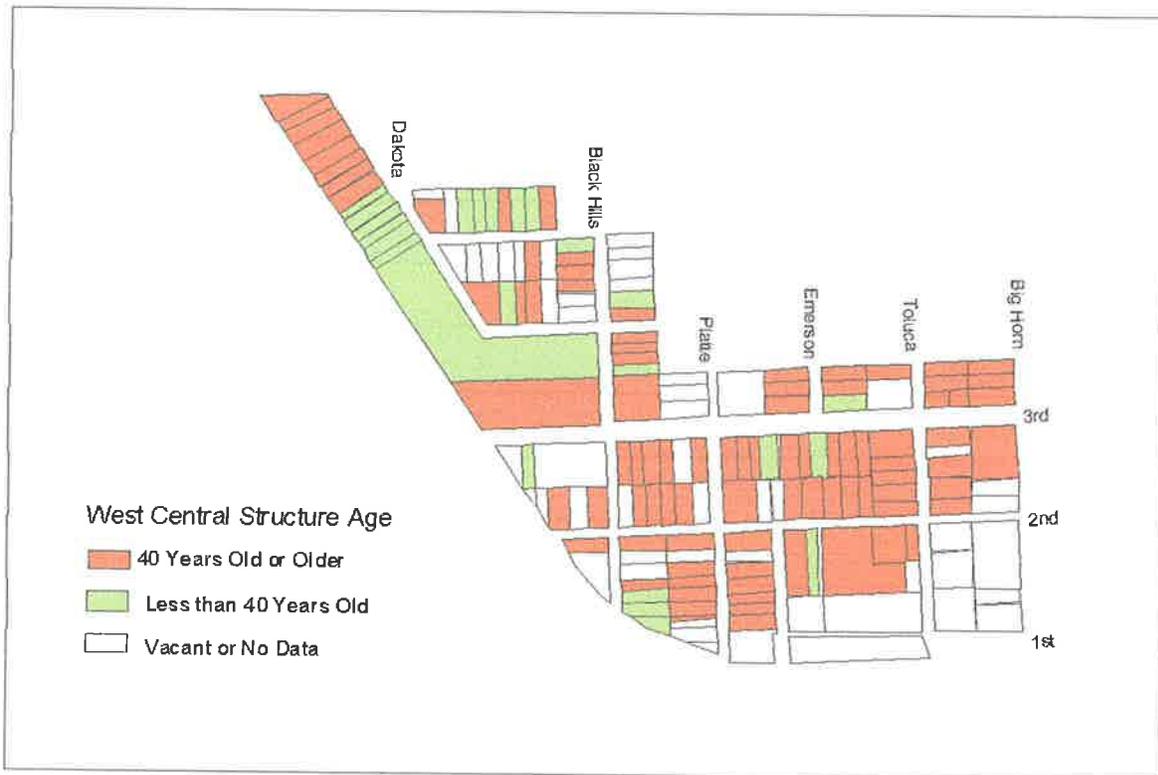
Structure Age	# Parcels
Over 40 Years	43
Under 40 Years	13
Vacant or No Data Available	105
Total	161



West Central

The West Central sub-area contains 91 structures over age forty. This represents approximately 70% of all structures with available age data.

Structure Age	# Parcels
Over 40 Years	91
Under 40 Years	24
Vacant or No Data Available	53
Total	168



Central Business District

The Central Business District sub-area contains 111 structures over age forty. This represents approximately 92% of all structures with available age data.

Structure Age	# Parcels
Over 40 Years	111
Under 40 Years	10
Vacant or No Data Available	40
Total	161



East Central

The East Central sub-area contains 103 structures over age forty. This represents approximately 88% of all structures with available age data.

Structure Age	# Parcels
Over 40 Years	103
Under 40 Years	12
Vacant or No Data Available	44
Total	159



East

The East sub-area contains 27 structures over age forty. This represents 60% of all structures with available age data.

