

Community Development Committee
Mark Baker – Chairperson

ORDINANCE NO. 19-134
INTRODUCED BY COUNCIL

AN ORDINANCE AMENDING ORDINANCE 02-175, MAKING FINDINGS AND DETERMINATIONS AS PERMITTED IN SECTIONS 3735.65 TO 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF “COMMUNITY REINVESTMENT AREAS” AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM.

WHEREAS, this Council by ordinance No. 02-175 passed December 10, 2002, rescinded ordinance #02-102 and made findings and determinations as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code, established and described the boundaries of the Brighton Community Reinvestment Area and designated a Housing Officer to administer the program; and

WHEREAS, the Council reserved the right to re-evaluate such Community Reinvestment Areas after December 31, 2003; and

WHEREAS, the Community Reinvestment Area Program is designed to assist in encouraging housing maintenance, new housing construction and economic and community development in areas that have not enjoyed reinvestment by remodeling or new construction; and

WHEREAS, the 2019 Housing Needs Assessment completed by Bowen National Research for the City of Zanesville specifically recommends Preservation and Renovation of Existing Housing, Encourage the Redevelopment of Vacant and Unused Structures and Encourage Development of Vacant Parcels, and Consider Implementing/Modifying Policies to Encourage and Support the Development of New Residential Units, and therefore an amendment to 02-175 is deemed beneficial to the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: That Ordinance No. 02-175 (as shown on Exhibit A) shall be amended to read as follows:

Ordinance No. 02-175

AN ORDINANCE TO RESCIND ORDINANCE #02-102 MAKING FINDINGS AND DETERMINATIONS AS PERMITTED IN SECTIONS 3735.65 TO 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF “COMMUNITY REINVESTMENT AREAS” AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM.

Ordinance No. 19-134

WHEREAS, the Council of the City of Zanesville, Ohio desires to pursue all reasonable and legitimate incentive measures to assist in encouraging housing maintenance and economic and community development in areas that have not enjoyed reinvestment by remodeling or new construction; and

WHEREAS, a survey of housing as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area; and

WHEREAS, areas were found that contain housing facilities, or structures of historical significance, and wherein new housing construction and repair of existing facilities or structures are discouraged; and

WHEREAS, the maintenance and construction of 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 and 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 COUNCIL OF THE CITY OF ZANESVILLE, OHIO:

SECTION ONE: The area designated as the Brighton 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 TWO: That the boundaries of the Brighton Community Reinvestment Area are as follows:

(a). Brighton: Bounded on the west by Dryden Road meeting the west side of Pershing Road north to Belford Street east to the unnamed alley west of, adjacent to, and parallel to Dryden Road north to Chaps Run Creek, following the Creek to Parcel #80-82-36-03-07-000, 707 Dryden Road, which is the northern most property to extend from Chaps Run Creek to Dryden Road. Following the property line to the adjacent property north, the boundary continues along the rear property lines of parcels having frontage on the west side of Dryden Road to the intersection of Brighton Boulevard, including the Old Garfield Grade School area bordered by Brighton Boulevard north to Chaps Run Creek northeast to Clark Street southeast to Dryden Road; then southwest to include entire property at southeast corner of Dryden Road and Brighton Boulevard, turning west leading to an unnamed alley running south parallel to and east of Brighton Boulevard until it reaches Ohio Street; there Ohio Street is followed east to an unnamed alley parallel to and east of Homewood Avenue southward to Virginia Street; from this point the boundary line is followed south between the rear property lines of Homewood Avenue and Larzelere Avenue and intersects an unnamed that is north of parallel to Pershing Road to the east property line of Parcel #80-82-29-03-17-000, 1119 Pershing Road; then meeting and incorporating the Muskingum County Fair Grounds' boundary line eastward adjoining and including 1048 Pershing Road south again to the Muskingum County

Ordinance No. 19-134

Fairgrounds boundary, west, then south, then west, then north to Pershing Road, to meet with Dryden Road at the place of beginning.

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

SECTION FOUR: Within the 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 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 improvements as described in ORC Section 3735.67 shall be granted upon proper application by the property owner and certification thereof by the designated Housing Officer for the following periods. Residential applications must be filed with the Housing Officer no later than six months after construction completion.

- (a) (5) years, (term the same for all) for the remodeling of dwellings containing not more than two housing units and upon which cost of remodeling is at least \$2,500 as described in ORC 3735.67.
- (b) (7) years, (term the same for all) for the remodeling of dwellings containing more than two housing units and upon which cost of remodeling is at least \$5,000 as described in ORC 3735.67.
- (c) (10) years, (term the same for all) for residential new construction.
- (d) (6) years (negotiated – up to 12 years) for existing commercial and industrial facilities shall be negotiated on a case-by-case basis in advance of at least \$5,000 of construction or remodeling occurring.
- (e) (8) years (negotiated – up to 15 years) for new commercial or industrial facilities shall be negotiated on a case-by-case basis in advance of construction occurring.

If remodeling qualifies for an exemption, during the period of exemption, the exempted percentage for 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 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 FIVE: All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C).

SECTION SIX: To administer and implement the provisions of this Ordinance, the City of Zanesville Community Development Department is designated as the Housing Officer as described in Section 3735.65 through 3735.70.

