

2016

Blight and Substandard Study *City of Ashland, Nebraska*



JEO Consulting Group, Inc.
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Blight and Substandard Determination Study
Ashland, Nebraska

Introduction

Background

In 1975, the Nebraska Unicameral enacted legislation in response to the existence of areas in cities and villages that had become deteriorated and substandard for a variety of reasons. These areas were considered harmful to the social and economic well-being of the entire community in which they existed. Conditions in such areas were considered beyond the remedy and control of the normal regulatory process or impossible to reverse through the ordinary operations of private enterprise. The Community Development Law, as it is known, enables cities and villages to take steps to eliminate blight through the acquisition, clearance, and disposition of property for redevelopment or through the conservation and rehabilitation of property.

Prior to enactment of the legislation, Nebraska communities were unable to carry out redevelopment programs involving assembly of land for conveyance to private developers without the creation of an urban renewal authority approved by the voters of a municipality. The Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 to 18-2144) permits cities of all classes and villages to establish Community Redevelopment Authorities (CRAs) or Community Development Agencies (CDAs) by ordinance. Such authority empowers CRAs or CDAs to undertake broad urban renewal and municipal growth opportunities through a variety of mechanisms. This law, with subsequent amendments, has been the cornerstone of redevelopment and community development activities in Nebraska.

This Ashland Blight and Substandard Study examines existing conditions of land-use, buildings, and structures within the Designated Study Area in the City of Ashland to determine its eligibility for redevelopment activities. The area for this analysis is the Designated Study Area which is an area generally described as the area of the Highway 66 corridor southeast of the intersection of with Highways 6 in the southern portion of the city. A number of potential opportunities for redevelopment exist throughout the Designated Study Area that would allow for the City of Ashland to overcome blighted and substandard conditions. When evaluating blight and substandard conditions, the City of Ashland must adhere to Nebraska Community Development Law, as provided for in the Nebraska Revised Statutes.

Nebraska Revised State Statutes

Nebraska's Community Development Law (Neb Rev Stat §§18-2101 to 18-2154) provides guidelines under which municipalities may address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas, as well as the prevention and elimination of substandard and blighted areas. The Legislature has declared, in pertinent part:

It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses...These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided...It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue. §18-2102

Consistent with these findings, municipalities have been granted the power to address deterioration, substandard conditions, and blight through any of a number of means, including “the formulation of a workable program,

the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements.” Neb. Rev. Stat. §18-2104.

Nebraska Revised Statutes §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with the sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements. §18-2101

The process of improving an area begins with the creation of a workable program for utilizing appropriate private and public resources to address the specific conditions to be improved. Such workable programs may include “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 re-planning, 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.” Neb. Rev. Stat. §18-2105.

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community. Nebraska Revised Statutes §18-2105 also grants authority to the governing body to formulate a redevelopment program. The statute reads,

The governing body of a city or an authority at its direction for the purposes of the Community Development Law [sections 18-2101 to 18-2144] 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. §18-2105

The main substance of a workable program is an adopted general redevelopment plan for a defined area, as well as the subsequent individual redevelopment projects that identify specific projects within a redevelopment area. Prior to adoption of a general redevelopment plan, a municipality must have an adopted comprehensive plan (§18-2110), and shall have declared the redevelopment area to be a substandard and blighted area in need of redevelopment (§18-2109).

The important community development terms are defined in Nebraska Revised Statutes §18-2103, several of which are shown below (organization and emphasis added):

Substandard area means 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, 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, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Blighted area means 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, insanitary 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 the residential or commercial units in the area is at least forty years;

(iii) more than half of the plotted and subdivided property in an 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 average per capita income of the city or village in which the area is designated; or

(v) the area has had either stable or decreasing population based on the last two decennial censuses.

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

Redevelopment project means 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 any 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 any 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;

Redevelopment plan means a plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project, which

(a) conforms to the general plan for the municipality as a whole and

(b) is 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.

Purpose of the Study

This Ashland Blight and Substandard Study for the Designated Study Area is intended to give the Community Development Agency (CDA) the basis for determining the existence of blight and substandard conditions within the delineated Study Area. Through this process, the CDA may employ and exercise the power authorized in Nebraska Community Development Law to eliminate economic and/or social concerns which are detrimental to the future public health, safety, morals, and general welfare of the entire community as well as the surrounding region.

The findings of this Blight and Substandard Study will guide the structure of the Redevelopment Plan for the community concerning the Recommended Blight Area. The area evaluated for blight and substandard conditions is graphically displayed in **Figure 1**, found on **Page 10**. For purposes of this analysis, the Designated Study Area is generally described as a small segment of land on the southeast side of the city and adjacent parcels to the south and east of the existing corporate limits. This Study examines existing land-uses, platting, structures, hazards, and the infrastructure systems to determine whether the area meets the statutory requirements for designation as a Blight and Substandard Area, enabling the CDA to stimulate and manage development and redevelopment efforts. The City of Ashland, when evaluating blight and substandard conditions, must closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this Study will guide the general redevelopment for the designated area upon inclusion in the city's corporate limits. The General Redevelopment Plan – the companion document to the Blight and Substandard Study - will contain local objectives regarding appropriate land uses, improved traffic circulation, economic development activities, public transportation, public utilities, and other public improvements, in accordance with the provisions of the Nebraska Community Development Law. The proposed requirements in the redevelopment area shall include without being limited to:

- The boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein,
- A land-use plan showing proposed uses of the area,
- Information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment,
- A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances,
- A site plan of the area, and
- 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.

Substandard and Blight Eligibility Analysis

Ashland Designated Study Area

The City of Ashland selected the Designated Study Area to be a portion of property for evaluation pursuant to Neb Rev Stat §18-2101 to 18-2154. The area is comprised of primarily agricultural and residential land uses. The Designated Study Area was selected for a number of reasons, including:

1. The potential for private development and redevelopment activities within the Study Area.
2. The need for improvements in infrastructure due to specific existing conditions.
3. The economic and functional obsolescence of certain uses within the Study Area.
4. The presence of Blighted and Substandard characteristics within the Study Area.
5. The need for public intervention to stimulate the development and redevelopment of vital infrastructure systems to support these private redevelopment efforts.

Once declared substandard and blighted, the City of Ashland can stimulate and manage future development in this area by creation and use of the redevelopment plan and its statutory authority to provide financial incentives for private development.

Through the redevelopment process, the City of Ashland can guide future development in these areas of the community and provide financial incentives for development. The use of the Nebraska Community Redevelopment Law by the City is intended to improve the community and enhance the quality of life for all residents by eliminating conditions that contribute to the spread of blight and retard private reinvestment in the area due to these factors. Using the Nebraska Community Development Law, Ashland can eliminate negative factors and implement programs and/or projects identified to improve conditions, thereby removing blight and substandard conditions.