Structure Age	# Parcels
Over 40 Years	27
Under 40 Years	18
Vacant or No Data Available	42
Total	87



Presence of Blighted Conditions

To qualify as blighted at least one of the conditions described in Section 18-2103 (11) (a) must be substantiated in the survey area. The blight survey resulted in evidence documenting that conditions exist in eight of the ten areas of blighting conditions. The two areas not considered were defective or unusual conditions of title and tax or special assessment delinquency.

Methodology

The information obtained while conducting field surveys and records research to document substandard conditions was also used to document blight conditions. In addition, plat maps were reviewed and collected data was processed in a different format to document blight conditions.

Three of the possible blight conditions have already been demonstrated to exist across the study area in the substandard condition discussion. These include:

- A substantial number of deteriorating structures.
- Deterioration of site or improvements.
- The existence of conditions which endanger life or property by fire or other causes.

Following is documentation pertaining to the three additional blighting factors present across the study area:

Faulty Lot Layout & Obsolete Platting

Each of the sub-areas contains faulty lot layouts and/or obsolete platting. Obsolete platting generally occurs where subdivided lots are too small to accommodate current development practices. The West and Central Business District sub-areas contain numerous narrow lots as shown in the table below. Large platted lots that require additional subdivision to be used are present in the Highway #385, West Central and East sub-areas. These large lots may also require the provision of additional access, such as frontage roads, to be effectively or efficiently developed.

