

VILLAGE OF OTISVILLE
DOWNTOWN DEVELOPMENT AUTHORITY
DEVELOPMENT AREA DEVELOPMENT PLAN ORDINANCE
Ordinance No. 154

An ordinance providing for the adoption of a Development Plan for the Development Area of the Village of Otisville Downtown Development Authority created pursuant to Ordinance No. 138, effective January 23, 1992; to correct and prevent deterioration in the central business district; to encourage historic preservation; to authorize the creation and implementation of a Development Plan for the Development Area of the Village of Otisville Downtown Development Authority; and to promote economic growth in the Development Area. This Ordinance is created pursuant to the Downtown Development Authority Act, Act. No. 197 P.A. of 1975, as amended, effective August 13, 1975; being section 125.2650 et. seq. of the Michigan Compiled Laws.

The Village of Otisville Ordains:

SECTION 1: **DEFINITIONS:**

ITS USE IN THIS ORDINANCE:

- (1) “**Act**” means the Downtown DEVELOPMENT Authority Act, Act. No. 197 P.A. of 1075, as amended, effective August 13, 1975; being sections 125.1650 et. seq. of the Michigan Compiled Laws.
- (2) “**Authority**” means the Village of Otisville Downtown Development Authority created pursuant to Ordinance No. 138, effective January 23, 1992.
- (3) “**Authority Ordinance**” means the ordinance creating the Village of Otisville Downtown Development Authority being Ordinance No. 138 effective January 23, 1992.
- (4) “**Development Area**” means that area described in Exhibit I to this Ordinance to which this Ordinance applies.
- (5) “**Governing Body**” means the Village of Otisville Village Council which has legislative powers.
- (6) “**Public Facility**” means a street, plaza, pedestrian mall, and beautification, parks, parking facilities, recreational facilities, right-of-way, structure, waterway bridge, lake, pond, canal, utility line or pipe, building and access

routes to any of the foregoing, designed and dedicated to use by the public generally, or used by public agency.

SECTION 2: DEVELOPMENT PLAN:

- I. Boundaries of the Development Area in Relation to highways, streets, streams, or otherwise. The boundaries of the Development Area are the same as the boundaries of the Authority, as adopted by authority Ordinance. For a map and legal description of boundaries, see Exhibit I to this Ordinance.
- II. The location and extent of existing streets and other public facilities and present and future public and private uses within the Development Area and a legal description of the Development Area. The Development Plan does not propose the immediate change of the designation of any land uses. For the location, character and extent of the existing categories of public and private land use, see Exhibit II to of this Ordinance.
- III. A Description of existing improvements to be demolished repaired or altered in the Development Area and estimated time for completion:
- IV. Location, Extent, Character and Estimated Costs of Improvements Contemplated for the Development Area and estimated time for completion:

The following is proposed:

- 1) Planning, construction and implementation of improvements to the sewer system within the Development Area. Estimated time to complete: Thirty (30) years from adoption of the Authority Ordinance by the Governing Body; estimated cost: \$2,000,000.00.
- 2) Planning, construction and implementation of improvements to the water system within the Development Area. Estimated time to complete: thirty (30) years from adoption of the Authority Ordinance by the Governing Body; estimated cost: \$750,000.00.
- 3) Reviewing, exploring and analyzing economic development proposals for the repair, alteration, improvement and renovation of existing properties within and without the Development Area to include but not limited to, streetscapes, building facades, acquisition of land, commercial and industrial development, nature trails, community recreation center.

The cost of and time to complete such repairs, alterations, improvements and renovations will be estimated when the review and analysis of such proposals are completed provided that the Authority deems it appropriate to proceed with any such proposals.

- 4) Promotion of the Development Area by the Authority and Village, estimated cost \$100,000.00 over thirty (30) years.
- 5) Planning, construction and implementation of improvements to streets within the Development Area. Estimated time to complete: thirty (30) years from the adoption of the Authority Ordinance by the Governing Body: estimated cost: \$800,000.00.
- 6) Planning and/or construction of a library and/or museum within the Development Area. Estimated time to complete: Thirty (30) years from the adoption of the Authority Ordinance by the Governing Body: estimated cost \$150,000.00.
- 7) Planning, construction and implementation or improvements to Memorial Park. Estimated time to complete: thirty (30) years from the date of adoption of the Authority Ordinance by Governing Body; estimated cost \$100,000.00.

