



ORDINANCE 2022-09

OF THE VILLAGE OF ASHVILLE



AN ORDINANCE IMPLEMENTING SECTION 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF ASHVILLE, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL, A TAX INCENTIVE REVIEW COUNCIL, AND DECLARING AN EMERGENCY.

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

WHEREAS, a survey of housing, a copy of which is on file in the office of the Village 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, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the Mayor and Council desire to pursue all reasonable and legitimate incentive measures to assist and encourage development; 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 VILLAGE OF ASHVILLE, PICKAWAY COUNTY, OHIO, THAT:

SECTION I

The area designated as the Ashville 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 II

Pursuant to ORC Section 3735.66, the Ashville Community Reinvestment Area is hereby established and shall consist of all parcels of land located within the Ashville municipal corporation limits, as depicted in the outlined area on the map attached hereto as "Exhibit A" and incorporated herein by reference. Wherein only residential, commercial and/or industrial properties consistent with applicable zoning regulations within the Village of Ashville Community Reinvestment Area will be eligible for exemptions hereunder.

Prepared: 03/18/2022
Revised Date: 05/18/2022
Review Date:

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 24th day of May 2022, and that I am duly authorized to execute this certificate.

(Original signature of April D. Grube)

Clerk-Fiscal Officer
(TITLE)



SECTION III

All properties identified in “Exhibit A” as being within the designated Community Reinvestment Area are eligible for this incentive, so long as such properties are classified as to use as commercial, industrial, residential, or some combination thereof, and otherwise satisfying the requirements of ORC Section 3735.67. The classification of the structures or remodeling eligible for exemption in the area shall at all times be consistent with zoning restrictions applicable to the area. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the Village of Ashville intends to undertake supporting public improvements in the designated area.

SECTION IV

Within the Ashville 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

- a. For residential structures containing not more than two (2) housing units, demolition and new construction activity must occur and, upon which the cost of the improvements is at least \$2,500, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to fifty percent (50%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years. The provision of Section IV a. would not take effect without mutual written agreement between the Board of Education of the Teays Valley Local School District and the Village of Ashville.
Under R.C. 3735.66, multi-family residential dwelling units shall be treated hereunder as residential dwelling units containing more than two (2) housing units and not commercial property, and therefore shall not be subject to any abatement hereunder without mutual written agreement between the Board of Education of the Teays Valley Local School District and the Village of Ashville.
- b. For the demolition and/or new construction of every residential dwelling unit or accessory structure containing more than two (2) housing units located on the same lot as the primary housing units and upon which the cost of the demolition and/or new construction is at least \$5,000, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to fifty percent (50%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years. The provision of Section IV b. would not take effect without mutual written agreement between the Board of Education of the Teays Valley Local School District and the Village of Ashville.
Under R.C. 3735.66, multi-family residential dwelling units shall be treated hereunder as residential dwelling units containing more than two (2) housing units and not commercial property, and therefore shall not be subject to any abatement hereunder without mutual written agreement between the Board of Education of the Teays Valley Local School District and the Village of Ashville.
- c. For the remodeling of existing commercial facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by--case basis in advance of the commencement of the remodeling, with the maximum term of such exemption being a period of twelve (12) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements.

- d. For the remodeling of existing industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by- case basis in advance of the commencement of the remodeling, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements.
- e. For the construction of new commercial or industrial facilities, the term and percentage of the tax exemption shall be negotiated on a case-by-case basis in advance of the commencement of the construction, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such new construction.

Only 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.

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 V

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 VI

To administer and implement the provisions of this Ordinance, the Village Administrator is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

SECTION VII

That a “Community Reinvestment Area Housing Council” shall be created, consisting of two members appointed by the Mayor of Ashville, two members appointed by the Council of the Village of Ashville and one member appointed by the Planning Commission of Ashville. 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. The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Council shall also hear appeals under Section 3735.70 of the ORC.

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 Ashville, appointed by the Mayor 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 Village of Ashville. 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.

SECTION VIII

The Council reserves the right to re-evaluate the designation of the Ashville Community Reinvestment Area after December 31,2023, 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 IX

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

SECTION X

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 Section 121.22 of the ORC.

