



## Legislation Details (With Text)

**File #:** O-096-18      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 3/2/2018      **In control:** Neighborhoods & Community Development Committee

**On agenda:** 3/27/2018      **Final action:** 12/31/2018

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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/13/2018	1	City Council	First Reading	Pass

DOD AmendTMC187.19(a)  
Real Estate / Department of Development  
Bill Burkett (x1692)  
(Revised)

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

#### **SUMMARY & BACKGROUND:**

Ordinance No. 340-91 established the Land Reutilization Program which adopted and implemented procedures of Chapter 5722 of the Ohio Revised Code. Ordinance No. 617-05 amended Toledo Municipal Code Sections 187.19(a)(1) and 187.19(a)(2) to permit the Mayor and the Director of Development to sell unbuildable residential parcels acquired by the City of Toledo Land Reutilization Program (Landbank Program) to adjacent residential property owners without competitive bidding and without separate ordinances. Ordinance 165-12 amended the Code again, this time to allow for property sales and donations to the Lucas County Land Reutilization Corporation without competitive bidding and without separate ordinances. It is estimated that the number of residential vacant lots available for purchase through the Land Reutilization Program is going to grow from just over 800 in 2017 to well over 3,000 parcels by 2023.

The goal of the program is to return vacant property to productive use by putting it in the hands of nearby property owners. This amendment will expand authorization to a Lot Transfer Committee to convey properties without competitive bidding and without separate ordinance in two ways. First, eligible applicants will include adjacent property owners, and businesses, non-profit organizations or owner-occupied residents located in proximity to the subject parcel. Second, there are no lot dimension restrictions for properties to be conveyed.

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

SECTION 1. That 187.19 (a)(1) and 187.19 (a)(2) of the Toledo Municipal Code which reads as follows:

**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.

(Ord. 165-12. Passed 4-10-12.)

is repealed.

SECTION 2. That a new 187.19 (a)(1) and 187.19 (a)(2) of the Toledo Municipal Code is enacted to read as follows:

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

(1) The Director of Economic & Business 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 or 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 Section 189.19 or any other provisions of the Toledo Municipal Code to the contrary.

The Mayor and Director of Economic & Business Development are authorized to convey by gift or sale parcels to the Lucas County Land Reutilization Corporation and/or to sell parcels to eligible applicants 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 eligible applicants. The conveyance of parcels of real estate to the Lucas County Land Reutilization Corporation and the conveyance of vacant residential parcels of real estate to eligible applicants under this Program shall occur with the approval of the Director of Economic & Business Development and a Lot Transfer Committee without competitive bidding and without a separate ordinance of Council. The Lot Transfer Committee shall be made up of the Council President (or designee), the Director of Economic & Business Development (or designee), the Director

of the Plan Commission (or designee) and a representative from the Mayor's Office. For purposes herein an eligible applicant is an adjacent property owner, or a business, non-profit organization or owner-occupied resident located in proximity to the subject parcel. For purposes herein proximity to the subject parcel shall be determined by the Director of Business & Economic Development.

Eligible applicants will be required to complete an application that includes an explanation of intent for property use. Applicants must be current for real property taxes and must have no outstanding code enforcement violations. Applicants shall be required to obtain a parcel combine for the first adjacent parcel to the applicant property.

(2) To enhance the effectiveness of the Land Reutilization Program, the Director of Economic & 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.

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 return parcels to both tax-producing and community-oriented uses.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by  
Council \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council