Substandard and Blight Conditions

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (reissue 1997, as amended), *substandard area* shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. ***Dilapidation/deterioration****
Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)
 - Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).
2. ***Age or obsolescence***
Estimate age of structures (40+ years criteria)
3. ***Inadequate provision for ventilation, light, air, sanitation, or open spaces***
Overall site conditions
 - Examples include Junk cars or debris, cluttered alleyways, antiquated infrastructure systems (overhead power lines), outdoor storage/sanitation facilities, unpaved parking/outdoor storage.
4. ***Other Substandard Conditions***
 - (a) High density of population and overcrowding (census); or
 - (b) The existence of conditions which endanger life or property by fire and other causes as unsanitary and unsafe conditions which endanger life or property by fire and other natural causes flood plain; or
 - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health,

safety, morals or welfare (includes sanitation concerns, inadequate infrastructure systems (sewer, water service mains, storm sewers), poor lighting, crime statistics, flood plain area, outdoor storage, site clutter).

As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

1. ***A substantial number of deteriorated or deteriorating structures****
Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)
 - Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).
2. ***Existence of defective or inadequate street layout***
Condition of streets/inadequate access
 - Examples include street conditions, dead ends, railroad crossings, linear downtown, narrow alleyways, blind crossings.
3. ***Faulty lot layout in relation to size, adequacy, accessibility, or usefulness***
Conditions associated with accessibility/usefulness of the lots
 - Examples include land lock parcels, odd-shaped lots, undersized lots, lots with accessibility concerns.
4. ***Unsanitary or unsafe conditions***
Conditions which pose a threat to public health and safety
 - Examples include age and physical condition of structures, flood plain, lack of public infrastructure systems, unsanitary conditions, ventilation concerns.
5. ***Deterioration of site or other improvements***
Field observation of age and condition of public utilities, debris and inadequate public improvements
 - Examples include lack of off-street parking, storm drainage, junk cars, dilapidated structures, debris, on-site storage, congested overhead power lines.
6. ***Diversity of ownership***
The total number of unduplicated owners
 - Examples include the necessity of to acquire numerous lots is a hindrance to redevelopment. However, land assemblage of larger proportions necessary for major developments, is more economically feasible and will attract financial support, as well as public patronage required to repay such financial support. Such assemblage is difficult without public intervention.
7. ***Tax or special assessment delinquency exceeding the fair value of the land***
Examination of public records to determine the status of taxation of properties
 - Examples include delinquent taxes, real estate taxes, tax exempt.
8. ***Defective or unusual conditions of title***
Examine public records to determine any defective or unusual title defects
 - Examples include improper filings, liens, defective titles, etc.
9. ***Improper subdivision or obsolete platting***
Examine public records to determine improper subdivision and obsolete platting
 - Examples include undersized lots, improper zoning, lot configuration, easement concerns, never recorded vacated streets, accessibility concerns.

10. The existence of conditions which endanger life or property by fire or other causesExamine conditions which endanger life or property

- Examples include inadequate, undersized or inoperative public infrastructure systems, flood plain, building materials, site access, on-site storage (cars), secluded areas for pests and vermin to thrive, inadequate surface drainage, street/sidewalk conditions, etc.

11. 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 liabilityEconomic and/or socially undesirable land uses

- Examples include incompatible land uses, economic obsolescence, functional obsolescence which relates to the property's ability to compete in the marketplace.

12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use, and in which there is at least one of the following conditions:

- (a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average (Census statistics);
- (b) The average age of the residential or commercial units in the area is at least 40 years (Field observation);
- (c) More than half of the plotted and subdivided property in the area is unimproved land that has been within the city for 40 years and has remained unimproved during that time (Public records);
- (d) The per capita income of the designated blighted area is lower than the average per capita income of the city or village in which the area is designated (Census); or
- (e) The area has had either stable or decreasing population based on the last two decennial censuses (Census).

*Where structural conditions are evaluated, individual structures are rated in accordance with the following rating schedule as defined by the U.S. Department of Housing and Urban Development: no problem, adequate condition, deteriorating condition, or dilapidated condition. The following descriptions define the rating schedule used to assess and evaluate building and structure conditions:

No Problem

No structural or aesthetic problems are visible.

Adequate Condition

- Slight damage to porches, steps, roofs, etc. is present on the structure,
- Slight wearing away of mortar between bricks, stones, or concrete blocks,
- Small cracks in walls or chimneys,
- Cracked windows,
- Lack of paint, and
- Slight wear on steps, doors, and door and window frames.

Deteriorating Condition

- Holes, open cracks, rotted, loose, or missing materials in parts of the foundation, walls, (up to one-quarter of the wall), or roof (up to one-quarter of roof),
- Shaky, broken, or missing steps or railings,
- Numerous missing and cracked window panes,
- Some rotted or loose windows or doors (no longer wind- or water-proof),
- Missing bricks or other masonry of chimney, and
- Makeshift (un-insulated) chimney.

