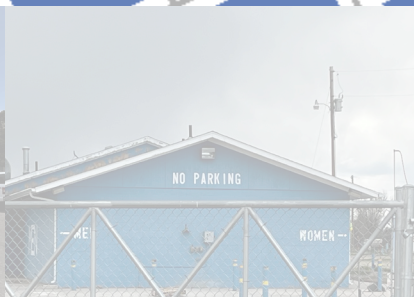


# Conditions of Blight - Jolly Rogers and Expanded Downtown City of Cheyenne

Exhibit A: Produced to support Resolution Determining Blight



Produced Spring 2023  
Planning and Development Department  
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## Introduction

The State of Wyoming authorizes communities to create Urban Renewal Authorities and summarizes the Urban Renewal Powers in *Wyoming Stat. § 15-9-101 through § 15-9-137*. The powers authorized in the Wyoming Urban Renewal Code allow municipalities to declare areas as blighted and use tools, such as tax increment financing, to reinvest in these blighted areas. The City of Cheyenne established an Urban Renewal Authority (URA) in June of 2021 through an amendment to City Code outlining the duties and abilities of the URA and an initiative resolution determining blight, fulfilling *Wyoming Stat. § 15-9-106*. The creation of the URA led to the Hitching Post Plan and Project Area being adopted and the commencement of the first Urban Renewal Project in the City of Cheyenne in several decades. The success of this Project has spurred interest in utilizing Urban Renewal in more areas of the community. However, in order for an area to be eligible to be an Urban Renewal Project, it must be determined blighted or slummed per *Wyoming Stat. § 15-9-107*. This expanded blight study serves to overview and establish more areas of the community that may be eligible for Urban Renewal Projects. Not every property included in this study will result in an Urban Renewal Project, however, their inclusion in the study does make them eligible. The study will outline requirements as defined in State Statutes, overview the methodology for determining blight, overview locations in the community where blight has been identified, and draw conclusions that the rehabilitation of the blighted areas is within the best interests of the community. It is important to note that Urban Renewal Projects may occur in more areas than those identified in this study and this study and resolution do not define a specific Urban Renewal Project or Plan.



## Wyoming State Statutes

The State of Wyoming authorizes communities to create Urban Renewal Authorities and utilize the power of the authority in *Wyoming Stat. § 15-9-101 through § 15-9-137*. However, the sections relevant to the blight study expansion include *WY Stat. § 15-9-103 and WY Stat. § 15-9-107*. *WY Stat. § 15-9-107* explains:

*An urban renewal project for an urban renewal area shall not be planned or initiated unless the governing body, by resolution, has determined the area to be a slum area or a blighted area or a combination thereof and designated it as appropriate for an urban renewal project. A municipality shall not acquire real property for any urban renewal project unless the local governing body has approved the urban renewal project in accordance with W.S. 15-9-110.*  
- *WY Stat. § 15-9-107*

To aid in determining what constitutes a slum or blighted area, *WY Stat. § 15-9-103* contains the definition of “blighted area” and “slum area”. Specifically, the section describes a blighted area as:

*(iii) “Blighted area” means an area which by reason of the presence of a substantial number of slums, deteriorated or deteriorating structures, predominance 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 assessments, delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of those factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare*

*in its present condition and use. However, if the blighted area consists of open land, the conditions contained in W.S. 15-9-110(b) apply and any disaster area referred to in W.S. 15-9-112 constitutes a “blighted area”;*  
- *WY Stat. § 15-9-103*

And goes on to define a slum area as:

*(xvi) “Slum area” means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, 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 those factors is conducive to ill health and is detrimental to the public safety, morals or welfare;*  
- *WY Stat. § 15-9-103*

This study uses the definitions to support the findings that *WY Stat. § 15-9-107* requires. The remainder of the Wyoming Urban Renewal Code details the powers permitted by the Urban Renewal Authority and do not maintain substantial relevance to the resolution determining blight; however, staff recommends the Governing Body familiarize themselves with these statutes.