SECTION SEVEN:

- (a) That a “Community Reinvestment Area Housing Council” shall be created, consisting of two members appointed by the Mayor, two members appointed by the Council and one

Ordinance No. 19-134

member appointed by the Planning Commission. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

(b) A Tax Incentive Review Council has been established pursuant to ORC Section 5709.85 and consists of three representatives appointed by the Board of County Commissioners, two representatives from the municipal corporation, appointed by the Municipal CEO 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 Zanesville. The Tax Incentive Review Council shall review annually the compliance of all agreement involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

SECTION EIGHT: The City Council reserves the right to re-evaluate the designation of the Community Reinvestment Area every two years beginning no later than December 31, 2021, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

SECTION NINE: The review council shall also hear appeals under 3735.70, of the ORC.

SECTION TEN: 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 Section 121.22 of the ORC.

SECTION ELEVEN: This Ordinance rescinds Ordinance #02-102.

SECTION TWELVE: This ordinance shall take effect and be in force from and after the earliest period allowed by law and upon confirmation by the Community Development Department of the findings in this Ordinance.

SECTION TWO: This Council finds and determines that all formal actions of this Council concerning and relating to passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were taken in meetings open to the public in accordance with the law.

SECTION THREE: This Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: _____, 2019

Ordinance No. 19-134

ATTEST:

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2019

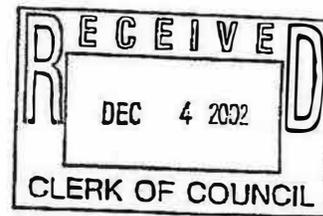
THIS LEGISLATION APPROVED

AS TO FORM

Jeff Tilton, Mayor



Law Director's Office



ORDINANCE NO. 02-175

**AN ORDINANCE TO RESCIND ORDINANCE #02-102
MAKING FINDINGS AND DETERMINATIONS AS PERMITTED IN SECTIONS
3735.65 TO 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND
DESCRIBING THE BOUNDARIES OF "COMMUNITY REINVESTMENT AREAS"
AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM.**

WHEREAS, the Council of the City of Zanesville, Ohio desires to pursue all reasonable and legitimate incentive measures to assist in encouraging housing maintenance and economic and community development in areas that have not enjoyed reinvestment by remodeling or new construction; and

WHEREAS, a survey of housing as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area; and

WHEREAS, areas were found that contain housing facilities, or structures of historical significance, and wherein new housing construction and repair of existing facilities or structures are discouraged; and

WHEREAS, the maintenance and construction of 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 and 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 COUNCIL OF THE CITY OF ZANESVILLE, OHIO:

SECTION ONE: The area designated as the Brighton 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 TWO: That the boundaries of the Brighton Community Reinvestment Area are as follows:

- (a). Brighton: Bounded on the west by Dryden Road meeting the west side of Pershing Road north to Belford Street east to the unnamed alley west of, adjacent to, and parallel to Dryden Road north to Chaps Run Creek, following the Creek to Parcel #80-82-36-03-07-000, 707 Dryden Road, which is the northern most property to extend from Chaps Run Creek to Dryden Road. Following this property line to the adjacent property north, the boundary continues along the rear property lines of parcels having frontage on the west side of Dryden Road to the intersection of Brighton Boulevard, including the Old Garfield Grade School area bordered by Brighton Boulevard north to Chaps Run Creek northeast to Clark Street southeast to Dryden Road; then southwest to include entire property at southeast corner of Dryden Road and Brighton Boulevard, turning west leading to an unnamed alley running south parallel to and east of Brighton Blvd. until it reaches Ohio Street; there Ohio Street is followed east to an unnamed alley parallel to and east of Homewood Avenue southward to Virginia Street; from this point the boundary line is followed south between the rear property lines of Homewood Avenue and Larzelere Avenue and intersects an unnamed alley that is north of and parallel to Pershing Road to the east property line of Parcel # 80-82-29-03-17-000, 1119 Pershing Road; then meeting and incorporating the Muskingum County Fair Grounds' boundary line eastward adjoining and including 1048 Pershing Road south again to the Muskingum County Fairgrounds boundary, west, then south, then west, then north to Pershing Road, to meet with Dryden Road at the place of beginning.

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

SECTION FOUR: Within the 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 outline 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 improvements as described in ORC Section 3735.67 shall be granted upon proper application by the property owner and certification thereof by the designated Housing Office for the following periods. Residential applications must be filed with the Housing Officer no later than six months after construction completion. The percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to residential properties shall be 100% of the assessment.

- (a) (5) years, (term the same for all) for the remodeling of dwellings containing not more than two housing units and upon which cost of remodeling is at least \$2,500, as described in ORC Section 3735.67.
- (b) (6) years (negotiated – up to 12 years) for existing commercial and industrial facilities shall be negotiated on a case-by-case basis in advance of at least \$5,000 of construction or remodeling occurring.
- (c) (8) years (negotiated – up to 15 years) for new commercial or industrial facilities shall be negotiated on a case-by-case basis in advance of construction occurring.

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 FIVE: All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C).

SECTION SIX: To administer and implement the provisions of this Ordinance, the City of Zanesville Community Development Department is designated as the Housing Officer as described in Section 3735.65 through 3735.70.

SECTION SEVEN:

- (a) That a "Community Reinvestment Area Housing Council" shall be created, consisting of two members appointed by the Mayor, two members appointed by the Council and one member appointed by the Planning Commission. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.
- (b) A Tax Incentive Review Council has been established pursuant to ORC Section 5709.85 and consists of three representatives appointed by the Board of County Commissioners, two representatives of the municipal corporation, appointed by the Municipal CEO 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 Zanesville. 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 Section 3735.671, of the ORC and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.