Costs of and time to complete other public improvements will be estimated as such other improvements are contemplated.

- V. Stages of construction planned and estimated time to complete each stage. At this time, all contemplated improvements are to be Public Facilities, and no stages or construction can be set until studies are completed.
- VI. Description of any parts of Development Area to be left as open space and uses contemplated for the space: At this time the Development Plan does not call for any changes in the open space within the Development Area.

- VII. Description of any portions of the Development Area which the Authority desire to sell, donate, exchange, or lease to or from the Township and the proposed terms. The Authority does not desire to sell, donate, exchange or lease to or from the Village of Otisville any portion of the Development Area at this time.
- VIII. Description of desired zoning changes and changes in streets, street levels, intersections and utilities: The Development Plan does not contemplate any zoning changes or any changes in streets, street levels, intersections or utilities at this time.
- IX. Estimate of the cost of the development and a statement of the proposed method of financing the development and the ability of the Authority to arrange the financing: At this time the Authority's best estimate of the cost of the development set forth above is \$3,900,000.00. The Authority believes that as it begins its work, tax values will rise, creating a tax increment income stream which would if necessary, make possible the financing of these improvements in an orderly manner.
- X. Procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development on its completion: The development contemplated by this Development Plan involves only the construction of Public Facilities and as indicated in Section 2 (IX) above, no portion of the development is to be leased, sold or conveyed in any manner to any private person. The Authority has, therefore, not established any procedures for bidding for the leasing, purchasing or conveying in any manner all or any portion of the development upon completion.
- XI. Designation of private persons to whom all or a portion of the development is to be leased, sold or conveyed in any manner and for whose benefit the project is being undertaken if available to the Authority: The Development Plan contemplates only the construction of public improvements. Therefore, there is no private persons or person to whom it is contemplated the development will be sold, leased or conveyed in any manner or for whom the project is being undertaken nor is there any procedure for bidding or arranging such sale.
- XII. Estimates of number of persons residing in the Development Area and number of families and individuals to be displaced: It is estimated that 300 persons reside in the Development Area and that no families or individuals will be displaced. Therefore, the Authority has not established a plan for

relocation.

- XIII. Plan for establishing priority for the relocation of persons displaced by the development and financial assistance and reimbursement of expenses in accordance with the standards and provisions of the Federal Uniform relocation assistance and Real Property Acquisition Policies act of 1970: For the reasons stated in Section 2 (XII) above, no provisions for costs of relocating persons displaced by the development and/or for financial assistance and reimbursement of expenses has been made.
- XIV. A plan for compliance with Act No. 227 of Public Acts of 1972, being Sections 213.321 to 213.332 of the Michigan Compiled Laws: For the reasons stated in Section 2 (XII) above, no provision has been made for relocations assistance advisory services for displaced persons.
- XV. Other matters: This Development Plan contemplates that the Authority shall be empowered to use tax increments funds received by it pursuant to this Plan specifically to:
- a) Administer the Authority including the hiring of staff, legal counsel, etc., as deemed necessary and appropriate by the Authority in accordance with the Tax Increment Plan for the Development Area.
 - b) Hire appropriate consultants, designers, engineers, etc. for the purpose of implementing the Development Plan.
 - c) Reimburse other units of local Government for services performed in the furtherance of the Development Plan on an actual cost basis, including the cost of overhead.

SECTION 3: **SEVERABILITY:**

The words, terms and phrases of this Ordinance shall be severable and if part is adjudged unconstitutional or invalid by a Court of competent jurisdiction said relief or judgement shall not affect the remaining provisions of this ordinance and if part is adjudged unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE:**

This Ordinance will become effective immediately upon publication in a paper of general circulation in the Village of Otisville.

VOTE: 4 Yeas
 0 Nays

The foregoing Ordinance No. 154 was duly adopted at a regular meeting of the Village Council for the Village of Otisville on the 21st day of January 1997.

I, Jean Griswold, Clerk of the Village of Otisville, do hereby certify that the above is a true and exact copy of the Ordinance heretofore passed by the Village Council for the Village of Otisville, Genesee County, Michigan.

Jean Griswold, Clerk of the
Village of Otisville

This Ordinance given publication in the Millington Messenger on the 19th day of December 1996.

Jean Griswold, Clerk of the
Village of Otisville

Tom Bess Jr., Village President