## Methodology

To identify blight areas and slum areas in the community, staff created a survey with the nine (9) conditions of blight identified in the definitions section of the Wyoming Urban Renewal Code. Staff did not utilize the conditions of slum areas as they were similar to those of blight. Staff extrapolated nine distinct characteristics of blight as defined in *WY Stat. § 15-9-103(iii)*. The nine conditions with one option of "Other" include:

- Deteriorated or Deteriorating Structures
- Predominance of Defective or Inadequate Street Layout
- Faulty Lot Layout in Relation to Size, Accessibility or Usefulness
- Unsanitary or Unsafe Conditions
- Deterioration of Site or Other Improvements
- Diversity of Ownership, Tax or Other Special Assessments
- Delinquency Exceeding the Fair Value of the Land
- Defective or Unusual Conditions of Title
- The Existence of Conditions which Endanger Life or Property by Fire and other causes
- Other

The other option pertained to the section of the definition that stated, "*or any combination of those factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use,*" (*WY Stat. § 15-9-103(iii)*). After listing the conditions, the survey had the option for staff to use a check box for each condition that existed and to provide a description of indicators that were used to conclude that the condition was present. The end of the survey allowed staff to provide notes for anything of importance. Unlike other neighboring states, notably Colorado, the Wyoming Urban Renewal Code does not

establish a threshold for the number of blight conditions that must be found to qualify an area for Urban Renewal. Based on this, if any one of the nine conditions are identified on the site, it is sufficient to determine the area as blighted.

Staff completed the blight surveys for two areas within the community on May 5, 2023 and May 8, 2023 to comply with the *WY Stat. § 15-9-106* provision of there being, "one (1) or more slum or blighted areas exist(ing) in the municipality." Again, this study does not preclude other blighted areas from being surveyed in the future, rather serves as the initiation that permits the City to exercise the powers in *WY Stat. § 15-9-101 et. seq.* The two areas surveyed include the Jolly Rogers site and the Expanded Downtown. The two sites were surveyed on May 5th and May 8th by one staff member for consistency. All locations contained conditions of blight, as detailed in the next section. .

## Blight Surveys

This section of the report contains an overview of the blight surveys as conducted on May 5, 2023 and May 8, 2023. Each property will overview the blight categories present on site with specific samples of the conditions that were witnessed at the time of the survey. The surveys and photos from the site visits are contained in Appendices A and B respectively. Again, these areas are not as Urban Renewal projects through this process, rather they are illustrative of blight in the community.

## Jolly Rogers

The Jolly Rogers study area is shown in Figure 1. The study area includes the Jolly Rogers Subdivision on the northwest corner of the intersection of U.S. Highway 30 and Whitney Road. The site contained four (4) of the nine (9) conditions of blight identified on the survey, demonstrating an area of blight in the community.

# Figure 1: Jolly Rogers Study Area

— Study Area Boundaries

1. Deteriorated or Deteriorating Structures



2. Predominance of Defective or Inadequate Street Layout



3. Faulty Lot Layout in Relation to Size, Accessibility, or Usefulness



4. Unsanitary or Unsafe Conditions

### *1. Deteriorated or Deteriorating Structures*

The Jolly Rogers study area contains several examples of deteriorated or deteriorating structures. Two of the buildings on the Jolly Rogers property are in poor condition with one of them missing portions of one wall. In addition to the building missing a wall, other buildings in the area show evidence of deterioration. The prevalence of deteriorating buildings as depicted in the supporting photographs fulfills this condition of blight.

### *2. Predominance of Defective or Inadequate Street Layout*

The Jolly Rogers property is approximately 12 acres with only two accesses that is off a major highway and the other could cause traffic conflicts with its proximity to the highway. The lot lacks circulation with the adjacent neighborhoods and has no safe pedestrian connectivity. The street network through the area is not sufficient for urban development and connections will need to be planned and built-in accordance with the reconstruction of U.S. Highway 30. Due to the faulty street network through the Jolly Rogers, the lack of adequate access, and how one of the two accesses to the site have the potential to create traffic conflicts, staff is satisfied this condition of blight is met.

### *3. Faulty Lot Layout in Relation to Size, Accessibility, or Usefulness*

The Jolly Rogers property is large lot with only two accesses with one off a major highway and the other could cause traffic conflicts with its proximity to the highway. The lot is an abnormal shape with one street frontage only having approximately ~100 feet of frontage where the other street frontage has over 1,000 feet. The size and shape of the block combined with their limited lack of quality access connections yield a faulty lot layout in relation to size, accessibility, and usefulness; thus, meeting this condition of blight.

