

ORDINANCE NO. 94-19

**AN ORDINANCE AMENDING ORDINANCE NO. 21-10 RELATIVE TO COMMUNITY REINVESTMENT AREA TAX INCENTIVES.**

**WHEREAS**, Council desires to pursue all reasonable and legitimate incentive measures to assist and encourage residential development within the City of Ashland; and

**WHEREAS**, the construction of certain new residential structures would serve to encourage economic stability and maintain real property values; and

**WHEREAS**, the construction of certain new residential structures within the Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted; now therefore,

**Be It Ordained** by the Council of the City of Ashland, Ohio 5 members thereto concurring:


**Section 1.** That Section 4 of Ordinance No. 21-10 of the City of Ashland, Ohio be, and the same is hereby, amended as follows:

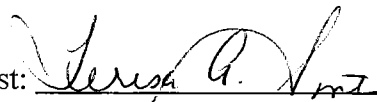
**e. Ten (10) years, for the construction of new single family dwellings where a new subdivision is established that contains not less than twelve (12) buildable lots, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the ten (10) years.**

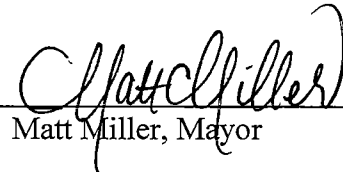
**f. Ten (10) years, for the construction of new multi-family dwelling units, which are not receiving any other governmental incentives, including tax credits, and which contain at least twelve (12) dwelling units, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the ten (10) years.**

**Section 2.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

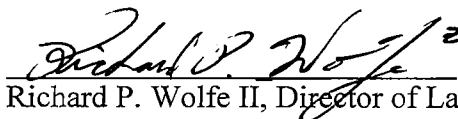
Passed: 19 November, 2019

  
Steve Workman, President of Council

Attest:   
Teresa Santino, Clerk of Council

Approved:   
Matt Miller, Mayor

Approved as to form and correctness:

  
Richard P. Wolfe II, Director of Law

Date: 19 November, 2019

ORDINANCE NO 21-10

**AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA IN THE CITY OF ASHLAND, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.**

**WHEREAS**, the Council of the City of Ashland (hereinafter "Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City of Ashland that have not enjoyed reinvestment from remodeling or new construction; and

**WHEREAS**, a survey of housing, as required by Ohio Revised Code (ORC) Section 3735.66, is on file in the office of the Mayor of the City of Ashland, having been prepared for the area to be included in the proposed Community Reinvestment Area; and

**WHEREAS**, the maintenance of existing structures and construction of new structures in such areas would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

**WHEREAS**, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted; now therefore,

**BE IT ORDAINED BY THE CITY OF ASHLAND, ASHLAND COUNTY, OHIO, (5)** members thereto concurring:

**Section 1.** The area designated as the *2010 Community Reinvestment Area* constitutes an area in which housing facilities or structures of historical significance are located and in which new construction or repair of existing facilities has been discouraged.

**Section 2.** Pursuant to ORC Section 3735.66, the 2010 Community Reinvestment Area is hereby established in the following described areas in the Central Business District and some surrounding areas in the City of Ashland. Legal descriptions are on file in the Mayor's Office.

Legal Description from Resolution 14-80

Legal Description from Resolution 12-82, expanding CRA established in Resolution 14-80.

Legal Descriptions from Resolution 1-90, expanding CRA's established in Resolutions 14-80 and 12-82.

Legal Description from Resolution 2-01, expanding the CRA established by Resolutions 14-80, 12-82, and 1-90.

Legal Description from Annexation papers for former Riley Property (Ashland Business Park)

Legal Description from Ordinance 8-02 – establishing boundaries of CRA – Post 1994

The 2010 Community Reinvestment Area is depicted as the crosshatched area on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein.

Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated 2010 Community Reinvestment Area will be eligible for exemptions under this Program.

**Section 3.** All properties identified in Exhibit A as being within the designated 2010 Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Ashland intends to undertake supporting public improvements in the designated area.

**Section 4.** Within the 2010 Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods:

**a.** Ten (10) years, for the remodeling of every residential dwelling unit containing not more than two housing units and upon which the cost of remodeling is at least \$10,000, as described in ORC Section 3735.67, and with such exemption being 75 percent ( %) for each of the Ten (10) years.

**b.** Ten (10) years, for the remodeling of every residential dwelling unit containing more than two housing units and upon which the cost of remodeling is at least \$15,000, as described in ORC Section 3735.67, and with such exemption being 75 percent ( %) for each of the Ten (10 ) years.

