

ORDINANCE NO. 2020-39

INTRODUCED BY: Mayor Annette M. Blackwell and Councilman Stafford L. Shenett, Sr.

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING AND RESTATING CHAPTER 898 "COMMUNITY REINVESTMENT AREAS" OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, on December 4, 2002, pursuant to Ordinance No. 2002-073, Council passed legislation enacting Chapter 898 of the Codified Ordinances of the City of Maple Heights pertaining to Community Reinvestment Area, Housing Officer, Housing Council and Tax Incentive Review Council within the City of Maple Heights establishing boundaries of Community Reinvestment Area (CRA) in the City of Maple Heights and Designating a Housing Officer to administer the program and creating a Community Reinvestment Housing Council and a Tax Incentives Review Council; and

WHEREAS, Chapter 898 of the Codified Ordinances of the City of Maple Heights was amended on September 4, 2019 by Ordinance No. 2019-76 to establish new CRA boundaries, but the changes were never published and submitted for review as required by the approval procedures of the Ohio Department of Development; and

WHEREAS, the Mayor and Economic Development Director have recommended to Council that it is again necessary to amend Chapter 898 to re-state the new CRA boundaries for publication and submission, as well as to establish updated criteria for tax exemptions and fees.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

Section 1. Chapter 898 "Community Reinvestment Areas" of the Codified Ordinances of the City of Maple Heights, is hereby restated and amended to read as follows, with amendments underlined:

**CHAPTER 898
"Community Reinvestment Areas"**

898.01 Community Reinvestment Area I; Housing Officer; Housing Council Tax Incentive Review Council;

Appendix A Community Reinvestment Area- Maple Heights, Ohio (Map)

898.01 COMMUNITY REINVESTMENT AREA I; HOUSING OFFICER; HOUSING COUNCIL; TAX INCENTIVE REVIEW COUNCIL.

(a) The area designated as the Maple Heights Community Reinvestment Area I 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.

(b) Pursuant to Ohio R.C. 3735.66, the Maple Heights Community Reinvestment Area I is hereby established as Area Number 03547306-01 (described as follows):

Community Reinvestment Area Boundaries:

The boundaries of the area are at Interstate 480 at the northern border, Northfield Road to the east, and East 141st Street to the west. The City's southern border juts in and out along various roads and

municipalities. The City is bisected by rail lines that run diagonally through the City center, parallel to Broadway Avenue. See attached Appendix A which is incorporated as if fully rewritten herein.

(c) All properties identified as being within the designated Maple Heights Commercial Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Maple Heights intends to undertake supporting public improvements in the designated area.

(d) 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 periods. Residential applications must be filed with the Housing Officer no later than six months after construction completion.

(1) Ten (10) years, for the remodeling of every residential dwelling unit containing not more than two housing units and upon which the cost of remodeling is at least \$2,500 but less than \$25,000, as described in ORC Section 3735.67, and with such exemption being fifty percent (50%) for each of the ten (10) years.

(2) Fifteen (15) years, for the remodeling of every residential dwelling unit containing more than two housing units and upon which the cost of remodeling is at least \$25,000, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years.

(3) Fifteen (15) years, for the construction of dwellings containing not more than twenty-five (25) housing units, as described in ORC Section 3735.67, with such exemption being one hundred percent (100%) for each of the fifteen (15) years.

(e) Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from 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 the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671.

(1) All commercial and industrial projects are required to comply with the State application fee requirements of Ohio R.C. 3735.672(C) and the local annual monitoring fee as outlined in Ohio R.C. 3735.671(D): one percent of the amount of taxes exempted under the agreement (a minimum of five hundred dollars (\$500.00) up to a maximum of two thousand five hundred dollars (\$2,500.00) annually; the monitoring fee is a local option).

(f) In order to administer and implement the provisions of this chapter, the Director of Economic Development is designated as the Housing Officer, as described in Ohio R.C. 3735.65 through 3725.70.

(g) Community Reinvestment Area Housing Council shall be established, consisting of two members appointed by the Mayor, two members appointed by the Council and one member appointed by the Planning Commission. The majority of the members shall then appoint two (2) additional members who shall be residents within the area. The term of each of the members of this Housing Council shall be for three (3) years. An unexpired term resulting from a vacancy in this Housing Council shall be filled in the same manner as the initial appointment was made.

(h) The Tax Incentive Review Council, which has been established pursuant to Ohio R.C. 5709.85, shall review annually the compliance of all agreements involving the granting of exemptions for

commercial or industrial real property improvements under R.C. 3735.671 and make written recommendations to the Council of the City of Maple Heights as to continuing, modifying or terminating any said agreement based upon the performances of the agreement.

(i) The council reserves the right to re-evaluate the designation of the Maple Heights Commercial Community Reinvestment Area after December 31, 2020, and annually thereafter at which time the Council may direct the Director of Economic Development not to accept any new applications for exemptions as described in R.C. 3735.67.

(j) 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. 3735.67. The Community Reinvestment Area Housing Council shall also hear appeals under R.C. 3735.70.

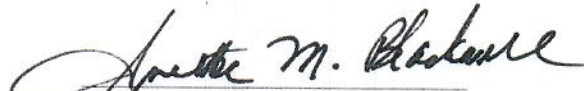
Section 2. The Director of Economic Development is authorized and directed to take all actions necessary to obtain approval from the Ohio Department of Development for the City's CRA, including the publication of this Ordinance and the amendments to the City's CRA, including publicizing the CRA boundaries and criteria for tax exemptions and fees.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to immediately offer CRA incentives to applicants, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 15, 2020


Ron Jackson, Council President


Annette M. Blackwell, Mayor

Approved as to legal form:


Frank Consolo, Director of Law

ATTEST: Leonette F. Cicirella Johnson
Leonette Cicirella Johnson, Clerk of Council