

ORDINANCE NO. OR 2017-6-62

AN ORDINANCE EXPANDING, MODIFYING, AND RESTATING THE TERMS AND TAX EXEMPTIONS OF THE MAIN-HIGH CORRIDOR COMMUNITY REINVESTMENT AREA.

WHEREAS, pursuant to Ohio Revised Code ("ORC") Sections 3735.65 et seq., this Council, on July 13, 2016, passed its Ordinance No. OR2016-7-63 (the "Original CRA Ordinance"), in which it found that the remodeling of existing structures and construction of new structures in areas located within the City, as described and depicted in the Original CRA Ordinance and known as the Main-High Corridor Community Reinvestment Area (the "CRA") would serve to encourage economic stability, maintain real property values, and generate new employment opportunities within the Main-High Corridor and the City as a whole; and

WHEREAS, the Original CRA Ordinance provides, among other exemptions, a fifteen (15) years, one hundred percent (100%) tax exemption for the new construction of dwellings containing not more than two housing units; and

WHEREAS, this Council desires to modify and restate the terms of the CRA and expand the fifteen (15) years, one hundred percent (100%) tax exemption to the new construction of dwellings containing any number of housing units; and

WHEREAS, this Council desires to expand the boundaries of the CRA to include additional properties, including Hamilton's three National Historic Register historic districts and the properties included in Hamilton's "River Master Plan."

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: For the purposes of fulfilling the requirements set forth under ORC Sections 3735.65 to 3735.70, this Council adopts the findings of the Housing Survey on file with the Clerk of Council and reestablishes the CRA. The findings of the Housing Survey are hereby incorporated into this ordinance.

SECTION II: That the operative sections of the Original CRA Ordinance is hereby amended and restated in its entirety to read as set forth in Exhibit No. 1 attached hereto, incorporated herein, with added language denoted by bold underlining and deleted language denoted by bold strike-through.

SECTION III: The boundaries of the CRA are hereby amended to expand the CRA to include all areas depicted in Exhibit No.2 attached hereto. This Council hereby finds that the area included within the CRA as set forth in Exhibit No. 2 attached hereto is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged.

SECTION IV: The City's Economic Development Director and other appropriate officers of the City are hereby authorized to publish or deliver all required notices, submit all required petitions, and take all other actions necessary to implement this ordinance. All previous actions taken by such officers are hereby ratified.

SECTION V: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

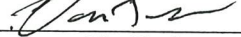
SECTION VI: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

012023-6-62

Ordinance No. _____ (cont'd)

PASSED: June 28, 2023


Effective Date: ~~November~~ July 28, 2023

ATTEST: 
City Clerk


Mayor

CERTIFICATE

I, Daniel Tidyman, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Ordinance No. 012023-6-62 was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: June 28, 2023.


Daniel Tidyman, City Clerk
CITY OF HAMILTON, OHIO

07023-6-62

Ordinance No. _____ (cont'd)

Exhibit No. 1

SECTION I. This Council hereby adopts the findings of the Housing Survey, including the finding that area designated as the proposed CRA 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 CRA is hereby established in the Main-High Corridor, as further depicted on Exhibit No. 2 attached hereto and incorporated herein by this reference. Only residential, commercial or industrial properties as defined herein and that are otherwise consistent with the applicable zoning regulations within the CRA will be eligible for exemptions under this program.

SECTION III. All properties identified in Exhibit No. 2 as being within the CRA are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the CRA. The City intends to undertake supporting public improvements in the CRA.

SECTION IV. Within the CRA, the percentage of the tax exemption on the increase in the assessed valuation resulting from new construction and remodeling 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, subject to the maximum percentages and periods set forth below. The results of the negotiation as approved by 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 percentages and periods:

- (a) Ten (10) years, for the remodeling of every residential dwelling containing not more than two housing units and upon which the cost of remodeling is at least \$2,500, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the ten (10) years.
- (b) Twelve (12) years, for the remodeling of every residential dwelling containing more than two housing units and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the twelve (12) years.
- (c) Fifteen (15) years for the new construction of dwellings, as described in ORC Section 3735.67, with such exemption being one hundred percent (100%) for each of the fifteen (15) years.
- (d) Up to, and including twelve (12) years, and up to, and including one hundred percent (100%) for the remodeling of existing commercial and 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 which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- (e) Up to, and including fifteen (15) years, and up to, and including one hundred percent (100%) for the construction of new commercial and industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.
- (f) The period of exemption for a dwelling described under the foregoing subparagraphs (a)-(b) shall be extended by an additional ten (10) years if the dwelling is a structure is of historical or architectural significance, is a certified historic structure that has been subject to federal tax treatment under 26 U.S.C. 47 and 170(h), and units within the structure have been leased to individual tenants for five consecutive years, all as described in Ohio Revised Code Section 3735.67(D)(3).

For the purposes of the CRA, new construction or remodeling of a multi-unit residential facility shall be treated as residential property (dwellings).

The Housing Officer may require a pre-application for any exemption to ensure compatibility with neighborhood plans, to insure the maintenance of existing streetscape lines, style, scale setbacks and landscaping features compatible with nearby properties and to coordinate the tax exemptions with other tax exemptions that apply to the property. The tax exemptions granted pursuant to this resolution are subject and subordinate to tax exemptions granted pursuant to ORC Sections 725.02, 5709.40 or 5709.41 unless a different priority is designated by the Housing Officer in that officer's approval of a pre-application or final application for a tax exemption under this ordinance. Nothing in this Section shall be construed to require the City to approve a pre-application for any property or enter into an abatement agreement and grant the tax exemption provided hereunder.

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 or the purpose of real property taxation.

SECTION V. All commercial and industrial projects are required to comply with the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement, currently a minimum of \$500 up to a maximum of \$2,5000 annually unless waived.

SECTION VI. To administer and implement the provisions of this ordinance, the Economic Development Director is designated as the Housing Officer as described in ORC Sections 3735.65 through 3735.70.

SECTION VII. The "Community Reinvestment Area Housing Council" (the "Housing Council") shall be created, consisting of two members appointed by the Mayor, two members appointed by this Council and one member appointed by the Planning Commission. The majority of the members shall then appoint two additional members who shall be residents of the City. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made. The 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 Housing Council shall also hear appeals under ORC Section 3735.70. The Housing Council shall make an annual inspection of the properties within the CRA for which an exemption has been granted under ORC Section 3735.67. The Housing Council shall also hear appeals under ORC Section 3735.70.

SECTION VIII. This Council reserves the right to re-evaluate the designation of the CRA, at which time this Council may direct the Housing Officer not to accept any new applications for exemptions, but the Housing Officer shall continue to accept final applications for projects that have received pre-approval from the Housing Officer or for which the City and the owner of the property have entered into an agreement.

SECTION IX. The City's Economic Development Director is hereby directed and authorized to deliver a copy of this Ordinance and a map of the Main-High CRA to the Director of the Ohio Department of Development. The Housing Officer shall not grant any exemptions from taxation under this Ordinance until the Director assigns a unique designation to the Main-High CRA.

Ordinance No. 017023-G-62 (cont'd)

Exhibit No. 2
Amended Main- High Community Reinvestment Area

02023-6-62

Ordinance No.

(cont'd)

