



## Legislation Text

**File #:** 0279-2021, **Version:** 1

**BACKGROUND:** This ordinance authorizes the Director of Development to petition the Director of the Ohio Development Services Agency for an amendment to the certification of a designated area within the City of Columbus (City) as an urban jobs and enterprise zone under state law. This designated area, known as the City of Columbus Enterprise Zone, Zone Number 023 (Zone), was authorized by City Council (Council) Ordinance Number 779-85 and certified by the Ohio Department of Development in June 1985 and amended by Council by Ordinance Numbers 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2249-92 and 2690-92 in 1992; 1079-94 and 1228-94 in 1994; 1274-95, 2196-95 and 2817-95 in 1995; 0533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; 0225-03 in 2003; 0032-2012 in 2012 and 1442-2020 in 2020. This Zone was most recently certified by the Ohio Development Services Agency on September 18, 2020. This ordinance will amend the Zone by adding approximately 1,349 acres as described in Attachments A-1 through A-3 (Amended Table of Census Areas (A-1), City of Columbus Enterprise Zone Expansion Map (A-2) and List of Parcels to be added to the City of Columbus Enterprise Zone (A-3)). This addition is that of land comprised of 122 individual parcels within the City of Columbus, contiguous with the current boundary of the City of Columbus Enterprise Zone but not currently within the boundary of the City of Columbus Enterprise Zone. The City will benefit from this addition to the Zone through the ability to use enterprise zone tax incentives in this area to elicit business growth, attract investment in industrial/commercial facilities, and encourage job creation and retention.

Approximately eighteen percent (18%) of the parcels to be added to the City of Columbus Enterprise Zone are within the Columbus City School District (CCSD), sixty-two percent (62%) are within the Hilliard City School District (HCSD) and the area served by Tolles Career & Technical Center (Tolles), and twenty percent (20%) are within the South-Western City School District (SWCSD). The CCSD, HCSD, Tolles and SWCSD have been advised of this proposal as required under State law.

This legislation is submitted as emergency in order to include land not included in the previous expansion of the Columbus Enterprise Zone without further delay.

**FISCAL IMPACT:** No funding is required for this legislation.

To authorize the Director of the Department of Development to petition the Director of the Ohio Development Services Agency for an amendment to the certification of the existing urban jobs and enterprise zone within the City of Columbus known as the Columbus Enterprise Zone; and to declare an emergency.

**WHEREAS**, the Ohio Urban Jobs and Enterprise Zone Act (the "Act"), Ohio Revised Code ("ORC") Sections 5709.61 through 5709.69, authorizes the City of Columbus (the "City") to designate areas as urban jobs and enterprise zones and to execute agreements with certain enterprises for the purposes of (1) creating and preserving employment opportunities within the zone, (2) improving the economic climate of the City, (3) establishing, expanding, renovating or occupying a facility and (4) hiring new employees or preserving employment opportunities for existing employees, in return for one or more specified local tax incentives granted by the City; and

**WHEREAS**, the Columbus City Council has determined and found, as included in the City Council Ordinance Number 0779-85, which has been modified by Ordinances 2722-85, 2080-89, 1949-92, 2249-92, 2690-02, 1079-94, 1228-94, 1274-95, 2196-95, 2817-95, 0533-99, 1785-00, 1464-02, 0225-03, 0032-2012 and 1442-2020 that the designation of a zone will create and preserve employment opportunities in the zone and improve the economic climate of the City and has designated a zone (the "Zone"); and

**WHEREAS**, the Zone was most recently certified by the Ohio Development Services Agency on September 18, 2020; and

**WHEREAS** the City is required by law to administer the Zone and agreements with the City in accordance with the Act, including but not limited to: (1) to continue to operate the Tax Incentive Review Council (TIRC) as specified in ORC Section 5709.85, (2) to ensure that the Zone abatement agreements contain the information required in ORC Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual payroll associated with these jobs and specific percentages and numbers of years of tax abatement being granted for real property tax incentives, (3) to forward copies of all Zone abatement agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen (15) days after the agreement is entered into as specified in the ORC, (4) to notify affected Board(s) of Education of proposed projects a minimum of fourteen (14) days prior to formal legislative consideration and to included comments by the Board(s) of Education as part of the review process as required under ORC Section 5709.83, (5) to maintain a centralized record of all aspects of the zone, including copies of the agreements, a list of the members of the TIRC, and a summary of the TIRC's review of each agreement, (6) to submit a comprehensive annual report of the status of all Zone activities on or before March 31 of each year pursuant to ORC 5709.68; and

**WHEREAS**, this amendment will change the Zone by adding to the Zone and, after the addition, the Zone will have a population of at least four thousand (4,000) people according to the best and most recent data available and shall have at least two of the characteristics described in Subsections 5709.61 (A) (1), (a), (b), (c), (d), (e), (f), (g), or (h), ORC; and

**WHEREAS**, the inclusion of this additional area will create and preserve employment opportunities in the Zone, will improve the economic climate of the City, will encourage the development of certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities, will require the hiring of new employees and will preserve employment opportunities for existing employees and thus is still eligible as a Zone under the Act; and

**WHEREAS**, the City will have the responsibility of negotiating and administering all Zone abatement agreements pursuant to ORC Section 5709.631; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to designate the amended Columbus Enterprise Zone in order to preserve the public health, peace, property, safety and welfare; now, therefore:

#### **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS**

**Section 1.** That this Council hereby finds and determines that: (a) the Columbus Enterprise Zone (Zone) qualifies as a Zone under the requirements of the Act as described in the Whereas clauses and (b) the areas described and shown as the proposed amended Zone in Attachment A attached hereto and incorporated herein by reference is located within the corporate limits of the City of Columbus.

**Section 2.** That this Council hereby finds and determines that (a) the City meets all of the requirements of the Act to allow it to designate a Zone; and (b) the proposed amended Zone meets all the requirements of the Act for designation of a Zone including, but not limited to, the following objectives: (i) create and preserve employment opportunities in the Zone, (ii) improve the economic climate of the City, (iii) establish, expand, renovate or occupy existing and new facilities, and (iv) result in the hiring of new employees and the preservation of employment opportunities for existing employees.

**Section 3.** That this Council hereby designates the Zone as amended and identified in Attachments A-1 through A-3

as an amended Zone of the City pursuant to and in accordance with the requirements of the Act; and that this amended Zone identified in Attachments A-1 through A-3 supersedes the boundary description of the Zone contained in City Council Ordinance No. 779-85, and modified by City Council Ordinance Nos. 2722-85, 2080-89, 1949-92, 2249-92, 2690-02, 1079-94, 1228-94, 1274-95, 2196-95, 2817-95, 0533-99, 1785-00, 1464-02, 0225-03, 0032-2012 and 1442-2020.

**Section 4.** That the Director of the Department of Development of the City is hereby authorized and directed, on behalf of the City, to petition the Director of the Ohio Development Services Agency, in accordance with the Act, for certification of the areas constituting the amended Zone as having the characteristics set forth in Section 5709.61 of the ORC.

**Section 5.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, the 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.