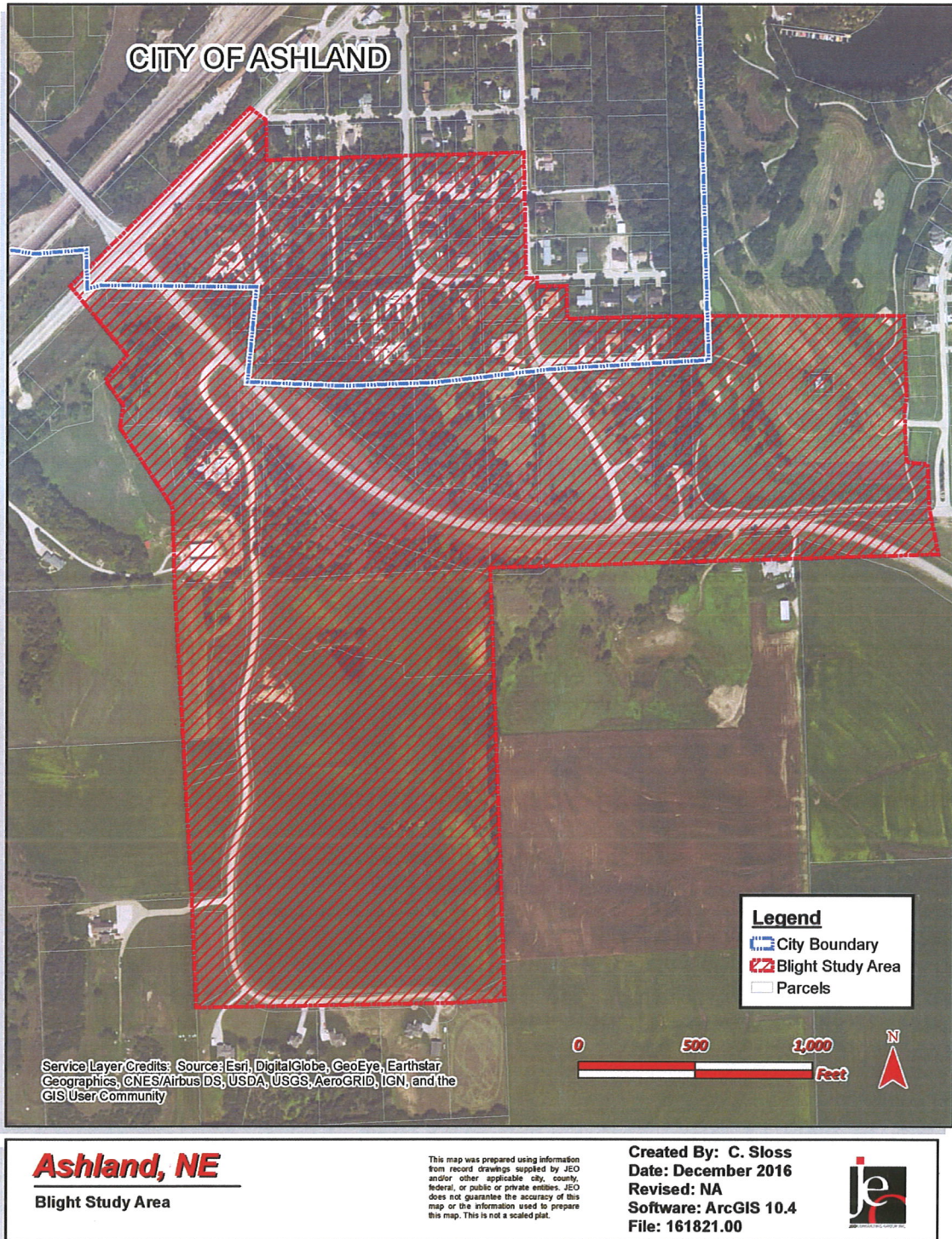
Dilapidated Condition

- *Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large areas of foundation, on walls or on roof,*
- *Substantial sagging of roof, floors, or walls,*
- *Extensive damage by fire, flood or storm, and*
- *Inadequate original construction such as makeshift walls, roofs made of scrap materials, foundations or floors lacking, or converted barns, sheds, and other structures not adequate for housing.*

Designated Study Area

The initial study area can be found delineated in with the blue boundary in **Figure 1** below. For this study, this area will be known as the “Designated Study Area.”

Figure 1: Designated Study Area



Recommended Blight Area

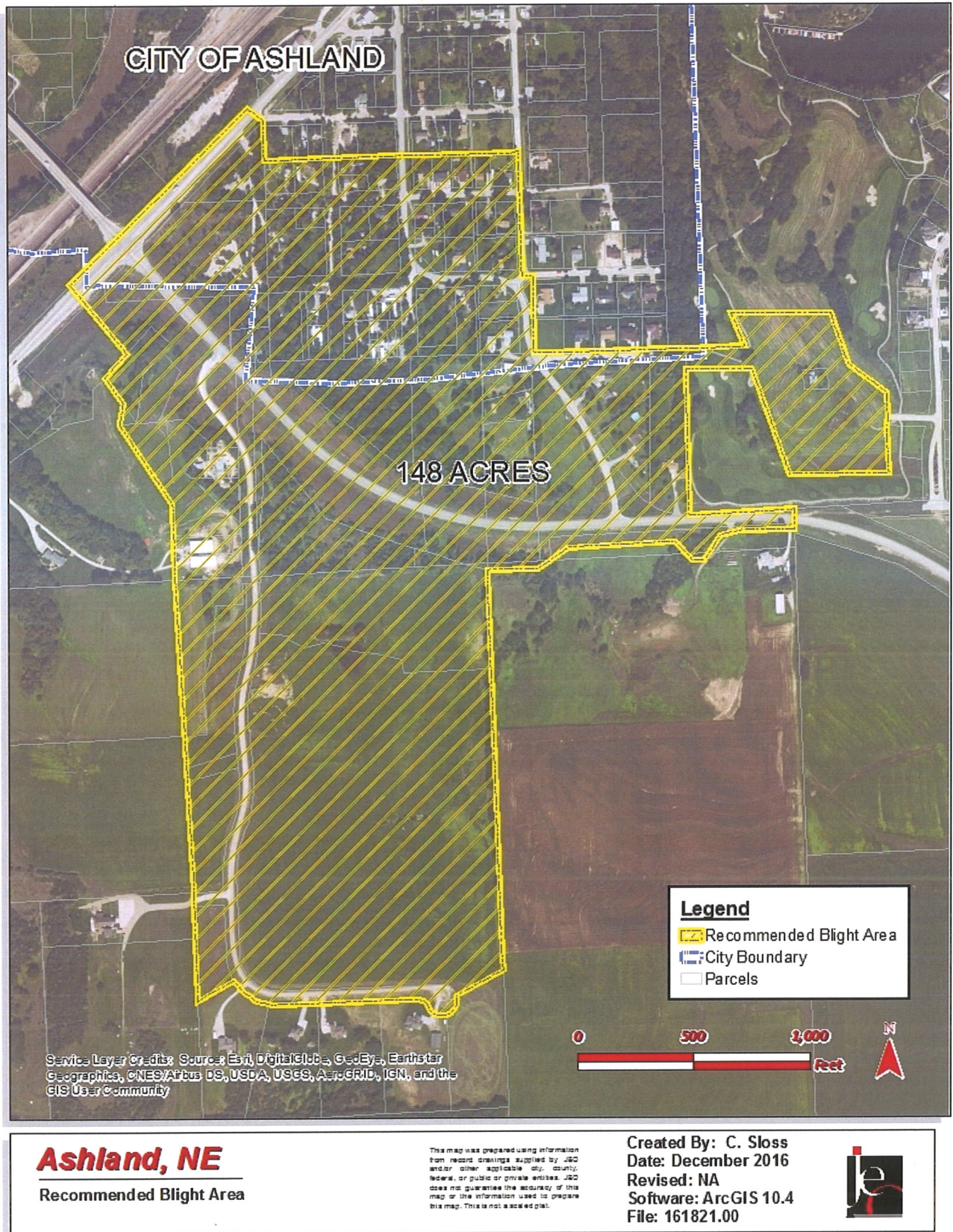
The Recommended Blight Area consists of approximately 147 acres, as shown in **Figure 2**. The legal description was written and reviewed by a JEO registered surveyor. The percentage of the corporate limits designated as blighted in this study 5.4% of the 679 acres.