### *4. Unsanitary or Unsafe Conditions*

Staff noted the Jolly Rogers study area lacked pedestrian connectivity. The lack of internal connections through the site lead to accessibility issues and a lack of pedestrian connections. The lack of pedestrian connectivity along a major Highway has the potential to create unsafe conditions for those who use alternative modes of transportation. The site was home to an RV service area which could have some potential environmental contamination from the service area and if the site was used as a waste dump. The lack of pedestrian access and potential of environmental contamination yields unsafe conditions, thus, meeting this condition of blight.

### **Expanded Downtown**

The Expanded Downtown study area is shown in Figure 2. The study area includes the blocks between Bent Avenue and House Avenue from the east to west and between 20th Street and the Union Pacific Railroad from the north to south, continuing along from House Avenue to Morrie Avenue from the east to the west and between the alley of 17th and Lincolnway to the Union Pacific Railroad from the north to the south. The study area included seven (7) of the nine (9) conditions of blight identified in the survey, demonstrating an area of blight in the community.

#### *1. Deteriorated or Deteriorating Structures*

Staff noted several deteriorating buildings in the Expanded Downtown area. Examples include 819 E 15th Street and 607 E Lincolnway; though several other buildings appear to be deteriorating and may be more so on the interior. Indicators of deterioration witnessed include evidence of fire, boarded up buildings, and faulty building siding. The adjacent photos and those in Appendix B illustrate the study area meets this condition of blight.

## *2. Predominance of Defective or Inadequate Street Layout*

The eastern portion of the Expanded Downtown study area contains large lots with few street connections. Staff noted that between House Avenue and Morrie Avenue and 15th Street and Lincolnway had poor connectivity in relation to the surrounding areas. Due to the faulty street network and the lack of adequate access, staff is satisfied this condition of blight is met.

## *3. Faulty Lot Layout in Relation to Size, Accessibility or Usefulness*

The adjacent image in figure XX depicts the faulty lot layout in the study area. Many blocks contain platted alleys while others have been vacated. This leads to confusion and lack of usable area for development purposes. In the eastern portion of the study area certain lots have been divided poorly leaving certain lots unusable to be developed. Supplemental to this evidence of blight, many lots have not been platted since the Original City subdivision. Staff has difficulty interpreting the Original City subdivision and the legal descriptions are often a source of confusion. The inconsistency in alley vacation and age of the subdivision lead to faulty lot layout in relation to size, accessibility and usefulness. .

## *4. Unsanitary or Unsafe Conditions*

The Expanded Downtown area contained litter and a lack of connections between Lincolnway and East 15th street, meeting unsanitary conditions and unsafe conditions. Furthermore, the prevalence of industrial businesses and the age of the buildings in the area allude to possible environmental contamination. The litter, lack of connections, and environmental contamination confirm the presence of unsanitary and unsafe conditions throughout the Expanded Downtown study area.

## *5. Deterioration of Site or Other Improvements*

The Expanded Downtown study area has deteriorated or missing curb, gutter, and sidewalk in various locations. The deteriorated site conditions have exacerbated the pedestrian connections in the Expanded Downtown. The locations that lack curb, gutter, and sidewalk create potential pedestrian and vehicular conflicts. Due to the deteriorated and missing curb, gutter, and sidewalk, staff is satisfied this condition of blight is met.

## *6. Diversity of Ownership, Tax or Other Special Assessments*


The Expanded Downtown study area contains a wide variety of ownership, making planning holistically difficult. A wide variety of ownership fosters many different perspectives and needs to be met. The corridor contains both public and private ownership, as well. It is also noteworthy that there are several owners that reside out of state. Staff noted that lots have been divided and sold through informal subdivision processes and that has created issues with ownership of parcels of land. Due to the variety of ownership and informal subdivision process, staff is satisfied this condition of blight is met.

## *7. The Existence of Conditions which Endanger Life or Property by Fire and Other Causes*

The parcel located at 701 E Lincolnway burned in a fire in 2022 and remains a vacant lot. The potential environmental contamination from previous uses and the age of the structures lead to the probable contamination in the study area yield another condition that may endanger life and property. The noted fire and environmental contamination fulfill this condition of blight.