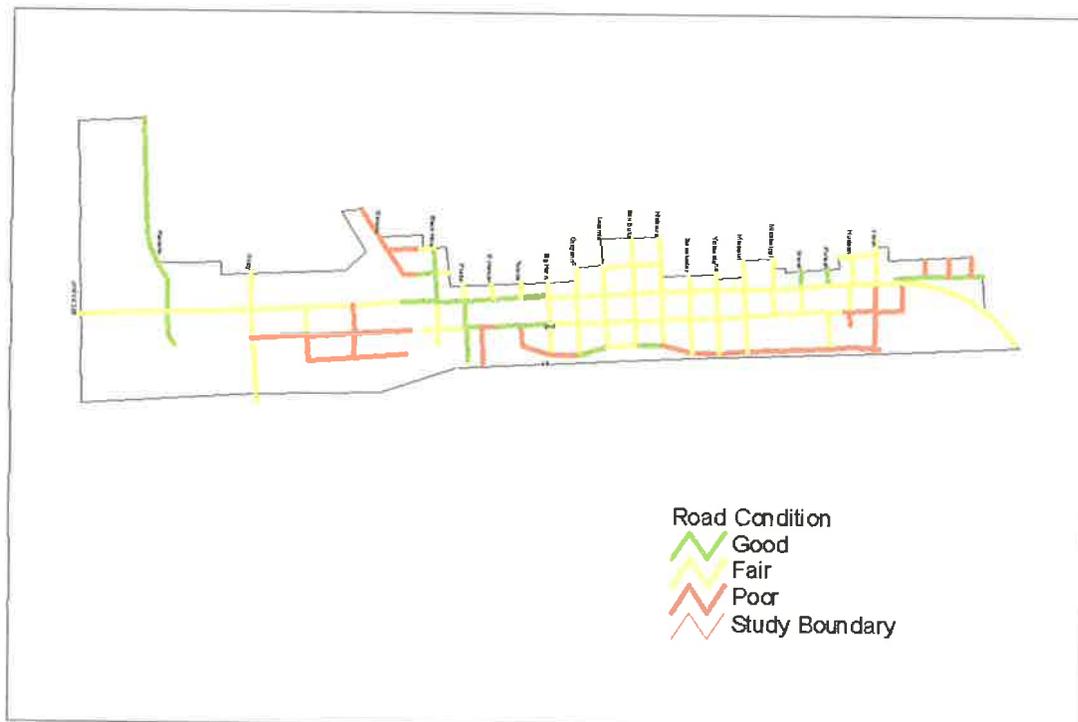
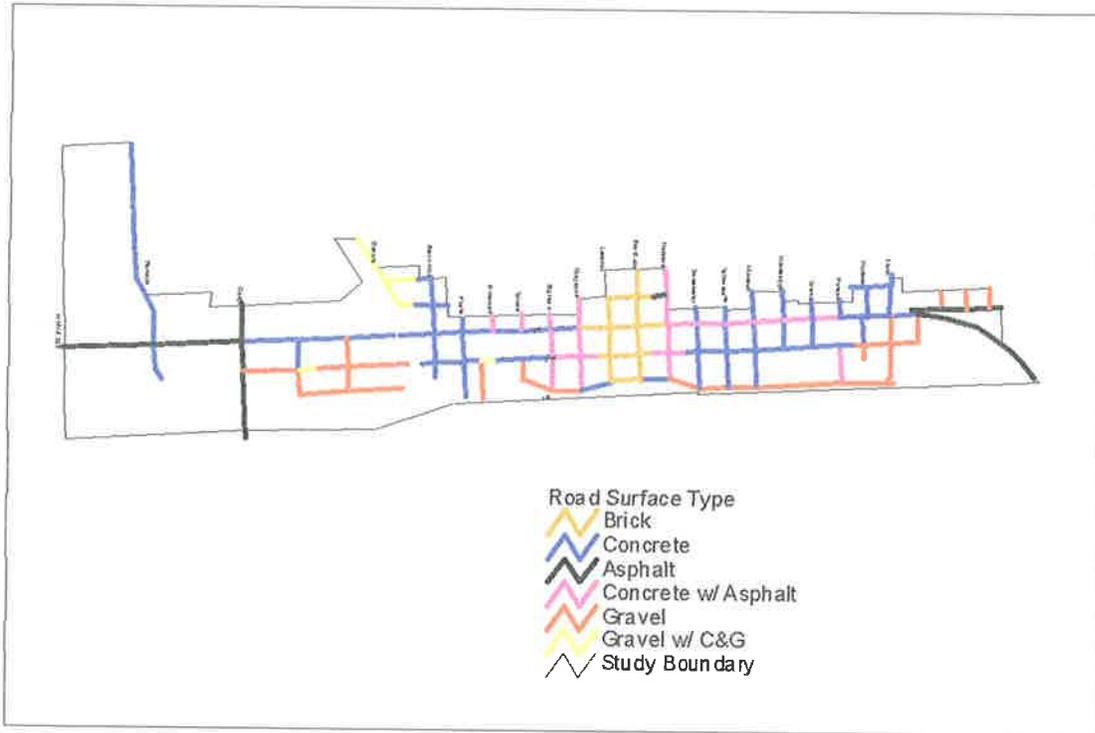
Lot/Tract Type	HWY385 Sub-Area	West Sub-Area	West Central Sub-Area	CBD Sub-Area	East Central Sub-Area	East Sub-Area
Small	0	110	0	73	0	0
Large	8	0	30	0	1	2

Diversity of Ownership

County Assessor records for the land parcels located in the study are revealed that 110 parcels of the total 822 parcels are owned by individuals or corporations that do not have an Alliance zip code. In addition, a review of the data indicates there are literally hundreds of different land owners. These two conditions exacerbate the problem of designing and implementing a coordinated, effective approach to urban renewal.