Legal Description

A TRACT OF LAND LOCATED IN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 12, AND PART OF THE SOUTH HALF OF SECTION 1, ALL IN TOWNSHIP 12 NORTH, RANGE 9 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 5, WHITETAIL ESTATES SUBDIVISION; THENCE SOUTHWESTERLY ON THE NORTH LINE OF SAID LOT 5 TO THE SOUTHERLY RIGHT OF WAY LINE OF VALLEY VIEW COURT; THENCE WESTERLY SAID SOUTHERLY RIGHT OF WAY LINE OF VALLEY VIEW COURT TO A CORNER ON THE NORTHERLY LINE OF LOT 1, SAID WHITETAIL ESTATES SUBDIVISION; THENCE SOUTHWESTERLY ON THE NORTHERLY LINE OF SAID LOT 1, TO THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE NORTHERLY ON SAID WEST LINE TO THE NORTH LINE OF SAID SECTION 12; THENCE NORTHERLY ON THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 292, PAGE 901B, AND LOCATED IN THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE INTERSECTION WITH THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 360, PAGE 974; THENCE NORTHEASTERLY ON THE NORTHERLY LINE OF SAID PREVIOUSLY DESCRIBED TRACT, A DISTANCE OF 141 FEET, MORE OR LESS; THENCE NORTHWESTERLY, PERPENDICULAR TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 6, A DISTANCE OF 380 FEET, MORE OR LESS TO SAID NORTHERLY RIGHT OF WAY LINE; THENCE NORTHEASTERLY ON SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1123 FEET, MORE OR LESS; THENCE SOUTHEASTERLY, PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE, TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF BLOCK 17, DEANS ADDITION TO THE CITY OF ASHLAND; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION, AND ON SAID WEST LINE TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID BLOCK 17; THENCE EASTERLY ON THE SOUTH LINE OF THE NORTH HALF OF BLOCKS 17, 18, AND 19, OF SAID DEANS ADDITION, TO THE EAST LINE OF SAID BLOCK 19; THENCE EASTERLY TO THE NORTHWEST CORNER OF LOT 5, BLOCK 9, BEETISONS ADDITION TO THE CITY OF ASHLAND; THENCE EASTERLY ON THE NORTH LINE OF LOTS 5 THROUGH 8, OF SAID BLOCK 9, TO THE NORTHEAST CORNER OF SAID LOT 8; THENCE EASTERLY ON THE EASTERLY EXTENSION OF SAID NORTH LINE OF LOT 8 TO THE CENTERLINE OF 6TH STREET, AS PLATTED; THENCE SOUTHERLY ON SAID CENTERLINE OF 6TH STREET TO THE CENTERLINE OF ELM STREET, AS PLATTED; THENCE CONTINUING SOUTHERLY ON SAID CENTERLINE OF 6TH STREET TO THE CENTERLINE OF FIR STREET, AS PLATTED; THENCE EASTERLY ON THE CENTERLINE OF FIR STREET TO THE EAST RIGHT OF WAY LINE OF SAID 6TH STREET; THENCE SOUTHERLY ON SAID EAST RIGHT OF WAY LINE OF 6TH STREET TO THE NORTHWEST CORNER OF LOT 6, BLOCK 14 OF SAID BEETISONS ADDITION; THENCE SOUTHERLY ON THE WEST LINE OF LOTS 6 AND 7, SAID BLOCK 14 TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE EASTERLY ON THE SOUTH LINE OF BLOCKS 14 AND 13, SAID BEETISONS ADDITION TO THE SOUTHEAST CORNER OF LOT 12, OF SAID BLOCK 13; THENCE EASTERLY ON THE EASTERLY EXTENSION OF SAID SOUTH LINE OF BLOCK 13, AND ASSUMING THE SOUTH LINE OF SAID BLOCK 13 TO BEAR N88°26'11"E AND ALL OTHER BEARINGS ARE REFERENCED THERETO, A DISTANCE OF 363.5 FEET; THENCE N19°30'20"W, A DISTANCE OF 153.7 FEET; THENCE N88°26'11"E, A DISTANCE OF 382.0 FEET; THENCE S19°15'37"E, A DISTANCE OF 250.7 FEET; THENCE S54°11'20"E, A DISTANCE OF 203.0 FEET; THENCE S03°

37'59"E, A DISTANCE OF 91.4 FEET; THENCE S08°10'07"W, A DISTANCE OF 50 FEET; THENCE S02°12'03"E, A DISTANCE OF 197.6 FEET; THENCE S88°26'11"W, A DISTANCE OF 389.7 FEET; THENCE N19°30'20"W, A DISTANCE OF 487.9 FEET; THENCE S88°26'11"W, A DISTANCE OF 314.3 FEET TO THE EAST LINE OF PARCEL 2 OF DARREL O. CARLSON SUBDIVISION; THENCE SOUTHERLY ON THE EAST LINE OF SAID PARCEL 2 OF DARREL O. CARLSON SUBDIVISION TO THE NORTHERLY RIGHT OF WAY LINE OF NEBRASKA HIGHWAY 66; THENCE EASTERLY ON SAID NORTHERLY RIGHT OF WAY LINE TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 1; THENCE SOUTHERLY ON SAID EAST LINE TO THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 313, PAGE 451; THENCE WESTERLY ON THE SOUTH LINE OF SAID PREVIOUSLY DESCRIBED TRACT TO THE EAST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTHERLY ON SAID EAST LINE TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINS AN AREA OF 147 ACRES, MORE OR LESS.

Figure 2: Recommended Blight Area



Findings and Contributing Factors

The intent of this study is to determine whether the Recommended Blight Area within the City of Ashland's jurisdiction has experienced structural and site deterioration or if there are other negative factors which are decreasing the potential of development. On November 10, 2016, a field survey examined the blight and substandard conditions as defined by eligibility analysis section at the beginning of the document. The field study indicated the community has contributing factors; thus, the community warranted further examination with regard to blight and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Designated Study Area.

The following findings and factors review the building and structure conditions, infrastructure, and land use found within the Recommended Blight Area based upon the statutory definitions, observations of the planning team during the field survey, and explains the identified contributing factors. *Appendix A* provides a visual description and shows examples of the various conditions described that led to the determination for each factor.

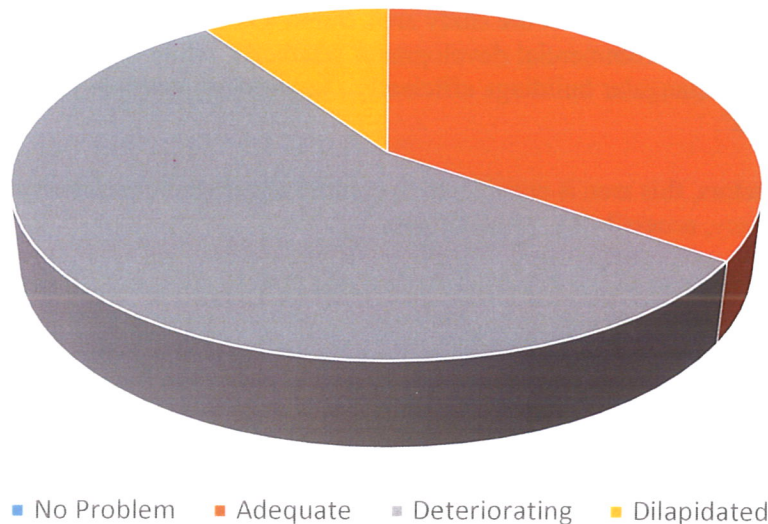
As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

Substantial Number of Deteriorated or Deteriorating Structures

Exterior Inspections of Buildings

There were a total of 52 structures evaluated. As a rule, the primary structure for each parcel within the Recommended Blight Area was evaluated. As shown in Figure 3, the Structural Evaluation inspections rated 65.4% or 34 structures as deteriorating or dilapidated.

Figure 3: Structure Evaluation



Defective or Inadequate Street Layout

Street Conditions and Accessibility

Street conditions and accessibility within the Designated Study Area were evaluated in relation to the provision of safe and efficient public circulation and access, and with regard to ease of travel and appearance. The Recommended Blight Area of Ashland generally contains a traditional transportation grid in the northern portion of the area. However, it lacks the north-south connectors to complete the grid pattern in the mid-section or the two blocks north of Highway 66 due to restricted access on the highway. Connectivity is also lacking in the western portion of the area near the intersection of Highways 6 and 66. The portion south of Highway 66 lacks connectivity and contains one dead-end road, Dennis Dean Road. The Ashland Subdivision Regulations allow dead-end streets up to 600 feet in length. Dennis Dean Road is approximately 3,700 feet in length. Thus, evidence of connectivity due to highway access restrictions, incomplete streets, large undeveloped parcels, and irregular shaped lots are a contributing factor.