(For sections a and b above, construction of new residential dwelling units on land parcels that have experienced the completion of the demolition of a primary structure within 24 months prior to the receipt of a City of Ashland building permit for the new structure(s) shall be considered remodeling, eligible for tax abatement. Also, for sections a and b above, receipts indicating investment in real property improvements must be submitted to the

Housing Officer within 6 months after receiving the City of Ashland's Certificate of Occupancy in order for the abatement of taxes levied on said improvements to take effect. )

c. Up to, and including, twelve (12) years, and up to, and including, 100 percent ( %) for the remodeling of existing commercial and industrial facilities and upon which the cost of remodeling is at least \$10,000, as described in ORC Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.

d. Up to, and including, fifteen (15) years, and up to, and including, 100 percent ( %) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the above-described Community Reinvestment Area, structures exclusively used for residential purposes shall be classified as residential structures. Remodeling and/or new construction of structures containing both residential units and commercial or industrial space shall negotiate an abatement term and percentage, as described above in Section 4, parts c and d.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

**Section 5.** All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually, unless waived.

**Section 6.** To administer and implement the provisions of this Ordinance, the legislative authority shall designate a housing officer as described in the ORC Sections 3735.65 through 3735.70.

**Section 7.** That a "Community Reinvestment Area Housing Council" shall be created, consisting of two members appointed by the Mayor of the City of Ashland, confirmed by Council, with one initial term ending 12/31/11 and the other ending 12/31/12; two members appointed by the Council of the City of Ashland with one term ending 12/31/11 and the other term ending 12/31/13 and one member appointed by the Planning Commission of the City of Ashland with the term ending 12/31/13. The majority of the members shall then appoint two additional members who shall be residents within the area with one term will ending 12/31/12 and the other term ending 12/31/13. After the initial appointments, terms of the members of the CRA Housing Council shall be for three years. A vacancy created by a member leaving the CRA Council shall be filled by the initial appointing agency and that newly appointed member shall complete the unexpired term. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under ORC Section 3735.67. The CRA Housing Council shall hear appeals under ORC Section 3735.70.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the municipal corporation, appointed by the Mayor of the City of Ashland with Council concurrence, the County Auditor or designee and a representative of each affected Board of Education. At least two members must be residents of the City of Ashland. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under ORC Section 3735.671. and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

**Section 8.** The Council reserves the right to re-evaluate the designation of the 2010 Community Reinvestment Area after December 31, 2010, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in ORC Section 3735.67.

**Section 9.** The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under ORC Section 3735.67. The Council shall also hear appeals under ORC 3735.70.

**Section 10.** The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including ORC Section 121.22.

**Section 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law and in conformity with Section 14, hereafter set forth, and upon confirmation by the Ohio Director of Development of the findings in this Ordinance.

**Section 12.** The Mayor of the City of Ashland is hereby directed and authorized to petition the Ohio Director of Development to confirm the findings contained within this Ordinance.

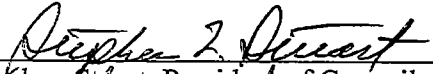
**Section 13.** That this Ordinance shall not affect abatement terms and conditions at properties that have applied for and received tax abatement within one of the City of Ashland's "Pre-94 Community Reinvestment Area." Any existing abatement shall continue throughout the abatement term, but new investments must apply under the new 2010 Community Reinvestment Area terms and conditions described herein, notwithstanding Section 14 below.

**Section 14.** Any construction project currently underway (evidenced by a State or City building permit) can still receive benefits under Pre-94 Terms and Conditions, so long as it receives a Certificate of Occupancy by November 30, 2010. Projects completed after November 30, 2010 will not be considered for abatement under Pre-94 Terms and Conditions. Further, after passage of this Ordinance, no new construction project shall be permitted to apply under Pre-94 Terms and Conditions.

**Section 15.** That this Ordinance supercedes all previous Community Reinvestment Area legislation and that such previous legislation be, and the same is hereby, repealed except to the extent that there are any exemptions granted thereunder, in which case the provisions of such previous legislation shall remain in effect until all such exemptions granted thereunder have expired.

**Section 16.** That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

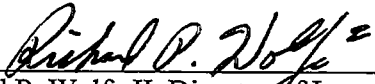
Passed: May 18, 2010

  
Stephen Z. Stewart, President of Council

Approved:   
Glen P. Stewart, Mayor

Attest:   
Valarie Bishoff, Clerk of Council

Approved as to form and correctness:

  
Richard P. Wolfe II, Director of Law

Date: May 19, 2010