

ORDINANCE NO. 32-04

**AN ORDINANCE APPROVING THE WASHINGTON AVENUE
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, Chapter 725 of the Ohio Revised Code, 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 for such areas; and

WHEREAS, an urban renewal plan, designated the Washington Avenue Urban Renewal Plan, as described in Exhibit "A" attached hereto, (the "Urban Renewal Plan" or the "Plan") and dated September 2003 for the Washington Avenue Urban Renewal Plan Area (the "Plan Area") described in the Plan has been prepared and presented to this Council, and which Plan is supported by the Washington Avenue Blight Study dated as of September 2003, and which Urban Renewal Plan is an urban renewal plan in accordance with Chapter 725 of the Ohio Revised Code and which Plan 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 Washington Avenue Urban Renewal 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 March 22, 2004 at which hearing presentation of the Plan and supporting documentation therefore was made, and at which hearing all persons were provided an opportunity to be heard; and

WHEREAS, information has been presented to this Council with respect to the location, physical condition of structures, land use, environmental conditions and other blighting influences, in the Washington Avenue Blight Study, in support of the Plan, and setting out conditions of blight, deterioration and 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 Sections 5709.41 through 5709.43 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 Washington Avenue Urban Renewal Plan, and the Washington Avenue Blight Study for the Washington Avenue Urban Renewal Plan Area and other supplementary data and information, and based upon such report and information relating to the facts and conditions of blight and deterioration existing in the Plan Area this Council hereby finds and determines that: (a) there are in the Plan Area a substantial number of deteriorated or deteriorating structures, and areas of vacant land in a condition of economic underutilization and economic disuse, and there are in the Plan Area a predominance of conditions of blight, deterioration, serious lack of maintenance, adverse environmental conditions and adverse blighting influences, incompatibility of land uses, unsanitary or unsafe conditions, deterioration of site or other improvements and other adverse conditions which are detrimental to or hazardous to life or property, and which substantially impair or arrest the sound growth, planning and development of the City, and constitute an economic or social liability, which factors individually and together are detrimental and a menace to the public health, safety, morals or welfare in the present condition and use in the Plan Area; (b) the Washington Avenue 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; and (d) the Washington Avenue Urban Renewal Plan will afford maximum opportunity, consistent with the sound

needs of the City as a whole, for the redevelopment of the Washington Avenue Urban Renewal Plan Area by private enterprise.

Section 2: The Washington Avenue Urban Renewal Plan, together with the supplementary material, data and recommendations for the Washington Urban Renewal Plan Area have been duly reviewed and considered, and the Washington Avenue 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 Washington Avenue 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 Washington Avenue Urban Renewal Plan and supplementary materials with the minutes of this meeting.

Section 3: In order to implement and facilitate the effectuation of the Washington Avenue 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 4: 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 5: 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 reason that this Ordinance must go into immediate effect in order to approve the Washington Avenue Urban Renewal Plan and make the other aforesaid findings for the Washington Avenue Urban Renewal Plan Area and in order to expedite the undertaking and carrying out of renewal and redevelopment activities in the Plan Area, and for 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:

April 5, 2004

PRESIDENT OF COUNCIL:

Kenneth E. Shannon

ATTEST:

Nancy Greer, CLERK OF COUNCIL

MAYOR:

Craig B. M.

APPROVED:

April 5, 2004

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. 32-04 PASSED ON THE 5 DAY OF April 2004 BY COUNCIL AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK.

4-21-06
DATE

Nancy Greer
CLERK OF COUNCIL