

ORDINANCE NO.

214-05

AN ORDINANCE APPROVING THE LIGHTHOUSE VILLAGE URBAN RENEWAL PLAN, MAKING FINDINGS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, under the provisions of Article XVIII, Section 3 of the Ohio Constitution, the City is authorized to undertake urban renewal activities in blighted and deteriorated areas of the City, which activities will be carried out pursuant to the provisions of the plans approved by the City for such areas; and

WHEREAS, Chapter 725 of the Ohio Revised Code authorizes the City to approve certain real property tax exemptions in connection with such urban renewal activities and to issue urban renewal bonds and obtain state loans in relation thereto; and

WHEREAS, an urban renewal plan, designated the Lighthouse Village Urban Renewal Plan, dated September 2005 (the "Urban Renewal Plan" or the "Plan") for the Lighthouse Village Urban Renewal Plan Area (the "Plan Area") depicted in the Plan, in the vicinity of Leavitt Road and Jaeger Road in the City of Lorain, has been prepared and presented to this Council, and is on file with the Clerk of Council as part of the record of proceedings for this Ordinance. The Plan is supported by the Lighthouse Village Urban Renewal Analysis, including a blight study, that is attached to the Plan. The Plan is an urban renewal plan in accordance with Chapter 725 of the Ohio Revised Code, and provides for the undertaking of activities for the elimination and prevention of the recurrence of conditions of blight and deterioration in the Plan Area, and contemplates City actions for acquisition and clearance of properties, and provides for the redevelopment of properties within the Plan Area, as described in said Plan; and

WHEREAS, the Plan was submitted to the Planning Commission of the City of Lorain, the duly designated and acting official planning body of the City, for its review and recommendations, and the Planning Commission has reviewed the Plan, and has submitted to this Council the Planning Commission's recommendation that the Plan be approved by this Council, and this Council has duly considered said recommendation for approval given by the Planning Commission; and

WHEREAS, after notice duly given, a public hearing was held before this Council on November 28, 2005, at which hearing presentation of the Plan and supporting documentation therefor was made, and at which hearing all interested persons were provided an opportunity to be heard; and

WHEREAS, information has been presented to this Council, in the Lighthouse Village Urban Renewal Analysis, with respect to the location, physical condition of structures, land use, environmental conditions, conditions of blight, deterioration, and other blighting influences in the Plan Area, and the members of this Council have been fully apprised of the facts and conditions of blight and deterioration in the Plan Area

which are detrimental to the public health, safety, morals and welfare of the residents of the City and which substantially retard economic growth and development, retard the provision of housing accommodations, and retard the creation or preservation of jobs and employment opportunities and the improvement of the economic welfare of the people in its present condition and use; and

WHEREAS, to encourage redevelopment in the Plan Area, this Council intends to utilize, among other programs, the urban redevelopment tax increment financing authority pursuant to Chapter 725 of the Ohio Revised Code; and

WHEREAS, for the foregoing reasons, this Council has determined that the Plan, and the undertaking and carrying out of urban renewal activities within the Plan Area will be in the best interest of the citizens of the City and will provide for the general health, safety and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO, THAT:

Section 1: This Council hereby accepts the Lighthouse Village Urban Renewal Plan, and the Lighthouse Village Urban Renewal Analysis, including blight study, for the Lighthouse Village Urban Renewal Plan Area, and other supplementary data and information, and based upon such report and information, this Council hereby finds and determines that:

A. There are present in the Plan Area a substantial number of the following conditions: deteriorated or deteriorating structures, serious lack of maintenance, areas of vacant land in a condition of economic underutilization and economic disuse, adverse environmental conditions, incompatibility of land uses, 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 to title, or the existence of other adverse conditions which endanger life or property by fire and other causes; and the presence of those conditions substantially impairs or arrests the sound growth, , planning and development of the City, retards the provision of housing accommodations, and/or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in the present condition and use of the Plan Area.

B. The Lighthouse Village Urban Renewal Plan Area is a "blighted area" within the meaning and requirements of Chapter 725 of the Ohio Revised Code.

C. It is necessary to renew and redevelop the Plan Area by a program of acquisition, clearance, and redevelopment, in accordance with the Plan, in order to eliminate and prevent the recurrence of the conditions of blight in the Plan Area which substantially impair or arrest the sound growth of the City, constitute an

economic or social liability, and which are detrimental and a menace to the public, health, safety morals or welfare of the inhabitants of the City, and in order to halt the further deterioration of the Plan Area and the adverse blighting influence of such area on surrounding areas.

D. The Lighthouse Village Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Lighthouse Village Urban Renewal Plan Area by private enterprise.

Section 2: The Lighthouse Village Urban Renewal Plan, together with the supplementary material, data and recommendations for the Lighthouse Village Urban Renewal Plan Area, have been duly reviewed and considered, and the Lighthouse Village Urban Renewal Plan is hereby approved and adopted, notwithstanding and as an exception to the requirements of the Community Development Code of the City, enacted by Ordinance No.215-66, passed December 5, 1966, and incorporated in the Codified Ordinances of the City, and the requirements of Ordinance No. 211-65, passed December 20, 1965; and any other ordinance of the City, if any; and it is hereby found and determined that the Lighthouse Village Urban Renewal Plan conforms to the requirements of Chapter 725 of the Ohio Revised Code, and shall be a part of and conforms to the General Plan of the City as a whole, and this Council hereby approves the procedures which have been taken for preparation of the Plan, for Planning Commission review and approval thereof, for public hearings and notification thereof and for Council approval of the Plan; and the Clerk of Council is hereby directed to file a copy of the Lighthouse Village Urban Renewal Plan and supplementary materials with the minutes of the meeting at which this Ordinance was adopted.

Section 3: This Council hereby establishes the term of the urban renewal plan as thirty-five years, commencing with the effective date of this Ordinance. Except as may otherwise be authorized by separate ordinance of this Council, development agreements entered into by the City for development of property within the Plan Area shall require the property owners to use, develop, and redevelop the property in accordance with the Plan for the remainder of the term hereby established.

Section 4: In order to implement and facilitate the effectuation of the Lighthouse Village Urban Renewal Plan hereby approved, it is found and determined that certain additional official actions must be taken, and this Council hereby pledges its cooperation in helping to carry out the Plan, and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with carrying out the Plan, and this Council stands ready to consider and take appropriate action upon proposals and measures designed to implement said Plan.

Section 5: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this

Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 6: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City and for the further reasons that this Ordinance must go into immediate effect in order to immediately approve the Lighthouse Village Urban Renewal Plan and make the other aforesaid findings for the Lighthouse Village Urban Renewal Plan Area thereby expediting the undertaking and carrying out of renewal and redevelopment activities in the Plan Area, and the elimination and prevention of recurrence of conditions of blight and deterioration in the Plan Area; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to City Council, otherwise it shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: *Dec. 5*, 2005

PRESIDENT OF COUNCIL: *[Signature]*

ATTEST: *Nancy Greer*, CLERK OF COUNCIL

MAYOR: *[Signature]*

APPROVED: *Dec. 5th*, 2005

Mail Eof:
Lorain City Council
200 West Erie Avenue
Lorain, OH 44052

I, NANCY A. GREER, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS A TRUE AND ACCURATE COPY OF *ORD NO. 214-05* PASSED ON THE *5* DAY OF *Dec* *18-05* BY COUNCIL AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK. *Nancy Greer*
CLERK

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mailed in*