

ORDINANCE NO. 459

AN ORDINANCE DESIGNATING THE URBAN REVITALIZATION AREA FOR THE AMENDED AND RESTATED (2016) CRESCO URBAN REVITALIZATION PLAN FOR THE CITY OF CRESCO, IOWA

WHEREAS, Chapter 404 of the Code of Iowa, the "Act", authorizes cities by ordinance to designate revitalization areas if such areas meet the criteria of the Act and if the City completes the procedural requirements of the Act; and

WHEREAS, this Council passed Resolution No. 110805 on November 3, 2008, and thereby adopted an urban revitalization plan for the City of Cresco, Iowa, called the Cresco Urban Revitalization Plan ("Original Plan") for the Cresco Urban Revitalization Area ("Area" or "Revitalization Area"); and

WHEREAS, this Council subsequently adopted Ordinance No. 412 establishing "all property within the corporate boundaries of the City" as the Cresco Urban Revitalization Area; and

WHEREAS, on November 7, 2011, by Resolution No. 111103, the Council adopted Amendment No. 1 to the Cresco Urban Revitalization Plan which extended the expiration of the Original Plan to January 1, 2017 and said Amendment No. 1 was confirmed by Ordinance No. 439 also adopted on November 7, 2011; and

WHEREAS, an Amended and Restated (2016) Cresco Urban Revitalization Plan has been prepared which, among other things, amends the Original Plan by updating the description of the Area, adding a three year 100% exemption schedule for multi-residential property, amending the exemption schedules for residential and commercial property, establishing limitations if property is in an Urban Renewal Area, and extending the duration of the Plan; and

WHEREAS, under the Amended and Restated Plan, the description of the Revitalization Area is updated to include the following:

All property located within the Cresco corporate limits as of March 1, 2016. Any property annexed into the City in the future shall automatically be included in the Area as of the effective date of the annexation.

WHEREAS, the Area so designated has heretofore been found to meet the criteria of the Act; and

WHEREAS, the revitalization of the Area so described will enhance the rehabilitation, conservation, redevelopment, economic development, or a combination thereof of the Area and is necessary in the interest of the public health, safety, or welfare of the residents of the City, and the area substantially meets the criteria of section 404.1; and

WHEREAS, notice of the public hearing was published per the requirements for amendments to urban renewal plans pursuant to Chapter 404; and

WHEREAS, pursuant to the provisions of the Act, the City has held a public hearing on the proposed Amended and Restated (2016) Cresco Urban Revitalization Plan; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Amended and Restated (2016) Cresco Urban Revitalization Plan on March 21, 2016 by Resolution No.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESCO, IOWA:

Section 1. That in accordance with Chapter 404 of the Code of Iowa, and as a result of the adoption of the Amended and Restated (2016) Cresco Urban Revitalization Plan, the legal description of the Cresco Urban Revitalization Area now contains the following property:

All property located within the Cresco corporate limits as of March 1, 2016. Any property annexed into the City in the future shall automatically be included in the Area as of the effective date of the annexation.

and the same is hereby designated as a revitalization area under the Act, which shall be known as the Cresco Urban Revitalization Area of the City of Cresco, Iowa.

Section 2. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 3. That if any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2016.

Mayor

ATTEST:

City Clerk