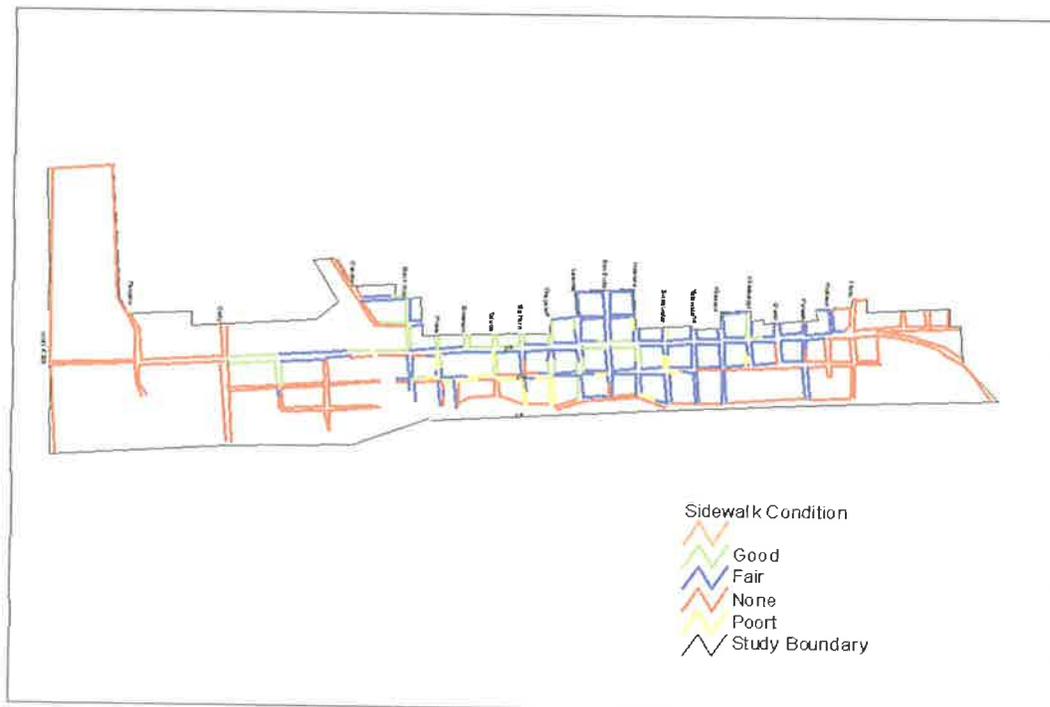
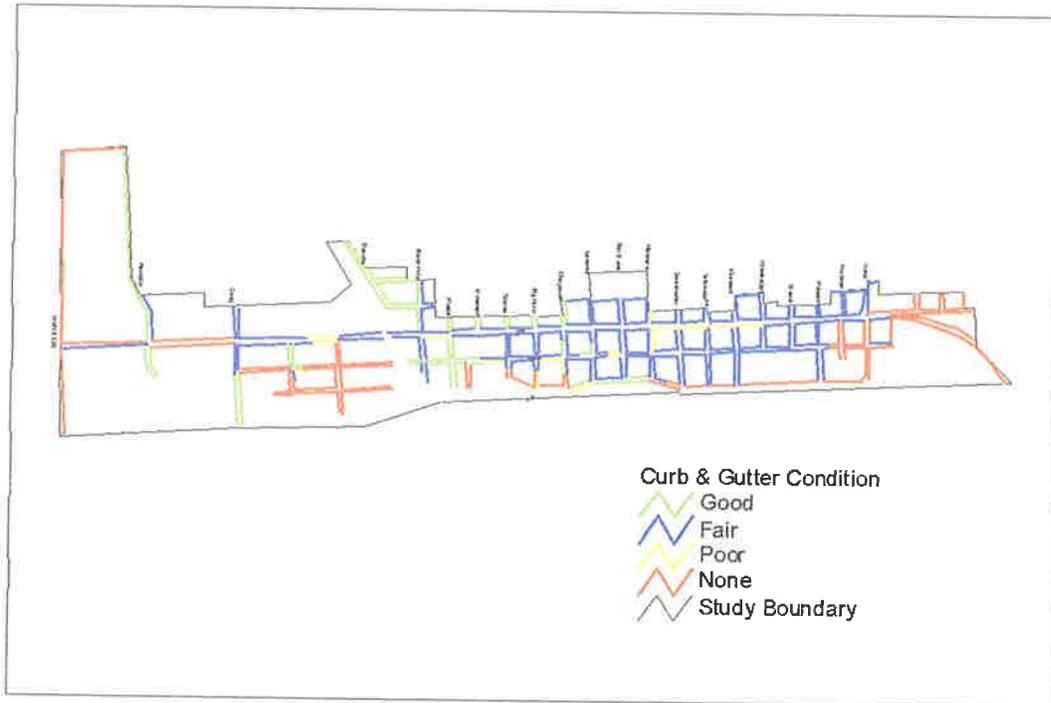
Defective or Inadequate Street Layout

Several of the sub-areas contain gravel roads. These include the west, west central, east central and east sub-areas. In addition the Highway #385 area will require street extensions and frontage roads to be effectively developed. These areas and road conditions are depicted on the following two maps.