As illustrated in Figure 4, Study Area Roadway Conditions Map, the surface condition of the majority of the existing roads was deemed to be poor. In Addition, the roads in the Study Area generally lack curb and gutter and sidewalks to facilitate safe non-vehicular transportation routes.

All of the above factors contribute to a finding that the area contains a significant level of defective or inadequate street layout.

Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

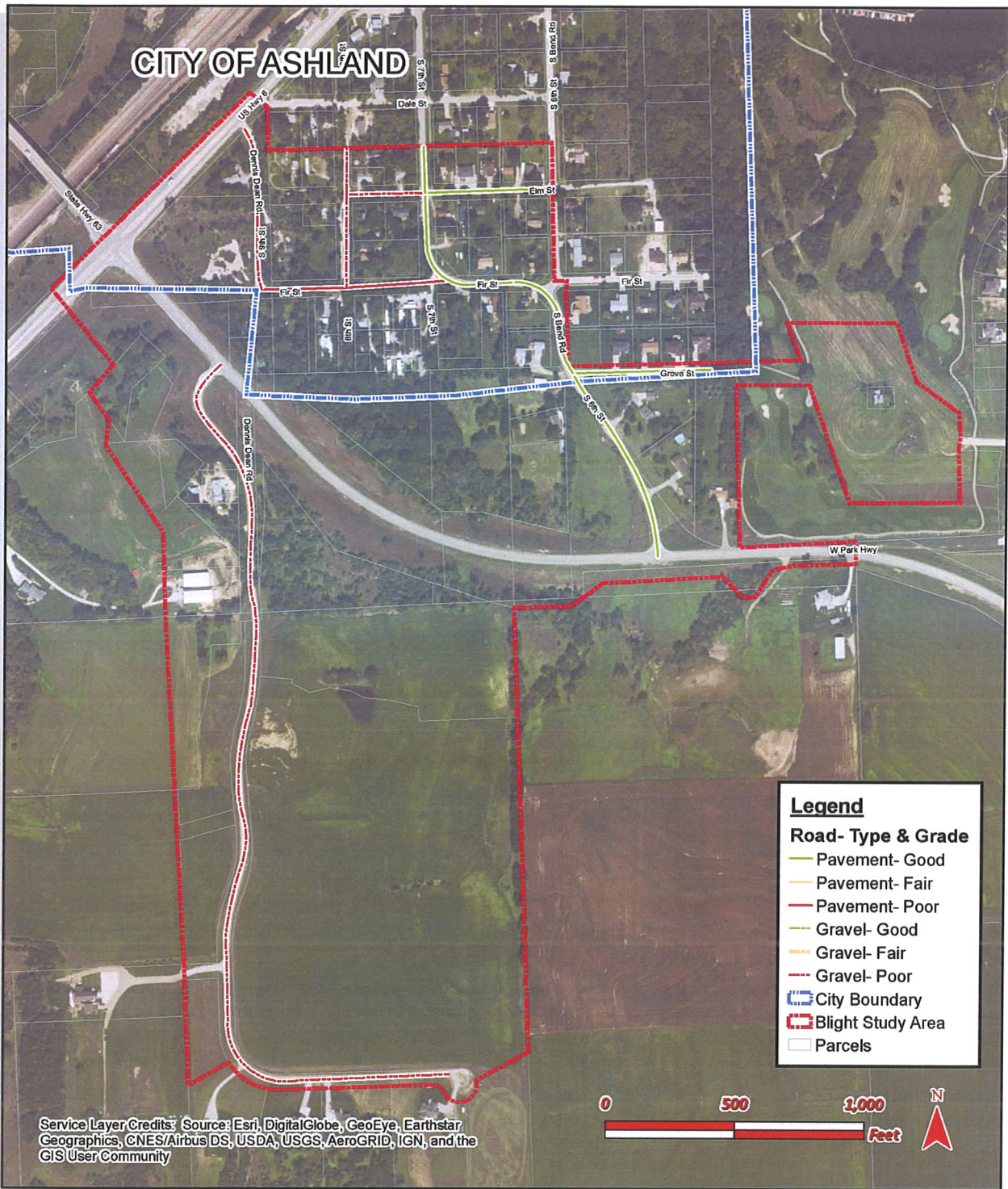
Conditions associated with accessibility/usefulness of lots

The usefulness of the non-rectangular lots throughout the area are limited due to their dimensions and acute angles. As illustrated in Figure 2, Recommended Blight Area, the lots and layouts vary and create disjointed pockets of development with some of the lots and limited or no access points.

The lot sizes and shape vary throughout the study area. Some lots are too narrow or too small and do not meet general current residential or commercial development standards, while other lots are irregular in shape and make it difficult to site rectangular buildings efficiently. In addition, multiple lots lack street frontage and are considered “landlocked”.

As a result of these factors, this area is considered to contain significant characteristics of faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Figure 4: Study Area Road Conditions



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Ashland, NE

**Blight Study
Road Conditions**

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Revised: NA
Software: ArcGIS 10.4
File: 161821.00**