## Figure 2: Expanded Downtown Study Area

-  Study Area Boundaries
-  Places already declared blight

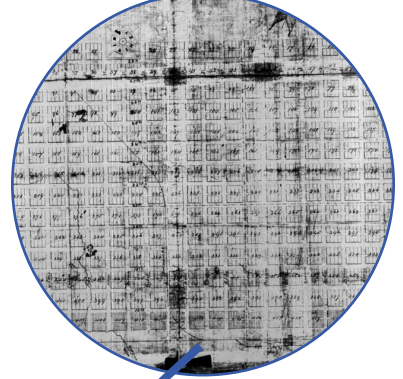
1. Deteriorated or Deteriorating Structures



2. Predominance of Defective or Inadequate Street Layout



3. Faulty Lot Layout in Relation to Size, Accessibility or Usefulness



4. Unsanitary or Unsafe Conditions



5. Deterioration of Site or Other Improvements



6. Diversity of Ownership, Tax or Other Special Assessments



6. The Existence of Conditions which Endanger Life or Property by Fire and other causes



## Conclusions

The blight study at two locations illustrates that one or more blighted areas exist in the municipality, therefore fulfilling WY Stat. § 15-9-106(i). The rehabilitation, conservation, redevelopment or a combination thereof of the area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the municipality for various reasons. The City of Cheyenne governing body has the ability to use the powers made available through the Wyoming Urban Renewal Code should the accompanying resolution of blight be adopted. The redevelopment of the study areas is necessary for the public health, safety, and welfare in the following ways:

**Jolly Rogers:** The Jolly Rogers study area is located at the northwest corner of the intersection of U.S. Highway 30 and Whitney Road. The conditions of blight found at the Jolly Rogers study area are detrimental to the aesthetics of the community. The lack of connections, faulty lot layout, and lack of pedestrian infrastructure make the site unattractive for redevelopment. The ability of the City to use Urban Renewal at the Jolly Rogers study area is necessary to redevelop and rehabilitate the site to correct these conditions of blight for the health, safety, morals, and welfare of the community.

**Expanded Downtown:** The Expanded Downtown study area encompasses a priority area in the City of Cheyenne. Staff noted the existence of seven conditions of blight throughout the Expanded Downtown that inhibit the redevelopment of the area from coming to fruition. The diversity of ownership and faulty lot layout make redevelopment difficult and perpetuate the other conditions of blight that comprise the health, safety, welfare, and morals of the community. Furthermore, the taxpayers of the community voted to fund the public improvements within the study area, showing community support of

area redevelopment. The use of the Wyoming Urban Renewal Code would complement the taxpayer dedication to the redevelopment of the study area and promote the health, safety, welfare, and morals of the community. The ability of the City to use Urban Renewal at the Expanded Downtown study area is necessary to redevelop and rehabilitate the site to correct these conditions of blight for the health, safety, morals, and welfare of the community.

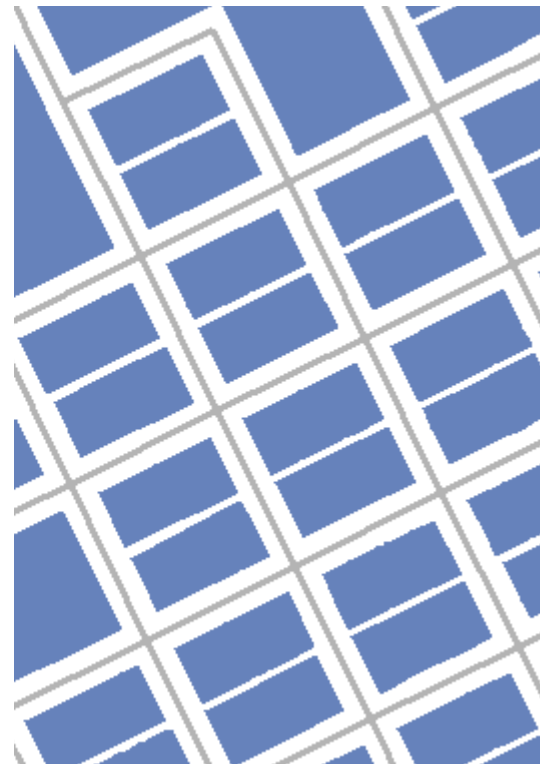
The two locations exemplify the existence of blight in the community. The rehabilitation, conservation, or redevelopment of each location would not only benefit the community, but is necessary to for the health, safety, welfare, and morals of the community. The use of the Wyoming Urban Renewal Code can facilitate the redevelopment of each of these areas through several of the tools enabled by the legislation, namely tax increment financing. Staff is satisfied the report meets and exceeds the mandate for the initiative resolution by the governing body found in WY Stat. § 15-9-107 and recommends approval of the resolution.