Unsanitary or Unsafe Conditions

The condition of curb, gutter, sidewalks, buildings and the presence of debris piles was used to document unsafe conditions. The following two maps provide a general summary of curb, gutter and sidewalk conditions, or lack thereof, throughout the study area. Photographic evidence is also included to document the presence of these conditions.





(Curb & Gutter Conditions)



(Sidewalk conditions)



(Sidewalk conditions)

In addition to substantiating the blighting influence described in Section 18-2103(11)(a), at least one of the conditions described in Section 18-2103 (11)(b) must also be present.

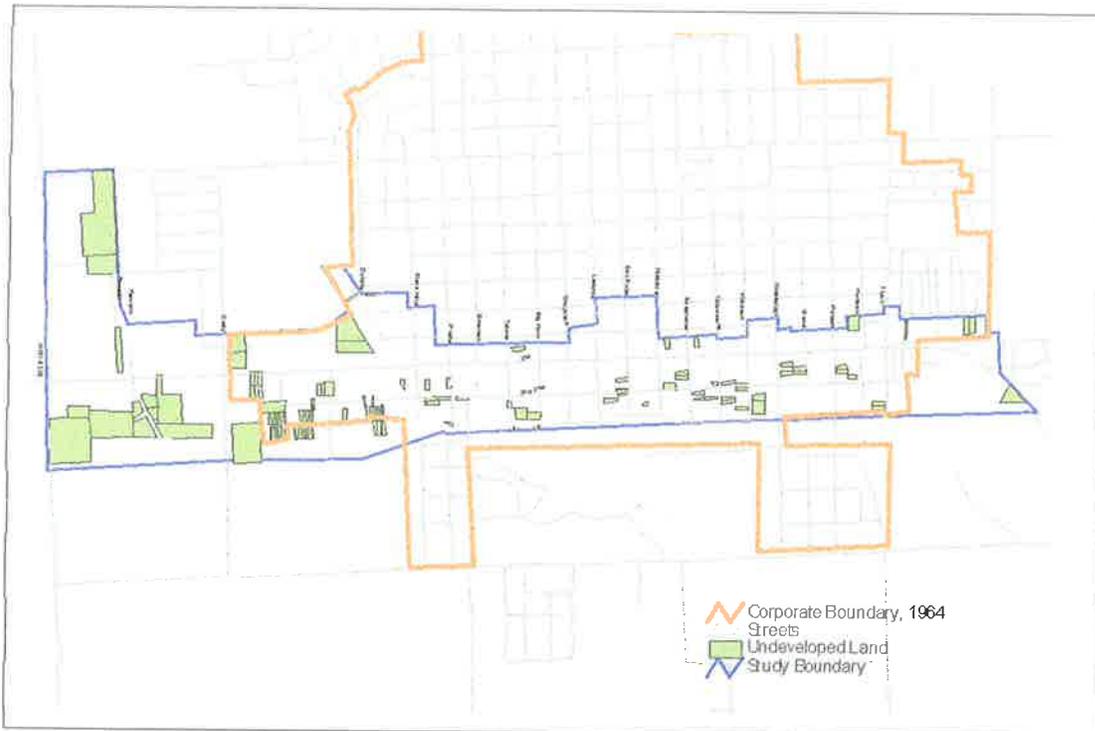
- (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
- (ii) the average age of residential or commercial units in the area is at least forty years;
- (iii) more than half of the platted and subdivided property in the area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
- (iv) the per capita income of the area is lower than the per capita income of the city or village in which the area is designated; or
- (v) that the area has had either stable or decreasing population based upon the last two decennial censuses.

