

**AMENDED ORDINANCE NO. 12 - 19**

**By: Steve Keyes**

**AN ORDINANCE TO AMEND SECTION 886.083 OF THE BEXLEY CODIFIED ORDINANCES,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the City of Bexley, Ohio (the "City") by its Ordinance No. 63-14 created the Southwest Bexley Community Reinvestment Area (the "CRA") pursuant to the Ohio Revised Code §§ 3735.65 – 3735.70 (the "CRA Act"); and

**WHEREAS**, effective November 23, 2015, the Director of the Ohio Development Services Agency determined that the CRA contains the characteristics set forth in Ohio Revised Code § 3735.66 and certified said area as a CRA under Ohio Revised Code § 3735.66; and

**WHEREAS**, the City has encouraged the development of real property and the acquisition of personal property to be located in the CRA; and

**WHEREAS**, Bexley Parks, LLC (the "Company") plans to remodel and environmentally remediate an existing, occupied apartment complex, and to continue to provide affordable housing options to its residents; and

**WHEREAS**, the City desires to provide enhanced incentives for affordable housing development within the boundaries of the CRA;

**WHEREAS**, the Property is located in the Bexley City School District (the "School District"); and

**WHEREAS**, the School District has been provided voluntary notice of the Council's intention to amend the CRA ; and

**WHEREAS**, it is imperative that this Ordinance go into effect immediately so that the Company can commence construction in order to meet its project completion deadline, which will enable it to promptly create construction job opportunities and permanent job opportunities for City residents;

**NOW THEREFORE BE IT ORDAINED** by the Council of the City of Bexley, County of Franklin, and State of Ohio:

## **Section 1.**

That Section 886.083 be amended as follows:

### **886.083 SOUTHWEST BEXLEY COMMUNITY REINVESTMENT AREA.**

- (a) Within the Southwest Bexley Community Reinvestment Area, ~~to be described in the ordinance establishing such Community Reinvestment Area,~~ new construction and/or remodeling of all structures, whether residential, commercial or industrial with a minimum investment which is the lesser of \$25,000, or 25% of the Franklin County Auditor's valuation of the land and improvements as of the date of the certificate of occupancy of the improvements, are eligible to apply for tax exemption. To apply for tax exemptions, properties must be consistent with the applicable zoning regulations. In instances where environmental conditions are known to exist that are not in compliance with the Ohio EPA Voluntary Action Plan (VAP) standards, properties must successfully apply for and obtain an Environmental Covenant Not to Sue through the VAP program within eighteen months of application for a tax exemption.
- (b) For commercial and industrial properties, exemptions shall be available for new construction and remodeling of existing structures, and shall be negotiated on a case-by-case basis in advance of construction, all in accordance with Section 3735.67 of the Ohio Revised Code and generally consistent with the Tax Incentive Program, Policy and Procedures Plan adopted by City Council. The percentage of exemption for commercial and industrial projects shall be negotiated on a case-by-case basis, subject to approval by City Council. The results of the negotiation of any exemption shall be set forth in writing in a Community Reinvestment Area agreement pursuant to and in accordance with Section 3735.671 of the Ohio Revised Code, each of which shall be approved by City Council.
- (c) All residential new construction and/or remodeling shall be eligible for tax exemptions for the increase in the assessed valuation resulting from the improvements as described in O.R.C. Section 3735.67 as under the schedule described below. "Affordable Housing" is defined as rental housing that is continuously rented at or below the 65% rent limit of the Columbus, Ohio Department of Housing and Urban Development Metro Fair Market Rent Area. For purposes of the Southwest Bexley Community Reinvestment Area, residential properties include stand-alone residential buildings, residential properties that are part of a multiple-unit residential building, common area or limited common area portions of multiple-unit residential buildings, residential properties that are part of a mixed-use building, and common area or limited common area portions of a mixed-use building that may be used only for the benefit of the residential properties within the mixed-use building.

Exemption Terms and Percentages for Southwest Bexley Community Reinvestment Area

<b>Project Type</b>	<b>% Abated</b>	<b>Maximum Term</b>
Residential—Remodeling	50%	10 years
Residential - Remodeling (for projects meeting the Affordable Housing requirements)	100%	15 years
Residential - New Construction	75%	15 years
Residential - New Construction (for projects meeting the Affordable Housing requirements)	100%	15 years
Commercial/Industrial/Mixed Use Remodeling & New Construction	Case-by-Case	Case-by-Case

(Ord. 63-14, Passed October 27, 2015)

**Section 2.**

**Open Meeting.** That, it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any decision making bodies of the City which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City.

**Section 3.**

**Emergency Measure.** That, for the reasons noted in the last recital of this Ordinance, this Ordinance is hereby determined to be an emergency measure and shall take effect and be in force immediately upon its passage and execution by the Mayor.

Passed this 14<sup>th</sup> day of may, 2019.



Wm. Harvey Clerk of Council



Lori Ann Feibel, President of Council

Approved:



Ben Kessler, Mayor

First Reading: 4-9-19

Second Reading: ~~4-19-19~~ 4-23-19

Third Reading: 5-14-19

Passed 5-14-19