



Legislation Details (With Text)

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**On agenda:** 3/30/2021      **Final action:** 4/13/2021

**Title:** Amending Toledo Municipal Code Section 187.19(a) titled Land Reutilization Program (Landbanking Program); making certain findings with respect thereto; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Policies & Procedures, 2. Audio: City Council April 13, 2021

Date	Ver.	Action By	Action	Result
4/13/2021	1	City Council	declare emergency	Pass
4/13/2021	1	City Council	passage	Pass
3/30/2021	1	City Council	First Reading	Pass

Amend TMC187.19(a) Landbanking Program  
 B. Sehlhorst (x1692)/P. Syring (x1020)  
 Revised

**Amending Toledo Municipal Code Section 187.19(a) titled Land Reutilization Program (Landbanking Program); making certain findings with respect thereto; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The existence of non-productive land within the boundaries of the City of Toledo is such to necessitate the implementation of a Land Reutilization Program to foster either the return of such non-productive land to tax revenue generating status or to the dedication thereof to public use.

In an effort to facilitate reutilization of non-productive land situated within the city and support neighborhood and community revitalization, the City of Toledo adopted and implemented the Land Reutilization Procedures of Chapter 5722 of the Ohio Revised Code. This was accomplished by the passage on April 30, 1991 of Ordinance No. 340-91. Subsequently, due to the large quantity of parcels of land acquired for this land reutilization program, Ordinance No. 617-05 amended Toledo Municipal Code Section 187.19(a) to permit the Mayor and the then Director of the Department of Economic and Community Development to sell unbuildable residential parcels acquired by the City of Toledo Land Reutilization Program to adjacent residential property owners without competitive bidding and without separate ordinances. Toledo Municipal Code Section 187.19 (a) was most recently amended by Ordinance 165-12 to include the transfer of land between the county and City land bank programs.

The City and Lucas County Land Reutilization Corporation each operate a “side lot” program in which eligible adjacent residential property owners are able to acquire a vacant parcel for a nominal amount. The two

programs are essentially identical and frequently cause confusion in the community about which organization interested parties should work with. In order to prevent confusion and eliminate duplication, the City will delegate the administration of its “side lot” program to the Lucas County Land Reutilization Corporation who will operate a one-stop “side lot” program for all eligible property in the City. As such, the City now seeks to again amend Toledo Municipal Code Sections 187.19(a) to allow the Director of Economic and Business Development to delegate the administration of all or part of the City’s “side lot” program to the Lucas County Land Reutilization Corporation. This amendment will allow the City to continue to effectively partner with the Lucas County Land Reutilization Corporation in returning parcels to the tax rolls.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: none
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? n/a
- Is this a capital project (yes/no)? n/a
- If yes, is it new or existing (new/existing)? n/a
- What section of the City’s Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Section 187.19 (a) of the Toledo Municipal Code which reads as follows:

**Section 187.19(a). Land Reutilization Program (Landbanking Program)**

(1) The Director of Development shall administer a Land Reutilization Program pursuant to Chapter 5722 of the Ohio Revised Code and shall perform the duties specified therein. The sale of lands acquired as part of the Land Reutilization Program shall be sold pursuant to the process established herein and otherwise in accordance with Chapter 5722. Any sale of conveyance shall be made with reference to such terms and conditions, restrictions and covenants to assure the effective reutilization of such lands and may be conveyed notwithstanding any other provisions of the Toledo Municipal Code to the contrary.

The Director of Development is authorized to convey by gift or sale parcels to be utilized for residential expansion or urban gardening to the Lucas County Land Reutilization Corporation and/or to sell unbuildable parcels as defined by Chapter 1106 of the Toledo Municipal Code to adjacent residential property owners for one hundred fifty dollars (\$150.00). The Mayor is authorized to execute and deliver needed instruments to convey parcels under this program to the Lucas County Land Reutilization Corporation and to adjacent residential property owners. The transfer of parcels of real estate to the Lucas County Land Reutilization Corporation for residential expansion or urban gardening and the transfer of unbuildable parcels of real estate to adjacent residential property owners under this Program shall occur with the approval of the Director of Development without competitive bidding and without a separate ordinance of Council.

(2) To enhance the effectiveness of the Land Reutilization Program, the Director of Development is authorized to accept by gift lands which shall be held, administered, and disposed of in the same manner as are

lands acquired pursuant to Chapter 5722 of the Ohio Revised Code.

is repealed.

SECTION 2. That new Section 187.19(a) of the Toledo Municipal Code which reads as follows:

**Section 187.19(a). Land Reutilization Program (Landbanking Program)**

(1) The Director of Economic and Business Development shall administer a Land Reutilization Program pursuant to Chapter 5722 of the Ohio Revised Code and shall perform the duties specified therein, and may delegate the administration of all or part of such Program to the Lucas County Land Reutilization Corporation under an agreement thereof. The sale of lands acquired as part of the Land Reutilization Program shall be sold pursuant to the process established herein and otherwise in accordance with Chapter 5722. Any sale of conveyance shall be made with reference to such terms and conditions, restrictions and covenants to assure the effective reutilization of such lands and may be conveyed notwithstanding any other provisions of the Toledo Municipal Code to the contrary.

The Director of Economic and Business Development is authorized to convey by gift or sale parcels to be utilized for community improvement to the Lucas County Land Reutilization Corporation and/or to sell unbuildable parcels as defined by Chapter 1106 of the Toledo Municipal Code to adjacent residential property owners for one hundred fifty dollars (\$150.00). The Mayor is authorized to execute and deliver needed instruments to convey parcels under this program to the Lucas County Land Reutilization Corporation and to adjacent residential property owners. The transfer of parcels of real estate to the Lucas County Land Reutilization Corporation for community improvement and the transfer of unbuildable parcels of real estate to adjacent residential property owners under this Program shall occur with the approval of the Director of Economic and Business Development without competitive bidding and without a separate ordinance of Council.

(2) To enhance the effectiveness of the Land Reutilization Program, the Director of Economic and Business Development is authorized to accept by gift lands which shall be held, administered, and disposed of in the same manner as are lands acquired pursuant to Chapter 5722 of the Ohio Revised Code.

is enacted.

SECTION 3. That it is found and determined that all formal actions of City Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 4. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance is necessary to allow the Administration to more effectively partner with the Lucas County Land Reutilization Corporation in returning parcels to both tax producing and community-oriented uses.

Vote on emergency clause: yeas 12, nays 0.

Passed: April 13, 2021 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

April 14, 2021  
Wade Kapszukiewicz  
Mayor