

ORDINANCE NO. 2004-70

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO ADD ZONING CODE CHAPTER 1189 ENACTING DESIGN REVIEW REGULATIONS FOR THE DOWNTOWN PRESERVATION DISTRICT AND ADJOINING DOWNTOWN AREAS

WHEREAS, pursuant to City Charter Section 4.12, this ordinance is being referred to the City of Mason Planning Commission to consider certain amendments to the Zoning Code by adding a Downtown Preservation District; and

WHEREAS, the Planning Commission shall consider the proposed amendments, including holding a public hearing on the proposed amendments as required by Section 1137.2 of the Zoning Ordinance of the City of Mason, and shall forward its recommendation on said proposed amendments to the Council of the City of Mason; and

WHEREAS, Council shall hold a public hearing on this amendment of the Code of the Zoning Ordinance pursuant to Section 4.13 of the City Charter and Section 1137.4 of the Zoning Ordinance; and

WHEREAS, Council hereby declares, as a matter of public policy, that the preservation, protection and use of areas, places, buildings, structures, sites, objects, and works of art in locally designated Preservation Districts is a public necessity and is required in the interest of the health, safety, and welfare of the people, and

WHEREAS, federal standards determine whether a rehabilitation project qualifies as a “certified rehabilitation” under federal tax incentives for income producing historic buildings, and

WHEREAS, the City of Mason will be applying for a State of Ohio Downtown Revitalization Grant which application requires such design review regulations, and

WHEREAS, in order to utilize State of Ohio Downtown Grant Funds for building and infrastructure improvements, the City must include such the Downtown Preservation District and certain areas in Downtown Business District under design review legislation, and

WHEREAS, property owners within these additional Downtown areas requesting State of Ohio Downtown Revitalization Funds shall submit their building alteration plans to the City’s Design Review Board for review and adherence to the rules and regulations outlined in this ordinance. A map of the downtown Preservation District and adjoining Downtown Business District is attached to this ordinance as Exhibit “B”.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, members thereto concurring:

SECTION 1. The Zoning Code is hereby amended by adding Chapters 1189, Downtown Preservation District, as set forth in Exhibit “A”, a copy of which is attached hereto and made a part hereof.

SECTION 2. Effective Date. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 28th day of June, 2004.

Attest



Clerk of Council

5/7/2004

206995.1



Mayor