# Conditions of Blight

## Appendix A

### Blight Studies



# City of Cheyenne – Blight Survey



Location: Jolly Ridge  
 Completed by: Larrick Olson  
 Date Surveyed: 5/8/23

Criteria:	Check if this exists on site:	Description of Conditions:
Deteriorated or Deteriorating Structures	<input checked="" type="checkbox"/>	Multiple structures are in poor condition with signs of paint chipping and one missing part of a wall
Predominance of Defective or Inadequate Street Layout	<input checked="" type="checkbox"/>	Approximately 12 acre lot with poor connectivity adjacent to major Highway with an access that has potential to cause vehicular conflicts
Faulty Lot Layout in Relation to Size, Accessibility or Usefulness	<input checked="" type="checkbox"/>	The lot is an abnormal shape with one side having very little footage
Unsanitary or Unsafe Conditions	<input checked="" type="checkbox"/>	The site lacks adequate pedestrian connectivity as with surrounding properties

Deterioration of Site or Other Improvements	<input type="checkbox"/>	
Diversity of Ownership, Tax or Other Special Assessments	<input type="checkbox"/>	
Delinquency Exceeding the Fair Value of the Land	<input type="checkbox"/>	
Defective or Unusual Conditions of Title	<input type="checkbox"/>	
The Existence of Conditions which Endanger Life or Property by Fire and other causes	<input type="checkbox"/>	

Other	<input type="checkbox"/>	
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*Notes:*

# City of Cheyenne – Blight Survey



Location: Downtown Cheyenne  
 Completed by: Lonnig Olson  
 Date Surveyed: 5/5/2023

Criteria:	Check if this exists on site:	Description of Conditions:
Deteriorated or Deteriorating Structures	<input checked="" type="checkbox"/>	Several old buildings falling into disrepair Vacant buildings with broken glass
Predominance of Defective or Inadequate Street Layout	<input checked="" type="checkbox"/>	- Long lots with few connections on east side of boundary - Poor connectivity between Horse Avenue & Morris Avenue 15 <sup>th</sup> St. & 16 <sup>th</sup> St.
Faulty Lot Layout in Relation to Size, Accessibility or Usefulness	<input checked="" type="checkbox"/>	- Many places not platted since "Original City" - Platted roads break up lots - Large lots in certain locations that create poor connectivity
Unsanitary or Unsafe Conditions	<input checked="" type="checkbox"/>	- Alleys unsanitary and unsafe - Unsafe pedestrian connections on W. Ludlow and E. 15 <sup>th</sup> Street - Presence of litter

Deterioration of Site or Other Improvements	<input checked="" type="checkbox"/>	Crumbling curb & gutter & sidewalks
Diversity of Ownership, Tax or Other Special Assessments	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>-Diverse ownership &amp; diversity of lot sizes leading to a lack of connectivity</li> <li>-lots divided &amp; sold through informal subdivision process</li> </ul>
Delinquency Exceeding the Fair Value of the Land	<input type="checkbox"/>	
Defective or Unusual Conditions of Title	<input type="checkbox"/>	
The Existence of Conditions which Endanger Life or Property by Fire and other causes	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Contaminated buildings</li> <li>Rail road</li> <li>Vacant lot from fire in 2022</li> <li>Buildings boarded up with plywood</li> </ul>



Other	<input type="checkbox"/>	
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*Notes:*

# Conditions of Blight

## Appendix B

### Blight Photos