Two of these factors are present in the Study Area/City of Alliance. First, the City of Alliance as a whole has decreased in population over the last two decades. As evidenced by the U.S. Department of Commerce, Census Bureau the City's total population decreased by 104 from 1980 to 1990 and by 806 from 1990 to 2000.

Second, the average age of residential and commercial buildings in the study area and each of the sub-areas is over forty years old. The east sub-area had the youngest average building age at 47 years old, while the Highway #385 and Central Business District areas had the oldest average age at 80 years old.

Area	Average Age
Study Area	1935
HWY #385	1922
West	1943
West Central	1937
Central Business District	1922
East Central	1926
East	1955

Depending upon the areas chosen to be designated as substandard & blighted there are several parcels that may also qualify as being located within the corporate boundary for over four years and having remained undeveloped. Vacant parcels located within the city's 1964 corporate boundary are identified on the following map.



SUBSTANDARD & BLIGHT STUDY CONCLUSIONS

Ample evidence has been provided to allow the City of Alliance the option of declaring the entire study area or each of the sub-areas as substandard and blighted in accordance with Nebraska Urban Renewal law. In addition, the data has been provided and documented on a lot by lot basis to allow the City the greatest latitude in identifying smaller combinations of lots or individual lots for potential designation.

Documented evidence of substandard conditions throughout the study area included:

- dilapidation, deterioration,
- age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces,
- or the existence of conditions which endanger life or property by fire and other causes,

Documented evidence of blight throughout the study area included:

- a substantial number of deteriorated or deteriorating structures,
- existence of defective or inadequate street layout,
- faulty lot layout in relation to size, adequacy, accessibility or usefulness,
- unsanitary or unsafe conditions,
- deterioration of site or other improvements,
- diversity of ownership,
- improper subdivision or obsolete platting,
- the existence of conditions which endanger life or property by fire and other causes,

NEED FOR PUBLIC INTERVENTION

In order to designate areas as substandard and blighted the City must determine the severity of the substandard and blight conditions are beyond the remedy and control of the City by exercising regulatory control and the police power and cannot be effectively dealt with the ordinary operations of private enterprise.

The continued presence of substandard and blighting conditions in the study area indicate the individual exercise of public controls or the exercise of private efforts has not been able to eliminate such conditions. The costs of public improvements coupled with the costs of private redevelopment of existing parcels have proven to be cost prohibitive given the lower price of new construction and virgin land. Historical development patterns in virtually any urban and rural community provide evidence of this fact. Therefore, the renewal of substandard and blighted areas in Alliance can safely be said to require a public/private partnership which necessitates public intervention.

URBAN RENEWAL FUNDING SOURCES

Tax Increment Financing – added property tax revenues created by new development in designated urban renewal areas can be utilized for land/building acquisition, structure demolition, public utility and infrastructure improvements and clearance activities.

Community Development Block Grants – CDBG funds can be used for public improvements, building improvements, planning, business assistance programs and business development in designated substandard and blighted areas.

USDA – the United States Department of Agriculture, Rural Development Program has several types of financial assistance resources that can be used to assist housing, public infrastructure and business development efforts in rural communities.

EDA – the U.S. Department of Commerce, Economic Development Administration provides funding for infrastructure improvements that will assist job creation by private sector businesses.

Brownfield's – Brownfield funding can become available for clearance and improvement activities in contaminated areas, or areas suspected of being contaminated.

Nebraska Lied Main Street Program – technical assistance can be made available to designated Main Street communities to assist with central business district planning, design, marketing and renewal efforts.

TEA-21 – transportation enhancement funds can be used for trail developments and funds can be used for landscaping and historic preservation projects along State highway corridors.

LB840 – the local option municipal economic development tax can be used to undertake both public and private improvements anywhere within the community, provided the activities are included in the adopted economic development plan for the community.

CDA – the Community Development Assistance Act can provide state tax credits for certain types of businesses which provide contributions to a certified community betterment organization/program.

Historic Preservation Tax Credits – federal tax credits can be available to property owners who rehabilitate properties listed on the National Register of Historic Places or if the building contributes to a National Register historic district.

