



Legislation Details (With Text)

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On agenda: 7/25/2022 **Final action:** 7/27/2022

Title: To amend the AC Humko Community Reinvestment Area to align with the recent changes contained in Chapter 4565 of the Columbus City Codes; and to amend the geographic boundaries of AC Humko Community Reinvestment Area.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A AC Humko Blight Study, 2. Exhibit B AC Humko CRA map, 3. Exhibit C AC Humko 2022 parcels, 4. AMENDED Exhibit A AC Humko Blight Study v2, 5. AMENDED Exhibit C AC Humko 2022 parcels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 7/27/2022 | 2 | CITY CLERK | Attest | |
| 7/26/2022 | 2 | ACTING MAYOR | Signed | |
| 7/25/2022 | 2 | COUNCIL PRESIDENT | Signed | |
| 7/25/2022 | 1 | Columbus City Council | Taken from the Table | Pass |
| 7/25/2022 | 1 | Columbus City Council | Approved as Amended | Pass |
| 7/25/2022 | 1 | Columbus City Council | Amended as submitted to the Clerk | Pass |
| 7/11/2022 | 1 | Columbus City Council | Tabled Indefinitely | Pass |
| 6/27/2022 | 1 | Columbus City Council | Read for the First Time | |

In 2018, the City adopted a new residential Community Reinvestment Area policy based on the 2016 study from HR&A that evaluated the effectiveness of real property tax abatements. Chapter 4565 of the City Code was established by Ordinance 2184-2018 that outlines the eligibility requirements to apply for, and receive, a tax abatement on property used for residential purposes. This ordinance will modify the AC Humko Community Reinvestment Area by adjusting its boundaries; modifying the percentage and term of abatements to correspond with certain housing designations; include a provision to address lot combinations; and modifying the start date for certain area designations. These changes also align with the updates approved by Council to Chapter 4565 of the Columbus City Codes.

To amend the AC Humko Community Reinvestment Area to align with the recent changes contained in Chapter 4565 of the Columbus City Codes; and to amend the geographic boundaries of AC Humko Community Reinvestment Area.

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

WHEREAS, Resolution No. 1698-78, approved August 3, 1978, authorized the Department of Development to carry out a Community Reinvestment Program, pursuant to Sections 3735.65 to 3735.70 of the Ohio Revised Code, and

approved certain administrative procedures for the program; and

WHEREAS, Ordinance 1841-2005 created the AC Humko Community Reinvestment Area and authorized real property tax exemptions within it, as provided per Ohio Revised Code; and

WHEREAS, the City of Columbus has established a goal of fostering private sector investment to build mixed income neighborhoods dispersed throughout the City; and

WHEREAS, in 2018 City developed an incentive policy to encourage development of affordable housing through targeted economic development incentives, including real property tax abatements, throughout the City; and

WHEREAS, the policy adopted in 2018 outlined the requirement to review the categorization of existing CRAs and the policy requirements every three (3) years; and

WHEREAS, 2021 represents the first tri-annual review and policy updates; and

WHEREAS, based on the review, the Director is requesting to amend the AC Humko CRA as provided herein, **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Council finds and determines that the area within the AC Humko CRA 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. Council also finds and determines that amending the AC Humko CRA is in the City's best interest and will incentivize the construction or remodeling of affordable housing within this area designation. Additions of new language to prior legislation are underlined, and deletions are marked as stricken.

Section 2. Section 2 of Ordinance 1841-2005, as amended by Ordinance 3098-2015, and Ordinance 2185-2018, is hereby repealed in its entirety and replaced as follows:

Pursuant to ORC Section 3735.66 the AC Humko Community Reinvestment Area is hereby amended to include the following area, as depicted in the Map attached hereto as Exhibit 3:

Residential real estate situated in the City of Columbus, Ohio, bounded by the Olentangy River to the west, W. 5th Avenue to the north, Neil Avenue to the east, and I-670 and I-670 Exit 2B to SR 315 North ramp to the south.

