

URBAN RENEWAL PLAN FOR DEMOLITION OF
DILAPIDATED RESIDENTIAL STRUCTURES

FOR

CITY OF CLARKSBURG

WEST VIRGINIA

JUNE, 2001

PREPARED BY

CLARKSBURG URBAN RENEWAL AUTHORITY

TABLE OF CONTENTS

STATEMENT OF INTENT

DESCRIPTION OF THE PLAN

PROJECT AREA

GOALS AND OBJECTIVES

URBAN RENEWAL ACTIVITIES

FUNDING

IMPLEMENTATION OF THE URBAN RENEWAL PLAN

EXISTING LAND USES AND PROPOSED LAND USES

STANDARDS OF POPULATION DENSITY, LAND COVERAGE AND BUILDING DENSITIES

PROPOSED CHANGES

PUBLIC FACILITIES

MODIFICATION OF THE URBAN RENEWAL PLAN

APPENDIX

Resolution of the Council of the City of Clarksburg, West Virginia to Participate in the West Virginia Housing Development Fund Demolition Loan Program, to Authorize and Direct the Clarksburg Urban Renewal Authority to Receive and Administer the Program Award Loan, to Authorize and Empower the Officers of the City to Execute all Necessary Documents with Respect to the Demolition Loan Program and to Declare a Blighted Area in Accordance with West Virginia Code Chapter 16, Article 18, Section 6

Resolution of the Planning and Zoning Commission of the City of Clarksburg Endorsing an Urban Renewal Plan

Resolution of the Clarksburg Urban Renewal Authority Recommending an Urban Renewal Plan to the Council of the City of Clarksburg

Ordinance of the City of Clarksburg Adopting an Urban Renewal Plan For Lots or Parcels of Land Situate in the City of Clarksburg, Harrison County, West Virginia

Agreement - Clarksburg Urban Renewal Authority and City of Clarksburg

Ordinance Authorizing the Manager of the City of Clarksburg to Execute an Agreement with the Clarksburg Urban Renewal Authority

Exhibit - Project Area

STATEMENT OF INTENT

The City of Clarksburg Urban Renewal Plan for demolition of dilapidated residential structures ("Plan"), prepared by the Clarksburg Urban Renewal Authority ("Authority"), has been developed to provide primarily for the demolition of dilapidated residential structures located within the incorporated areas of the City of Clarksburg, Harrison County, West Virginia, in accordance with the legislative provisions set forth in Chapter 16, Article 18 of the West Virginia Code (Urban Renewal Authority Law).

The implementation of the Plan will eliminate blighted areas within the City of Clarksburg ("Clarksburg") through the demolition of dilapidated residential structures and is intended to foster private and public development in the Project Area. The Urban Renewal Project ("Project") to be implemented pursuant to the Plan may consist of, but not be limited to, the following activities:

- ◇ Preparation of plans, including any required inspections, surveys and engineering studies;
- ◇ Demolition of dilapidated residential structures and disposal of material from the demolition;
- ◇ Acquisition of land and structures;
- ◇ Acquisition of funds for the Project, including loans;
- ◇ Contracting for the demolition of dilapidated residential structures and disposal of material from the demolition;
- ◇ Contracting with property owners for reimbursement by the owners for the costs of demolition and disposal of material from the demolition, including

accepting promissory notes and deeds of trust to evidence and secure reimbursement of the costs of demolition;

- ◇ Redevelopment and/or development of land;
- ◇ Cooperation with, and utilization of the personnel of, Clarksburg to obtain the right to demolish dilapidated residential structures, as necessary, and to enforce the obligations of property owners to reimburse the Authority for demolition costs, as appropriate;
- ◇ Any other related activities required to accomplish the objectives of the Plan.

DESCRIPTION OF THE PLAN

PROJECT AREA

The Project Area shall include scattered sites located within the incorporated area of Clarksburg, at which dilapidated residential structures exist, which sites have been declared by Clarksburg to be blighted areas in need of redevelopment, including the sites identified in Exhibit - Project Area included in the Appendix to this Plan.

GOALS AND OBJECTIVES

The Authority has established a set of central goals that shall serve as a framework for the Plan.

A. Safe, Quality Living Environment

The creation of a safe, quality living environment is the first goal of the Plan. A quality living environment includes a decent, safe and clean community, free of dilapidated residential structures which devalue surrounding properties, discourage surrounding

property owners from improving their properties, discourage new construction in the surrounding area and create health and safety risks. In order to provide a quality living environment, it is important to eliminate dilapidated residential structures.

B. An Attractive Place for Economic Growth

An attractive community for economic growth has a pleasing appearance, quality housing and desirable sites for the construction of new homes. Another goal of the Plan is to improve the appearance of Clarksburg and to create desirable sites for the construction of new homes in Clarksburg.

URBAN RENEWAL ACTIVITIES

Urban renewal activities shall include principally the demolition of dilapidated residential structures which have been determined to be unoccupiable and which have been vacant for a period of one year or more, but may also include, any other activities required and incidental to the fulfillment of the goals and objectives of the Plan and which are within the powers of the Authority as provided in West Virginia Code §16-18-5.

Certain real property and improvements located within the Project Area may be acquired by the Authority. The development or redevelopment of such property may include demolition and removal of dilapidated structures and the installation or construction of improvements for uses determined by the Authority and consistent with the Urban Renewal Law and the land use ordinances of Clarksburg. The acquired property may be sold, leased or otherwise made available for residential, recreational or other uses, including public use, consistent with the Urban Renewal Law and the land use and other ordinances of Clarksburg.

