



Legislation Text

File #: 3168-2019, **Version:** 1

BACKGROUND: City Council created the Old Dublin Road TIF by its adoption of Ordinance No. 1237-2015 on June 9, 2015. In order to address existing traffic issues in and around the TIF area, and to fund additional public infrastructure improvements in and around the TIF area, The Department of Development is proposing to expand the existing TIF area pursuant to Section 5709.40(B) of the Ohio Revised Code. This ordinance expands that TIF and provides for a 100% exemption from real property taxation on all nonresidential development on the additional TIF parcels for a period of not more than thirty (30) years. The TIF money will be used to finance a sanitary sewer lines, traffic improvements, and other infrastructure improvements needed in the area. The Hilliard City School District, the Columbus City School District, South Western City School District and the Tolles Career & Technical School District (collectively the “School Districts”) will receive, in the same manner as usual, all amounts that they would have received in real property taxes had the tax exemption not been granted. Annual service payments in lieu of taxes will be made with respect to new private nonresidential development on the TIF parcel. The applicable portion of those service payments will be distributed directly to the School Districts, with the remaining non-school portion of those service payments paid to the City for deposit into the TIF fund established in the Ordinance to be used to fund public improvements benefiting the TIF parcels.

Emergency is required in order to facilitate the development of the Parcels by providing funds for current and future infrastructure improvements within and surrounding the Parcels without delay.

FISCAL IMPACT: No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received with respect to development on the TIF parcels. Instead, the non-school portion of that revenue will be diverted to the TIF fund to be used for public infrastructure improvements benefiting the TIF parcels.

To amend Ordinance 1237-2017 to add additional parcels of real property to the Old Dublin Road TIF; and to declare an emergency.

WHEREAS, Sections 5709.40(B), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “TIF Statutes”) authorize the legislative authority of a municipal corporation, by ordinance, to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, by Ordinance No. 1237-2015 adopted on June 9, 2015, this Council created the Old Dublin Road TIF (the “Existing TIF Ordinance”); and

WHEREAS, in order to provide funds for the construction of infrastructure improvements needed to address existing traffic concerns within and around the existing Old Dublin Road TIF area, and to provide for the continued orderly development in that area, this Council desires to expand the Old Dublin Road TIF area to include certain parcels of real property located in the City by amending existing Exhibit A to the Existing TIF Ordinance to add the parcels of real property identified and depicted in Exhibit A attached hereto (with each current or future parcel(s) of such real property referred to herein individually as the “Additional Parcels”, each of which shall be treated as a “Parcel” for purposes of the Existing TIF Ordinance); and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the Hilliard City School

District the Columbus City School District, South Western City School District and the Tolles Career & Technical Center in accordance with and within the time periods prescribed in Sections 5709.40 and 5709.83 of the Ohio Revised Code; and

WHEREAS, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the development of the Parcels by providing funds for current and future infrastructure improvements within and surrounding the Parcels, such immediate action being necessary for the preservation of the public health, peace, property and safety; **NOW THEREFORE**,

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

SECTION 1. That the Parcels set forth in Exhibit A of the Existing TIF Ordinance are hereby supplemented to include the parcels set forth in Exhibit A hereto (the “Additional Parcels”). Those Additional Parcels shall be considered “Parcels” for all purposes of the Existing TIF Ordinance, as amended hereby; provided, however, that the exemption period for the Improvement to those Additional Parcels commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement first appears on the tax list and duplicate of real and public utility property for any Additional Parcel and ends on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. The TIF Exemption granted pursuant to this Section 1 and the payment obligations established pursuant to Section 2 of the Existing TIF Ordinance are subject and subordinate to any tax exemption applicable to the Additional Parcels pursuant to Section 140.08 or Sections 5709.12 and 5709.121 or under Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code.

SECTION 2. That, except as provided herein, all provisions of the Existing TIF Ordinance remain in full force and effect. This Council ratifies the delivery of the notice of this Ordinance to the School Districts and hereby authorizes and directs the Director, the City Clerk or other appropriate officers of the City to make such arrangements as are necessary and proper for collection from the Owners of the Service Payments. This Council further authorizes that the Director or other appropriate officers of the City are authorized to execute such other agreements and instruments and to take all actions necessary to implement this Ordinance.

SECTION 3. That pursuant to Section 5709.40(I) of the Ohio Revised Code, the Department of Development is hereby directed to deliver a copy of this Ordinance to the Director of Ohio Development Services Agency within fifteen (15) days after its effective date.

SECTION 4. That for the reasons stated in the Preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.