In the event that an owner of a parcel within the Community Reinvestment Area combines the parcel within the Community Reinvestment Area with adjoining parcel(s) outside the Community Reinvestment Area, the resultant combined parcel shall be deemed to be within the Community Reinvestment Area only if (1) the parcel that was within the Community Reinvestment Area prior to the parcel combination constitutes at least fifty percent of the total parcel area of the combined parcel; (2) the parcels were combined into the parcel number listed in Exhibit C to be included in the Community Reinvestment Area; and (3) the parcel(s) that were combined with the parcel inside of the Community Reinvestment Area are all contiguous with and adjacent to the parcel within the Community Reinvestment Area.

Only properties that are residentially zoned pursuant to Columbus City Codes, or are located on a parcel for which a variance permitting residential use has been granted, are eligible for exemptions under this program. For purposes of ORC Sections 3735.65 to 3735.70, rental housing, including without limitation rental housing located in a structure containing multiple residential housing units, is classified as residential.

The updated housing survey for the area described hereinabove is attached to this Ordinance and marked as Exhibit A. The parcels within the Community Reinvestment Area are listed in Exhibit B. The area of the AC Humko is approximately depicted on the map attached to this Ordinance, marked as Exhibit C. Each of these Exhibits by their

reference are incorporated herein.

Section 3. That Section 3 of Ordinance 1841-2005, as amended by Ordinance 1913-2008, Ordinance 3098-2015, and Ordinance 2185-2018, is hereby amended to read as follows:

A tax exemption on the increase in the assessed valuation resulting from improvements as described herein shall be granted upon proper application by the property owner, filed with the Housing Officer no later than two years after construction completion, and certification thereof by the designated Housing Officer for the following periods:

- (a) For a Development Project involving the remodeling of a dwelling structure (i) containing not more than two (2) family units, upon which the cost of remodeling is at least two thousand five hundred dollars (\$2500) or twenty percent (20%) of the assessed value of the structure, whichever is more; or (ii) containing not more than three (3) family units, upon which the cost of remodeling is at least five thousand dollars (\$5000) or twenty percent (20%) of the assessed value of the structure, whichever is more:

- One hundred percent (100%) for fifteen (15) years for Affordable Housing Units (as defined in Columbus City Code (“CCC”) Section 4565.02) in areas designated Ready for Opportunity Areas, Ready for Revitalization Areas and Market Ready Areas, subject to and contingent upon the owner of the structure and the City entering into a written agreement as described in CCC Section 4565.07, or 4565.08, prior to the commencement of construction or within an extended time-frame thereafter subject to the approval of the Development Director. The abatement is revocable upon the first owner transferring title to the structure to a third party following the first owner’s initial occupancy.

- One hundred percent (100%) for fifteen (15) years in areas designated Ready for Opportunity.

- (b) For a Development Project involving the construction of a new dwelling structure containing not more than three (3) family units:

- One hundred percent (100%) for fifteen years for Affordable Housing Units (as defined in CCC Section 4565.02(A)) in areas designated Ready for Opportunity Areas and Ready for Revitalization Areas Revitalization and Market Ready Areas, subject to and contingent upon the owner of the structure and the City entering into a written agreement as described in CCC Section 4565.07, or 4565.08, prior to the commencement of construction or within an extended time-frame thereafter subject to the approval of the Development Director. The abatement is revocable upon the first owner transferring title to the dwelling structure to a third party following the first owner’s initial occupancy.

- One hundred percent (100%) for fifteen (15) years for Affordable Housing Units (as defined in Section 4565.02(A)) in areas designated Market Ready Areas Ready for Opportunity revocable upon transfer of title to the dwelling by the owner.

- (c) For a Development Project involving the remodeling of a dwelling structure or construction of a new dwelling structure containing four (4) or more family units:

- One hundred percent (100%) for fifteen (15) years in areas designated Ready for Opportunity Areas.

- One hundred percent (100%) for fifteen (15) years in areas designated Ready for Opportunity Areas, Ready for Revitalization Areas and Market Ready Areas, subject to and contingent upon the owner of the dwelling structure and the City entering into a written agreement as described in CCC Section 4565.07, ~~or~~ 4565.08, or 4565.09, prior to the commencement of construction or within an extended time-frame thereafter subject to the approval of the Development Director.