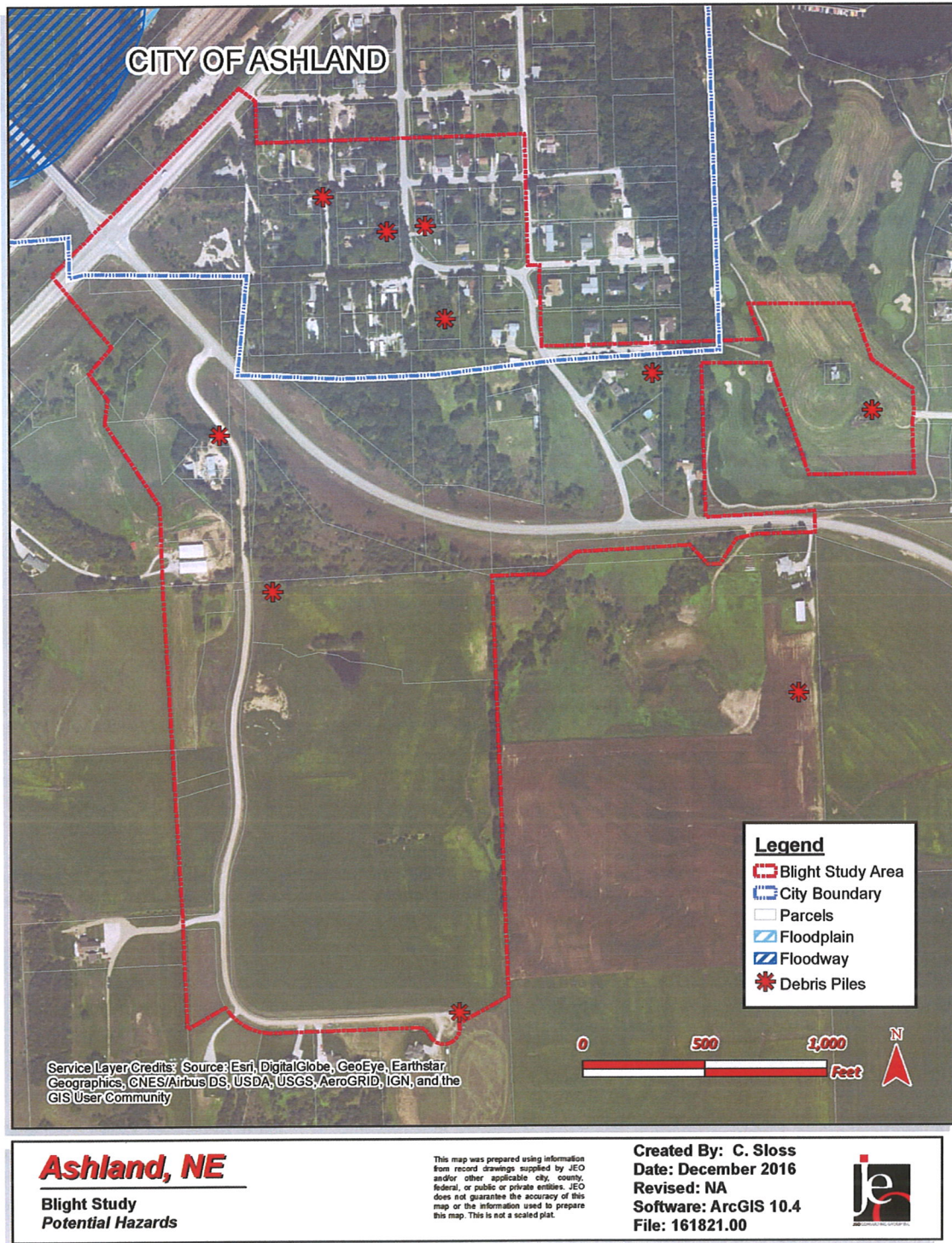


Unsanitary or unsafe conditions

Conditions which pose a threat to public health and safety

Multiple conditions exist in the study area which can pose a threat to public health and safety, as illustrated in Figure 5. These potential hazards include: the dilapidated structures, debris piles, lack of road connectivity, and standing water. In addition, the age of the structures and materials used in the construction of the older residential and commercial buildings can pose a potential safety hazard to the general public.

Figure 5: Potential Hazards



Deterioration of site or other improvements

Debris

There were 9 examples of debris noted during the evaluation. There were examples of construction materials, junk cars, old railroad ties, felled trees and on-site storage of used materials.

Storm Drainage – The majority of the area lacks a storm water collection system. The road ditches conveying the storm water showed signs of erosion, culverts restricted by silt and debris, and some were overgrown with vegetation. The Recommended Blight Area should have an additional analysis of storm drainage.

Dilapidated structures

A total of 34 deteriorating or dilapidated structures were documented in the study area.

Site Conditions

Many of the residential sites contain rocked or gravel areas for parking, drive aisles, outdoor storage of materials and lack sidewalks.

As a result of the factors listed above, the Deterioration of Site and Other improvements is considered as a contributing factor to the recommended blight designation.

Diversity of ownership

The total number of unduplicated owners

There are 37 different owners out of 90 properties.

Improper subdivision or obsolete platting

Parcels with improper or obsolete platting are identified on Figure 6, on page 19.

Obsolete platting

The lot sizes and shape vary throughout the study area. Some lots are too narrow or too small and do not meet general current residential or commercial development standards, while other lots are irregular in shape and make it difficult to site rectangular buildings efficiently.

Improper platting

A total of nine lots have been part of improper platting, lack street frontage and are considered “land locked”.

The existence of conditions which endanger life or property

Sidewalk Conditions

There is a lack of sidewalks in the Recommended Blight Area. Thus, pedestrians were observed walking in the street.

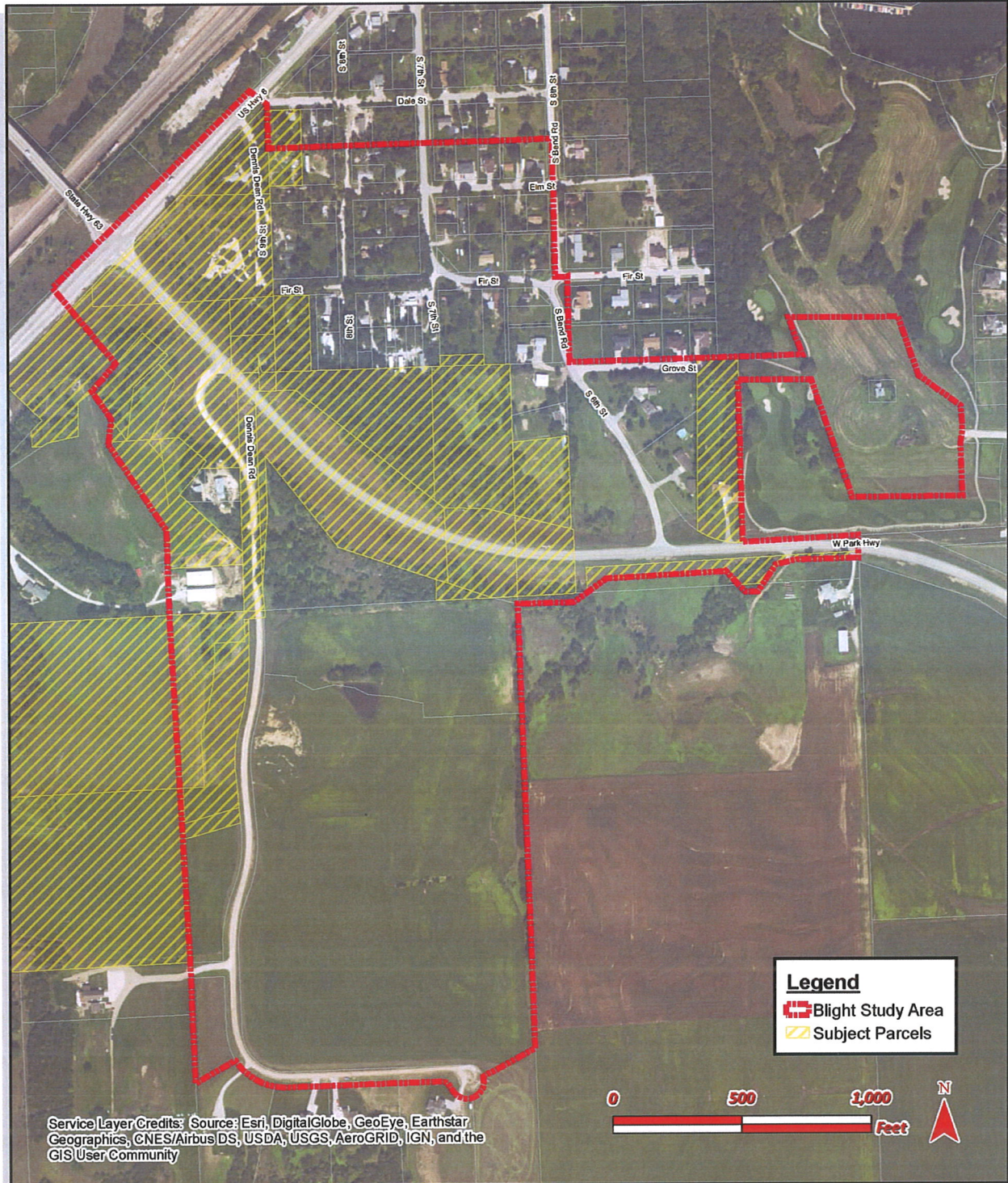
On-Site Storage


The storage of junk cars and other debris are evident within the Recommended Blight Area. These findings show a detriment to the neighborhood and should be evaluated for removal.

