

LCRA Blight Definition

Section 99.320(3), RSMo. (amended in 2021 by S.B. 153)

“Blighted area”, an area which, by reason of the predominance of:

- insanitary or unsafe conditions,
 - deterioration of site improvements, or
 - the existence of conditions which endanger life or property by fire and other causes, or
 - any combination of such factors,
- retards the provision of housing accommodations or
- constitutes an economic or social liability or a menace to the public health, safety, or welfare

in its present condition and use.

LCRA Insanitary Definition

Section 99.320(9), RSMo.

“Insanitary area”, an area in which there is a predominance of:

- buildings and improvements 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 of buildings, overcrowding of land, 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 or
- constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare.

LCRA Declaration of Policy - Section 99.310, RSMo.

It is hereby found and declared that:

- there exists in municipalities of the state insanitary, blighted, deteriorated and deteriorating areas which constitute a serious and growing menace injurious to the public health, safety, morals and welfare of the residents of the state;
- the existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities, constitutes an economic and social liability, substantially impairs or arrests the sound growth of communities and retards the provision of housing accommodations;
- **this menace is 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;**
- the elimination or prevention of the detrimental conditions in such areas, the acquisition and preparation of land in or necessary to the development, renewal or rehabilitation of such areas and its sale or lease for development, renewal or rehabilitation in accordance with general plans and redevelopment or urban renewal plans of communities and **any assistance which may be given by any public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired;** and
- the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination; and
- certain insanitary, blighted, deteriorated or deteriorating areas, or portions thereof, may require acquisition and clearance, as provided in this law, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation, but other areas or portions thereof, through the means provided in this law may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented, and to the extent feasible, salvable, insanitary

and blighted areas should be conserved and rehabilitated through voluntary action and the regulatory process.

A municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this law, shall afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment or renewal of areas by private enterprise.

LCRA Workable Program

Section 99.320(23), RSMo.

“Workable program”, an official plan of action for effectively dealing with

- insanitary, blighted, deteriorated or deteriorating areas within the community and
- for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment
 - for adequate family life,
 - for utilizing appropriate private and public resources
 - to eliminate and prevent the development or spread of insanitary, blighted, deteriorated or deteriorating areas,
 - to encourage needed urban rehabilitation,
 - to provide for the redevelopment of blighted, insanitary, deteriorated and deteriorating areas, or
 - to undertake such of the aforesaid activities or other feasible community activities as may be suitably employed to achieve the objectives of such a program.

- LCRA approved Workable Program in 2000 – divided into two sections

1. Workable Program

- Adds a “But For” test →→ must not be economically viable without LCRA benefits
- Requires that developers submit an application to LCRA

- Private financing commitments (lender and equity)
- Describe “Gap in Financing”, with and without LCRA benefits
- Budget
- Funding Sources
- Development Schedule
- LCRA benefits only to the extent necessary to fill “Gap in Financing”
- “Gap in Financing” = difference between the total development cost and amount of private financing commitments
- LCRA discretion to grant benefits to eliminate all or part of “Gap in Financing”
- LCRA or third-party financial analysis
- Exceptions for
 - Owner-occupied or investor-owned single-family housing
 - East side projects up to \$15 million – LCRA discretion if over \$15 million
- No LCRA benefits once work has commenced
- Compliance with FOCUS
- Liquidated damages if public benefits not achieved

2. Rules for Implementation

- Compliance with FOCUS
- Historic preservation
- Environmental stewardship
- Financial analysis
- LCRA may develop or adopt Community Impact Statement as part of application

LCRA Policies

- Investment policy
- Policy and procedure for professional service providers
- Quorum policy
- Sunshine Law, Open Meetings and Public Records Retention Policy

- Affirmative Action/Workforce Construction Policy
- Redeveloper Solicitation Policies and Procedures
- Bond Issuance and Disbursement Policy
- Certification of Costs and Reimbursement Policy
- Workable Program
- Design Review Process
- Disputed Charges Policy
- Environmental Policy
- Blight Study Preparation – Standard Criteria and Process
- Interest Policy
- Relocation Policy
- Single-Family Housing Policy
- HUD Section 108 Policy
- Conflict of Interest Policy
- Notice Policy