Designation of the AC Humko Community Reinvestment Area as a Ready for Opportunity Area, a Ready for Revitalization Area, or a Market Ready Area shall be made by the Development Director pursuant to CCC Section

4565.03.

The tax exemptions provided for herein shall further be governed by the terms and conditions contained in Chapter 4565 of the Columbus City Codes, including any amendments thereto, as well as the requirements contained in Sections 3735.65 to 3735.70 of the Ohio Revised Code, including the minimum investment requirements set forth herein.

To receive an abatement as provided herein, the applicant for the Development Project must provide documentation that it has received a Certificate of Appropriateness, or other similar approval from the City, ensuring the residential project meets the City subdivision standards for the type of residential project being constructed or remodeled.

The tax exemption provided hereunder is senior to any tax exemption provided pursuant to ORC Sections 5709.40 or 5709.41.

Section 4. That transition to the amendments to Section 3 of Ordinance 1841-2005, as amended by Ordinance 1913-2008, Ordinance 3098-2015, Ordinance 2185-2018 and Ordinance 2781-2018, as provided in Section 2 of this Ordinance, shall occur on the following schedule:

The Provisions of Section 3.a. of Ordinance 1841-2005, as amended by Ordinance 1913-2008, ~~and~~ Ordinance 3098-2015, Ordinance 2185-2018 and Ordinance 2781-2018, as that section they existed prior to the effective date of this Ordinance, shall apply to all projects that have an executed agreement or memorandum approved by City Council prior to the effective date of this ordinance, or that adhere to the following timeline:

- A. Obtains all necessary building permits on or before August 31, 2023; or has closed on all project construction financing and obtained at least 50% of the project's building permits by August 31, 2023.
~~All applicable approvals from the following list have been obtained on or before September 30, 2018;~~
 - ~~- Historic, architectural, or design review body approvals for all project elements and;~~
 - ~~- Any required approvals from City Council of the Board of Zoning Adjustment.~~
- B. ~~Have final site compliance submitted and reviewed, and foundation permit approval on or before December 31, 2018. No extension will be given for an expiring foundation permit.~~
- C. ~~Obtains a final Certificate of Occupancy on or before December 31, 2020, or within a reasonable period of time thereafter as determined by the Development Director.~~

Section 5. All other provisions of Ordinance 1841-2005, as amended by Ordinance 1913-2008, Ordinance 3098-2015, Ordinance 2185-2018, and Ordinance 2781-2018 regarding the AC Humko Community Reinvestment Area remain effective as adopted prior to this ordinance.

Section 6. That a Community Reinvestment Area Housing Council shall be created, consisting of two members appointed by the Mayor of the City of Columbus, two members appointed by the Council of the City of Columbus and one member appointed by the Planning Commission of Columbus. The majority of those members shall then appoint an additional member who resides within the CRA. 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 for the remainder of the term of the vacated seat. Pursuant to R.C. 3735.66, Council designates the City's Development Director as the Housing Officer as defined in R.C. 3735.65(A).

Section 7. 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 R.C. Section 3735.66. This Council shall also hear appeals under R.C. 3735.70.

Section 8. Upon passage, the Clerk of Council is directed to forward a copy of this Ordinance to the Franklin County Auditor for information and reference. The Clerk of this Council is further directed to cause publication of this Ordinance in a newspaper of general circulation in the City once a week for two consecutive weeks immediately following its

passage, as required by Section 3735.66 of the Ohio Revised Code.

Section 9. Not later than sixty days after passage of this Ordinance, the Director shall petition the State Director of Development Services to confirm the findings described in this Ordinance. The petition shall include all documents and information required by R.C. 3735.66

Section 10. This Council further authorizes and directs the Mayor, the Clerk of Council, the Director of Development and/or other appropriate officers of the City, to prepare and sign all agreements and documents and to take any other actions as may be appropriate or necessary to implement this Ordinance.

Section 11. That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.