Lack of Street Connectivity

The lack of street connectivity due to highway access restrictions, incomplete streets, large undeveloped parcels, and irregular shaped lots are a contributing factor.

Figure 6: Improper Subdivision and Obsolete Platting



| | | |
|---|---|--|
| <p>Ashland, NE</p> <p>Blight Study Improper Subdivision/Obsolete Platting</p> | <p>This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.</p> | <p>Created By: C. Sloss Date: December 2016 Revised: NA Software: ArcGIS 10.4 File: 161821.00</p>  |
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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

Economic and/or socially undesirable land uses

There are many factors that can be detrimental to the growth of this area. Development of properties located adjacent to dilapidated structures, or unsightly parcels. The necessary financial investment required to build on the subject parcels in the flood plain are a financial disadvantage.

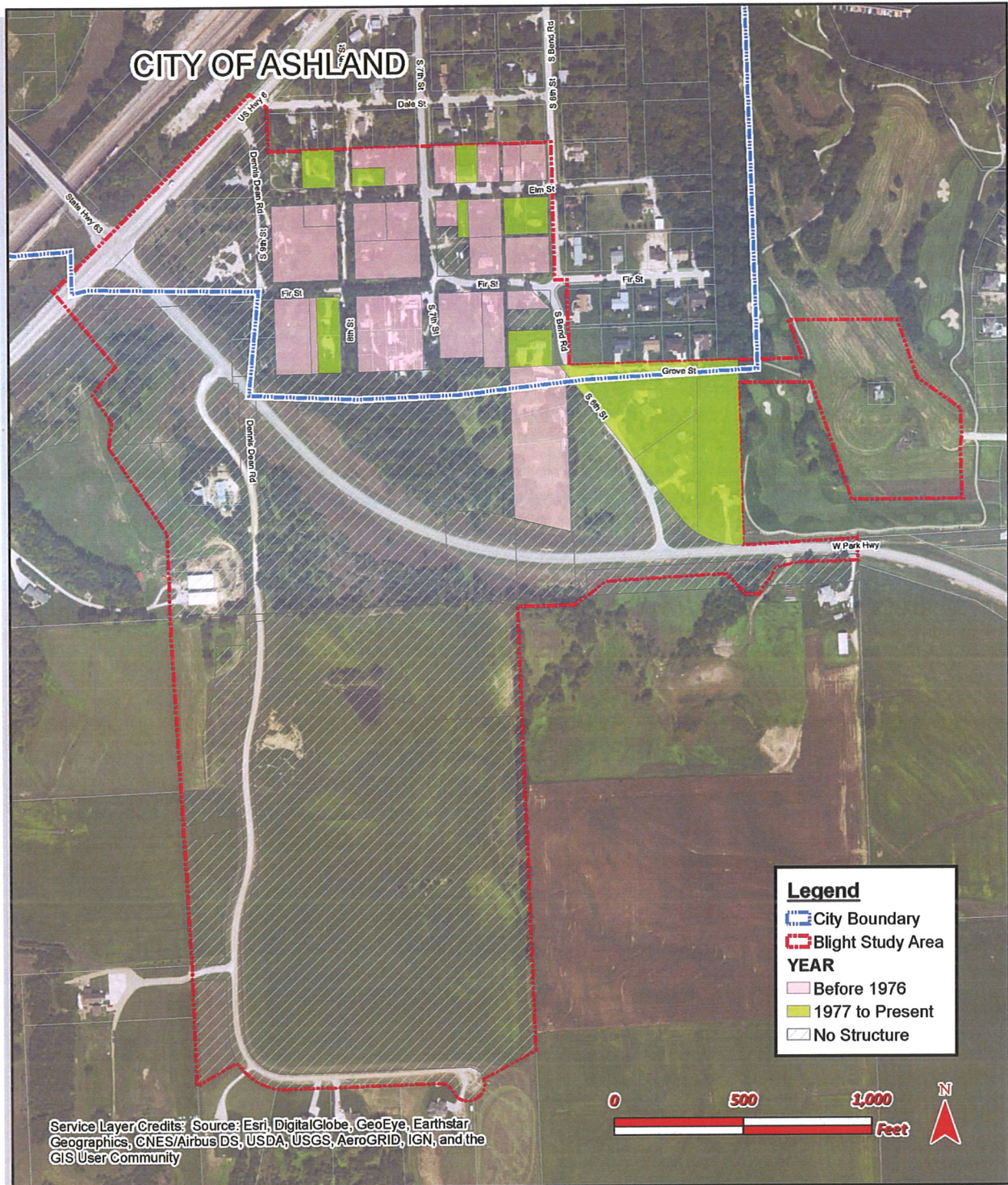
Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:

The Average Age of the Residential or Commercial Units in the Area is at Least 40 Years

Commercial Structure Age

Figure 7 depicts the location and age of buildings within the Recommended Blight Area. Information regarding the age of the permanent structures within the Designated Study Area was provided by the Saunders County Assessor's Office, GIS data, and verified during the field survey. Per the data received, the average age of the residential structures is 64 years of age. Because of these findings, structure age in the area is considered to be a contributing factor to the blight and substandard conditions in the Recommended Blight Area.

Figure 7: Age of Structure



Ashland, NE

**Blight Study
Subject Area**

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A ***substandard area*** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following are:

Dilapidation/deterioration

As part of the Blight and Substandard Study, a Structural Conditions Survey was completed along with an analysis of the land use patterns in the Recommended Blight Area. The condition of the structures was analyzed and rated according to the schedule as defined by the U.S. Department of Housing and Urban Development (described in the *Eligibility Analysis Section*). See *Appendix A* for a visual description of the structures within the Study Area. A total of 52 structures were evaluated and 65% were deemed to be deteriorating or dilapidated. Structure condition is considered to be a contributing factor to the blight and substandard conditions in the Study Area. As a rule, the primary structure for each parcel within the Recommended Blight Area was evaluated. When possible, other ancillary structures were also evaluated.

Age or obsolescence

As shown in Figure 6, many of the buildings were built before 1976. The average age of structures in the Recommended Blight Area is 64 years old.

Inadequate provision for ventilation, light, air, sanitation, or open spaces

The area contains debris piles and junk cars which can lead to unwanted pests and unsanitary conditions, but not to the extent that it is deemed to be a significant substandard factor.

