

Chapter 457

Redevelopment of Blighted Areas

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CROSS REFERENCES

Housing and housing authorities generally, Ch. 456

457.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Blighted areas" means areas, including slum areas, with buildings and improvements which, by reason of dilapidation, overcrowding, lack of ventilation, light and sanitary facilities, deleterious land use, or any combination of these or other factors, are detrimental to the safety, health, morals and welfare of the community.

(2) "Housing authority" or "authority" means any housing authority established pursuant to the Housing Authorities Law.

(3) "Redevelopment project" means any work or undertaking carried out under ORS 457.030.

457.020 Declaration of necessity and purpose. It hereby is found and declared:

(1) That there exist within the state blighted areas or areas in the process of becoming blighted.

(2) That such areas impair economic values and tax revenues.

(3) That such areas cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state and that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection and other public services and facilities.

(4) That the clearance, replanning and preparation for rebuilding of these areas, and the prevention or the reduction of blight and its causes, are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concerned.

(5) That there are also certain areas where the condition of the title, the diverse ownership of the land to be assembled, the street or lot layouts, or other conditions prevent a proper development of the land, and that it is in the public interest that such areas, as well as blighted areas, be acquired by eminent domain and made available for sound and wholesome development in accordance with a redevelopment plan, and that the exercise of the power of eminent domain and the financing of the acquisition and preparation of land by a public agency for such redevelopment is likewise a public use and purpose.

(6) That redevelopment activities will

stimulate residential construction which is closely correlated with general economic activity; that undertakings authorized by this chapter will aid the production of better housing and more desirable neighborhood and community development at lower costs and will make possible a more stable and larger volume of residential construction, which will assist materially in maintaining full employment.

(7) That the necessity in the public interest for this chapter is a matter of legislative determination.

457.030 Redevelopment projects in blighted areas. Any housing authority in any county which has a population of 70,000 or more may carry out any work or undertaking:

(1) To acquire blighted areas.

(2) To acquire other real property for the purpose of removing, preventing or reducing blight, blighting factors or the causes of blight.

(3) To acquire real property where the condition of the title, the diverse ownership of the real property to be assembled, the street or lot layouts, or other conditions prevent a proper development of the property and where the acquisition of the area by the authority is necessary to carry out a redevelopment plan under ORS 457.050.

(4) To clear any areas acquired and install, construct or reconstruct streets, utilities and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan.

(5) To sell or lease land so acquired for uses in accordance with the redevelopment plan.

(6) To accomplish a combination of the things listed in this section to carry out a redevelopment plan.

457.040 Redevelopment projects to be conducted according to existing laws. (1) In undertaking redevelopment projects pursuant to ORS 457.030 a housing authority shall have all the rights, powers, privileges and immunities of an authority under the Housing Authorities Law and any other law relating to slum clearance and housing projects for persons of low income in the same manner as though all laws applicable to slum clearance and housing projects were applicable to redevelopment projects and undertaken under this chapter, except that ORS 456.155 and 456.160 do not limit the power of an authority in event of a default by a

purchaser or lessee of land in a redevelopment plan to acquire property and operate it free from the restrictions in those sections.

(2) Without limiting the generality of the grant in subsection (1) of this section, an authority may make and execute contracts, issue bonds and other obligations and give security therefor, acquire real property by eminent domain or purchase and do all things necessary to carry out redevelopment projects.

457.050 Redevelopment plan; approval by municipalities in the area. (1) No authority shall initiate any redevelopment project under this chapter until the governing body of each city or town in which any of the area to be covered by project is situated, has approved a redevelopment plan which provides an outline for the development or redevelopment of said area and is sufficiently complete to indicate:

(a) Its relationship to definite local objectives as to appropriate land uses and improve traffic, public transportation, public utilities, recreational and community facilities and other public improvements.

(b) Proposed land uses and building requirements in the area.

(c) The method for the temporary relocation of persons living in such area.

(d) The method for providing, unless already available, decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be cleared from said area, at rents within the financial reach of the income groups displaced from such substandard dwellings.

(2) Each city or town, in which any of the area to be covered by a redevelopment project is situated, may approve redevelopment plans under subsection (1) of this section through its governing body.

457.060 Applicability of housing cooperation law. Any state public body, as defined in ORS 456.305, shall have the same rights and powers to cooperate with and assist housing authorities with respect to redevelopment projects that such state public body has pursuant to ORS 456.305 to 456.325 in the same manner as though those sections were applicable to redevelopment projects under this chapter.

457.070 Use of land in redevelopment plan. (1) The authority shall make land in a redevelopment project available for use by

private enterprise or public agencies in accordance with the redevelopment plan. Such land shall be made available at its fair reuse value, which represents the value, whether expressed in terms of rental or capital price, at which the authority determines such land should be made available in order that it may be developed or redeveloped for the purposes specified in such plan.

(2) To assure that land acquired in a redevelopment project is used in accordance with the redevelopment plan, an authority, upon the sale or lease of such land, shall obligate purchasers or lessees:

(a) To use the land for the purpose designated in the redevelopment plan.

(b) To begin the building of their improvements within a period of time which the authority fixes as reasonable.

(3) Any obligations by the purchaser shall be covenants and conditions running with the land where the authority so stipulates.

457.080 Tax status of property leased under a plan. Any property which the authority leases to private individuals or corporations for development under a redevelopment plan shall have the same tax status as if such leased property were owned by such private individuals or corporations.

457.090 Federal aid. (1) An authority may borrow money or accept contributions from the Federal Government to assist in its undertaking redevelopment projects.

(2) An authority may do all things necessary or desirable to secure such financial aid, including obligating itself in any contract with the Federal Government for annual contributions to convey to the Federal Government the project to which said contract relates upon the occurrence of a substantial default thereunder, in the same manner as it may do to secure such aid in connection with slum clearance and housing projects under the Housing Authorities Law.

457.100 Advisory board. For the purpose of coordinating its activities and undertakings under this chapter with the needs and undertakings of other local organizations and groups, a housing authority shall establish an advisory board consisting of the chairman of the authority, who shall be chairman of the advisory board, and of sufficient members, to be appointed by the

chairman, to represent as far as practicable:

(1) The general public and consumers of housing.

(2) General business interests.

(3) Real estate, building and home financing interests.

(4) Labor.

(5) Any official planning body in the locality.

(6) Church and welfare groups.

457.110 Powers additional. The powers conferred by this chapter are in addition and supplemental to the powers conferred by any other law.

CHAPTERS 458 AND 459

[Reserved for expansion]