Business Improvement Districts – special assessment districts can be created to finance public improvements, parking, management and other improvements within a business district.

REDEVELOPMENT PROJECT OPTIONS

Central Business District Improvements – there are several historic structures located within the study area boundary. Many of these are located in the Central Business District area which has received a Main Street designation. Efforts to preserve and maintain historic structures should be continued. Additional project that should be considered include:

- maintenance and rebuilding of brick street surfaces.
- installing period street lighting and street furniture.
- building demolition and site clearance of dilapidated properties.
- landscaping improvements.

Corridor & Node Improvements – entrance corridors (Highways #385 and 2) and key intersections such as the Highway 385/2, Flack Avenue/3rd Street, and Box Butte Avenue/3rd Street nodes should be improved with directional signage, landscaping and rehabilitation of infrastructure and buildings.

Clearance Activities – several locations within the study area would benefit from building clearance and the removal of construction debris or other junk.

Infrastructure Improvements – several locations within the study area are in need of street paving, curb & gutter, and sidewalk improvements.

Development Site Access – frontage roads should be provided as a means of access to land parcels/development sites along Highway #385. In addition, Cody Avenue should be extended to provide access to the undeveloped areas south of 3rd Street.

Urban Design Improvements – landscaping improvements should be required in all new commercial developments and strongly encouraged on existing commercial/industrial properties. In addition, screening should be installed to hide from view salvage and outdoor storage operations.

Land Development Patterns – future commercial and industrial developments should be encouraged to develop in clusters, as opposed to strip development patterns or leapfrog patterns along highway corridors.

Housing Preservation – rehabilitation programs should be continued in residential areas slated for preservation.

REDEVELOPMENT AREAS, REDEVELOPMENT PLANS and ELIGIBLE T.I.F. PROJECTS

Community Redevelopment Area

According to Section 18-2103(20) a community redevelopment area shall mean a substandard and blighted area which the community redevelopment authority designates as appropriate for a renewal project and which was not at any time during the five year period immediately preceding such designation outside of the corporate limits of the city and used exclusively for agricultural or horticultural purposes.

Redevelopment Plan Requirements

As indicated in Sections 18-2103(13) and 18-2111, a redevelopment plan may be created for a redevelopment area or for a redevelopment project. The plan must at a minimum meet the following requirements:

- 1) The plan must conform to the general plan for the municipality as a whole, and
- 2) The plan must be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.
- 3) The plan must be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project area, and shall include without being limited to the following:
 - a. the boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein;
 - b. a land use plan showing proposed uses of the area;
 - c. information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment;
 - d. a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances;
 - e. a site plan of the area; and
 - f. a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

To utilize the benefits of tax increment financing in a designated redevelopment area a redeveloper, as defined in the following section, must prepare and obtain approval of a redevelopment plan.

Redeveloper Defined

Eligible redevelopers are defined in 18-2103(14) and 18-2103(19) as follows:

“Redeveloper shall mean any person, partnership, or public or private corporation or agency which shall enter or propose to enter into a redevelopment contract.”

“Person shall mean any individual, firm, partnership, limited liability company, corporation, company, association, joint-stock association, or body politic and shall include any trustee, receiver, assignee, or other similar representative thereof.”

Redevelopment Plan Approval Process

Section 18-2115 requires the following steps to be taken prior to approval by the City of any redevelopment plan:

- 1) The governing body of the city must hold a public hearing on any redevelopment plan, or substantial modification of an existing plan. The hearing must be published at least once a week for two consecutive weeks in a legal newspaper of general circulation in the community. The time of the hearing must be at least ten days from the last publication. The notice must describe the time, date, place and purpose of the hearing specifically identifying the area to be redeveloped under the plan. All interested parties must be afforded an opportunity to express their views at the public hearing.
- 2) at least ten days prior to the public hearing, mailed notice of the hearing must be sent by first-class United States mail, postage prepaid, or by certified mail to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the area to be redeveloped and to the president or chairperson of the governing body of each county, township, school district, and other political subdivision in which the real property subject to such plan or major modification is located and whose property tax receipts would be directly affected. This notice must set out the time, date, place and purpose of the hearing and shall include a map of sufficient size to show the area to be redeveloped.
- 3) If the planning board or commission of the city conducts a public hearing on the redevelopment plan, or a substantially modified existing plan, and has mailed notifications as described in (2) above the governing body is not required to mail notices during their public hearing as described in (2) above.