SECTION XI

That this ordinance shall take effect and be enforce from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Department of Development of the findings in this Ordinance.

SECTION XII

The Mayor of the Village of Ashville is hereby directed and authorized to petition the Director of the Ohio Department of Development to confirm the findings contained within this Ordinance

SECTION XIII

That this ordinance is hereby declared to be an emergency measure for the immediate preservation of public peace, health, safety, and welfare for the reason that this legislation will promote rehabilitation of existing properties and will encourage new development within the Community Reinvestment Area, and provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor and upon confirmation by the Director of the Ohio Department of Development; otherwise it shall take effect and be in force at the earliest time allowed by law.

Offered by: Nelson R. Embrey
Seconded to the Motion Offered by: Roger L. Clark

Upon roll call on the adoption of the ordinance, the vote was as follow:

Council Member Yes No Council Member Yes No Council Member Yes No Council Member Yes No Council Member Yes No Council Member Yes No
Roger L. Clark Nelson R. Embrey Randy S. Loveless R. David Rainey Matt Scholl Steve Welsh

PASSED THIS 24TH DAY OF MAY, 2022
ATTEST:

April D. Grube, Clerk-Fiscal Officer

DATE: 5/25/2022

APPROVED:

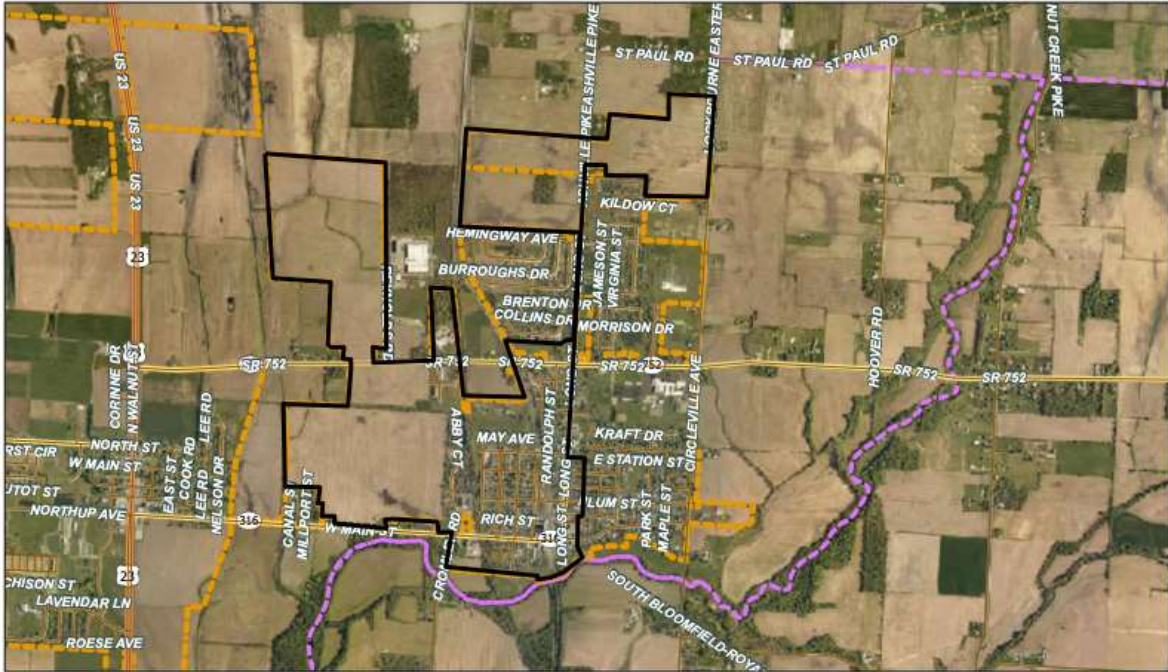
Charles K. Wise, Mayor

DATE: 25 May 2022

EXHIBIT A

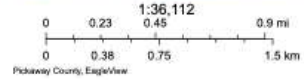
MAP OF ASHVILLE COMMUNITY REINVESTMENT AREA
AREA DEPICTED IN BLACK OUTLINE

Ashville CRA



4/3/2022, 5:34:18 PM

— Road Labels



Auditor's Office
Pickaway County, EagleView | Esri, NASA, NOAA, USGS |