Other Substandard Conditions

The existence of conditions which endanger life or property

There is a lack of sidewalks in the Recommended Blight Area which may lead to dangerous conditions for pedestrians sharing the road with trucks and automobiles. Crosswalks are also absent at major intersections.

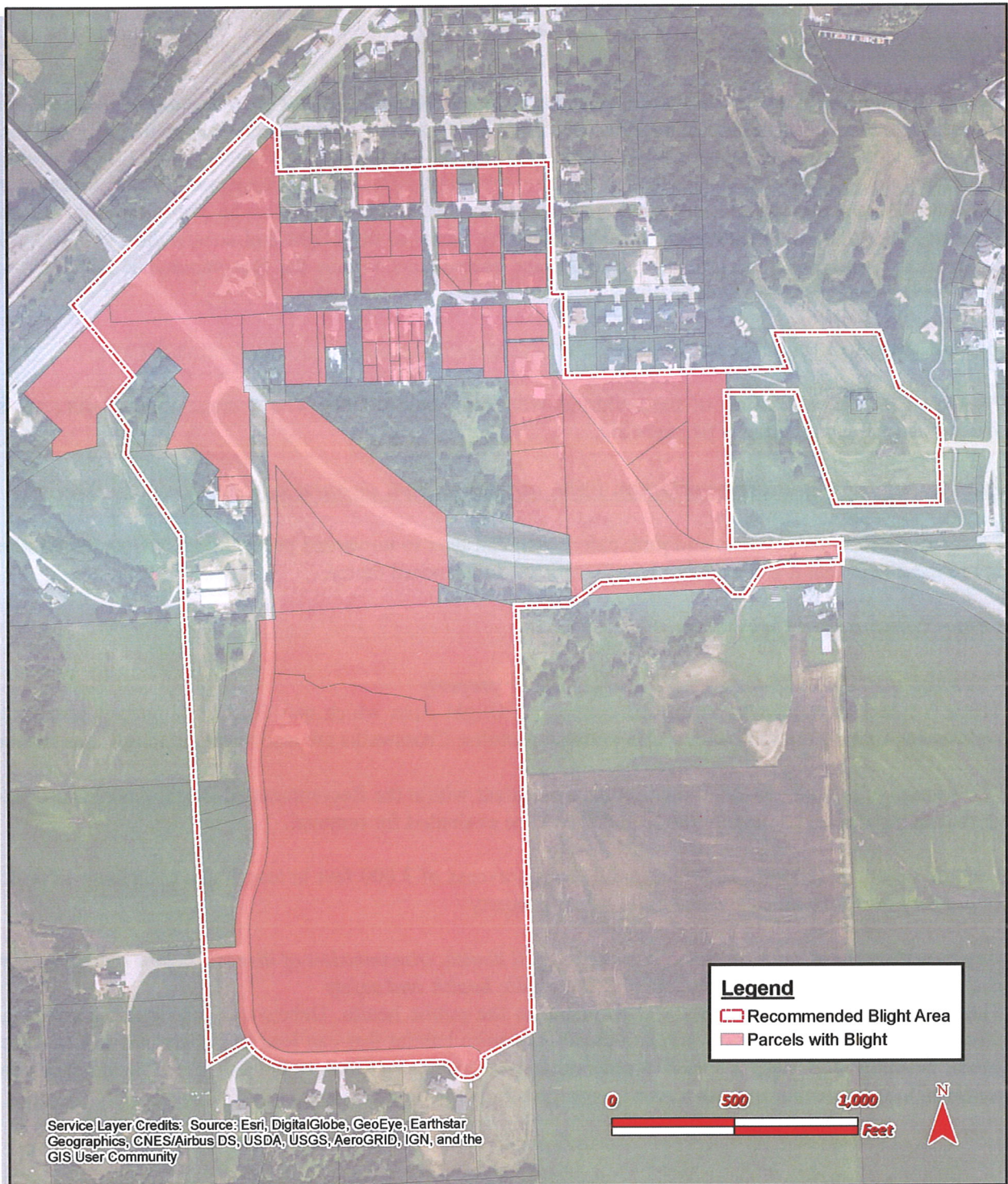
The storage of junked cars and other debris are evident within the Recommended Blight Area. These findings show a detriment to the neighborhood and should be evaluated for removal.

Lack of street connectivity and a dead end road in excess of 3,000 feet in length can contribute to prolonged emergency response times and endanger life or property.

Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health and safety

There are many factors that can be detrimental to the public health. Debris and deteriorating buildings can attract vermin while standing water can create mosquito habitat that can lead to transmission of disease. The age of buildings and materials used in older structures can pose a threat to the public health and safety as well as the lack of sidewalks and dangerous crossings at highway intersections.

Figure 8: Parcels with any Blight Conditions



Ashland, NE
Parcels with Blight Conditions

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Blighted and Substandard Findings

The Recommended Blight Area has several items contributing to the Blight and Substandard Conditions. Based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, the Recommended Blight Area has several items that were considered beyond the remedy and control of the normal regulatory process of the City of Ashland or impossible to reverse through the ordinary operations of private enterprise. Figure 8 illustrates the Recommended Blight and Substandard Area that contains conditions identified in this study. These conditions include:

Blight Conditions

Blight Conditions Present

- A substantial number of deteriorated or deteriorating structures
- Diversity of ownership
- 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
- Improper subdivision or obsolete platting
- The existence of conditions which endanger life or property by fire or other causes
- 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
- Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
 - The average age of the residential or commercial units in the area is at least 40 years

Blight Conditions NOT Present

- Detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
 - Unemployment in the designated area is at least one hundred twenty percent of the state or national average
 - More than half of the plotted and subdivided property in an area is unimproved land that has been within the village for forty years and has remained unimproved during that time
 - The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated
 - The area has had either stable or decreasing population based on the last two decennial censuses
- Tax or special assessment delinquency exceeding the fair value of the land (none identified)
- Defective or unusual conditions of title (none identified)

Substandard Conditions

Substandard Conditions Present

- Dilapidation or deterioration
- Age or obsolescence
- Other Substandard Conditions
 - The existence of conditions which endanger life or property by fire and other causes

Substandard Conditions NOT Present

- Inadequate provision for ventilation, light, air, sanitation, or open spaces
- Other Substandard Conditions
 - High density of population and overcrowding
 - Any combination of such factors that 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.

Based upon the issues and conditions indicated from the survey of the Designated Study Area, there are sufficient criteria present to designate this Recommended Blight Area as blighted and substandard, as provided for in the Nebraska Revised Statutes.

Conclusion

A number of conditions within the Recommended Blight Area were evaluated during the field survey which contributed to blight and substandard conditions. The conditions showing evidence of blight are interspersed throughout the Recommended Blight Area, and as such, the boundaries of the Recommended Blight Area are recommended for further action.

It is the professional opinion of the consultant, based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, that the Recommended Blight Area contains the required conditions that would warrant a designation as blighted and substandard by the City of Ashland and the Community Development Agency.

The City of Ashland should review this Blight and Substandard Study, and if satisfied with the findings contained in this Study, may, by resolution, designate the Recommended Blight Area as “Blighted and Substandard” as provided for in the Nebraska Community Law, making this Area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be developed in a manner consistent with the City of Ashland’s Comprehensive Development Plan.