Neighborhood associations wishing to receive the notice described in (2) above must register with the city's planning department or, if there is no planning department, with the city clerk. The registration must include a description of the area of representation of the association and the name and address of the individual designated by the association to receive the notice on its behalf.

Eligible Redevelopment (TIF) Project Activities

Eligible redevelopment project activities are defined in Section 18-2103(12) as follows:

A redevelopment project shall mean any work or undertaking in one or more community redevelopment areas:

- a) to acquire substandard and blighted areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such substandard and blighted areas;
- b) to clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and to install, construct, or reconstruct streets, utilities, parks, playgrounds, public spaces, public parking facilities, sidewalks or moving sidewalks, convention and civic centers, bus stop shelters, lighting, benches or other similar furniture, trash receptacles, shelters, skywalks and pedestrian and vehicular overpasses and underpasses, and any other necessary public improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;
- c) to sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or

- subordinate to such uses, or for public use or to retain such land for public use, in accordance with a redevelopment plan; and may also include the preparation of the redevelopment plan, the planning, survey, and other work incident to a redevelopment project and the preparation of all plans and arrangements for carrying out a redevelopment project;
- d) to dispose of all real and personal property or an interest in such property, or assets, cash, or other funds held or used in connection with residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or a public use specified in a redevelopment plan or project, except that such disposition shall be at its fair value for uses in accordance with the redevelopment plan;
 - e) to acquire real property in a community redevelopment area which, under the redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitate the structures, and resell the property; and
 - f) to carry out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the redevelopment plan.

Section 18-2105 also indicates the governing body of a city or an authority at its discretion for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof.

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE CREATION OF A COMMUNITY DEVELOPMENT AGENCY; PROVIDING THAT THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA, SHALL ACT AS SAID AGENCY; PROVIDING FOR THE POWERS AND AUTHORITY OF SUCH AGENCY; AND PROVIDING THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA, THAT:

Section 1: There is hereby created a community development agency, which agency shall be known as the City of Alliance Community Development Agency.

Section 2: Such agency shall consist of the Mayor and Council of the City of Alliance, Nebraska.

Section 3: Such agency shall function in a manner prescribed in this Ordinance, and may exercise all of the power and authority granted to a community redevelopment authority pursuant to Sections 18-2101 to 18-2144 and Sections 18-2147 to 18-2154 of the statutes of the State of Nebraska.

Section 4: The purposes for which said agency is formed will be to formulate for the City of Alliance, a workable program for utilizing appropriate, private and public resources, to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities, or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof.

Section 5: No member or employee of the Alliance Community Development Agency shall voluntarily acquire any interest, direct or indirect, in any redevelopment project or in any property included or planned by the agency to be included in any project or in any contract or proposed contract in connection with such project. Where the acquisition is not voluntary, such member or employee shall immediately disclose such interest in writing to the Agency and such disclosure shall be entered into the minutes of the Agency. If any member or employee of the agency presently owns or controls or owned or controlled within the preceding two (2) years, an interest, direct or indirect, in any property, included or planned by the Agency to be included in any redevelopment project, they shall immediately disclose such interest in writing to the Agency and such disclosure shall be entered upon the minutes of the Agency. Upon such disclosure, such member or employee of the Agency shall not participate in any action by the Agency affecting such property.

Section 6: Any Ordinance or part of any ordinance of the City of Alliance, Nebraska, in conflict with this Ordinance is hereby repealed, and should any part or sections of this Ordinance be declared void and unenforceable, such declaration shall not render any other part void and unenforceable.

This ordinance shall take effect and be enforced from and after the day of its passage, approval and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2002.

Mayor

ATTEST:

City Clerk