FUNDING

The Plan may be funded by the Authority (a) with a Demolition Loan Program award from the West Virginia Housing Development Fund (the "Fund") to Clarksburg in the amount of \$150,000.00 which has been assigned by Clarksburg to the Authority and which will be disbursed to the Authority pursuant to the terms and conditions of a loan agreement and related agreements between the Fund and the Authority, (b) with funds budgeted by Clarksburg for demolition of dilapidated residential structures, (c) with reimbursement payments from property owners to the Authority for the cost of demolitions performed under the Plan and (d) from other sources as may be identified by the Authority from time to time.

IMPLEMENTATION OF THE URBAN RENEWAL PLAN

The Authority will cooperate with and utilize the services of the personnel of Clarksburg to assist in implementing the Plan, including, without limitation, the following:

- A. Identifying dilapidated residential structures to be demolished which are unoccupiable and have been vacant for a period of one year or more;
- B. Obtaining the right, including rights of entry, to demolish such dilapidated residential structures;
- C. Negotiating and formalizing Agreements with property owners to reimburse the Authority for demolition costs, including the cost of disposal of the material from the demolition, for demolition of dilapidated residential structures;
- D. Conducting asbestos and other inspections, as required, of dilapidated residential structures identified for demolition;

E. Assisting the Authority to enforce the obligations of property owners to reimburse the Authority for demolition costs;

F. Obtaining bids from independent contractors, including any required advertising, for the demolition of dilapidated residential structures and disposal of the material from the demolition in accordance with the requirements of law;

G. Assisting the Authority in formalizing contracts with independent contractors for the demolition of dilapidated residential structures and disposal of the material from the demolition;

H. Inspecting the work of independent contractors in demolishing dilapidated residential structures and disposing of the materials from the demolition; and

I. Providing such assistance as the Authority may request in fulfilling its obligations to the Fund under the loan agreement and related agreements between the Authority and the Fund.

If and when feasible, agreements between the Authority and property owners will be executed providing for the demolition of dilapidated residential structures by contractors for the Authority and for reimbursement to the Authority by the property owners of the cost of demolition, including the cost of disposing of materials from the demolition. A property owner's obligation to reimburse the Authority may be evidenced by an agreement or agreements, including a promissory note or notes, from the property owner to the Authority, which agreement or agreements may be secured by deed of trust lien upon the property of a property owner. If and when a property owner defaults in his, her or its obligation to reimburse the Authority for demolition costs as provided in the agreement or agreements between the property owner and the

Authority, the Authority may utilize the services of the personnel of Clarksburg to enforce the payment obligation.

The Authority shall have the sole responsibility for identification of the specific dilapidated residential structures to be demolished under the Plan. Upon identification of any particular dilapidated residential structure to be demolished, the Authority will enter into a contract with a duly licensed and qualified independent contractor or Clarksburg for demolition of the structure and disposal of the material from the demolition in accordance with the requirements of law. The terms of each such contract shall be determined by the Authority.

Before undertaking the demolition of any structure under the Plan, the Authority will have an asbestos inspection performed on the structure by a duly licensed asbestos inspector, including any such inspector employed by Clarksburg, and shall obtain an estimate for removal and disposal of asbestos, if any, found in such structure. With respect to each residential structure to be demolished pursuant to the Plan, the Authority shall receive an estimate of the cost of demolition and disposal of the material from the demolition prior to entering into an agreement with the property owner.

With respect to any dilapidated residential structures for which condemnation orders have been issued by Clarksburg but for which no agreement between the Authority and the property owner for demolition of the structure can be consummated, the Authority will not initiate demolition activity unless it first obtains from Clarksburg satisfactory assurance of a right of entry upon the property for the purposes of demolition and the property is otherwise identified by the Authority as an eligible site for demolition under the Plan.

EXISTING LAND USES AND PROPOSED LAND USES

The Project Area is currently unpopulated due to the dilapidated condition of the structures thereon. The Authority proposes primarily to demolish and remove the dilapidated residential structures in the Project Area and clean up the Project Area in order to create desirable sites for the construction of new homes. The Authority may, as it deems appropriate, acquire properties in the Project Area for purposes of residential development or other purposes consistent with the powers of the Authority as provided in West Virginia Code §16-18-5.

STANDARDS OF POPULATION DENSITY, LAND COVERAGE AND BUILDING DENSITIES

The Project Area is presently unpopulated and the population density will not change as a result of the Project unless and until portions of the Project Area are utilized for the construction of new homes or other uses consistent with the land use ordinances of the City of Clarksburg. The land coverage and building density will decrease due to the proposed demolition of the dilapidated residential structures located in the Project Area.

PROPOSED CHANGES

The Plan does not anticipate any changes in maps, street layouts, street levels or grades, building codes, or other applicable land use ordinances of Clarksburg.

PUBLIC FACILITIES OR UTILITIES

The Plan will require no new facilities or utilities for the Project Area.

MODIFICATION OF THE URBAN RENEWAL PLAN

The Urban Renewal Plan may be modified at anytime by the Authority provided that substantial modifications to the Plan, specifically including additions to the list of properties in the Project Area, shall be subject to the review and approval of the Council of Clarksburg.