

North Canton City Council
Community and Economic Development Committee

ORDINANCE 19 - 2020

An ordinance implementing sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of North Canton, designating a housing officer to administer the program, creating a community reinvestment area housing council, and a tax incentive review council.

WHEREAS, North Canton City Council (hereinafter "City Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in the City that have not enjoyed reinvestment for remodeling or new construction; and

WHEREAS, the Mayor and City Council desire to pursue all reasonable and legitimate incentive measures to assist and encourage development; and

WHEREAS, a survey of housing has been prepared for the area to be included in the proposed Community Reinvestment Area ("CRA") and is incorporated herein by this reference; and

WHEREAS, the demolition and subsequent new construction of dwellings in the CRA would serve to encourage economic stability, maintain and grow real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing commercial or industrial structures, and the construction of new commercial or industrial structures in the CRA would serve to encourage economic stability, maintain and grow real property values, and generate new employment opportunities; and

WHEREAS, the demolition and subsequent new construction of dwellings, the remodeling of existing commercial or industrial structures, and the construction of new commercial or industrial structures in the CRA constitute a public purpose for which real property exemptions may be granted.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That area designated as the North Canton Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or remodeling of existing structures has been discouraged.
- Section 2. That pursuant to ORC Section 3735.66, the North Canton Community Reinvestment Area is hereby established and shall consist of all parcels of land located within and bounded by the North Canton municipal corporation limits, as depicted in the outlined area on the map attached hereto as "Exhibit A" and incorporated herein by this reference, and wherein only those dwellings, and commercial or industrial properties, consistent with applicable zoning regulations, and otherwise satisfying the requirements of ORC Section 3735.67 and this ordinance, are eligible for incentives hereunder
- Section 3. That the classification of the structures or remodeling eligible for the CRA incentive shall at all times be consistent with zoning restrictions applicable to the area.
- Section 4. That this proposal is a public/private partnership intended to promote and expand conforming uses in the CRA, and the City intends to support the public improvements.
- Section 5. That the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial or industrial real properties in the CRA 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 ORC Section 3765.67. The results of the negotiation, as approved by City Council, shall be set in writing in a CRA agreement as outlined in ORC Section 3735.671.

For residential property, a tax exemption on the increase in the assessed valuation resulting from the demolition and new construction of a structure, as described in ORC Section 3735.67, shall be granted upon application by the property owner and certification thereof by the designated housing officer. The period of the tax exemption and the percentage of the tax exemption for the demolition and subsequent new construction of every dwelling, the tax exemption for the remodeling of existing commercial or industrial structures, or combination thereof, and for the construction of new commercial or industrial, or combination thereof, properties are as follows:

- a. For the demolition and subsequent new construction of every dwelling containing not more than four (4) family units, upon which the cost of the new construction is at least \$250,000 per unit, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years.
 1. The City may accept no more than ten (10) residential CRA abatement agreements per year unless specifically authorized by Council.
- b. For the demolition and subsequent new construction of every dwelling containing more than four (4) family units, upon which the cost of the new construction is at least \$1,000,000, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of fifteen (15) years with such exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements for each of the fifteen (15) years.
- c. For the remodeling of existing commercial or industrial structures, or some combination thereof, and upon which the cost of remodeling is at least \$250,000, as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by-case basis in advance of the commencement of the remodeling, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements.
- d. For the construction of new commercial or industrial structures, or some combination thereof, and upon which the cost of construction and remodeling is at least \$250,000 as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by-case basis in advance of the commencement of the construction, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such new construction.

For the purposes of the above-described CRA, dwellings containing not more than four (4) family units shall be classified as residential structures, and dwellings containing more than four (4) family units shall be classified as commercial structures.

If remodeling qualifies for an exemption during the period of the exemption, the exempted percentage multiplied by the dollar amount of the increase in the assessed valuation of the structure resulting from such improvements shall be exempt from real property taxation.

Exemptions beyond fifty percent (50%) of the increase on assessed valuation must also receive approval from the School Board in whose district the property sits in accordance with ORC Section 3735.671(A)(1).

When the City Council determines construction or remodeling of a commercial or industrial property may involve exemption from taxation pursuant to 3735.67 of the Ohio Revised Code it shall, at the earliest practical time, notify the appropriate Board of Education and shall assist in negotiations if the Superintendent of Schools deems it appropriate.

- Section 6. All residential projects are required to comply with the state application fee requirement of ORC Section 3735.672(C) and the local monitoring fee of \$50 annually, unless otherwise waived by the City Council.
- Section 7. That all commercial and industrial projects are required to comply with the state annual fee requirement of ORC Section 3735.671(D), and a local application fee of \$100.00 unless otherwise waived by the City Council.
- Section 8. To administer and implement the provisions of this Ordinance, the City Director of Administration is designated as the "Housing Officer" as described in ORC Sections 3735.65 through 3735.70.
- Section 9. That a CRA Housing Council (hereinafter "CRA Housing Council") shall be created, and the City may designate the current Housing Council to serve in a dual role as the CRA Housing Council. Terms and appointments of the members of the CRA Housing Council shall be the same as the current City Housing Council. An unexpired term resulting from a vacancy in the CRA Housing Council shall be filled in the same manner as the initial appointment was made. ORC 3735.69.
- A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the City of North Canton appointed by the Mayor of North Canton with Council concurrence, the County Auditor or its designee and a representative of each affected Board of Education; at least two members must be residents of the City of North Canton. The Tax Incentive Review Council shall review annually the compliance of all CRA agreements involving the granting of exemptions for commercial or industrial real property improvements under ORC Section 3735.671, and make written recommendations to City Council as to continuing, modifying or terminating said CRA agreements based upon the performance of the terms and conditions of said agreements.
- Section 10. That the City Council reserves the right to re-evaluate the designation of the North Canton Community Reinvestment Area on an annual basis beginning December 31, 2020, at which time the City Council may direct the housing officer not to accept any new applications for exemptions as described in ORC Section 3735.67.
- Section 11. That the CRA Housing Council shall make an annual inspection of the properties within the Community Reinvestment Area for which an exemption has been granted under ORC Section 3735.67. The CRA Housing Council shall also hear appeals under ORC Section 3735.70.
- Section 12. That pursuant to ORC Section 3735.68, the housing officer may suspend or terminate the tax exemption at any time after the first year of the exemption if he/she finds that the subject property is not being properly maintained or repaired due to neglect of the property owner. Once suspended, the tax exemption shall not be reinstated except for good cause shown.
- Section 13. If the owner of commercial or industrial property exempted from taxation under ORC Section 3735.67 has materially failed to fulfill its obligations under the written agreement entered into under section ORC Section 3735.671, or if the owner is determined to have violated division (E) of that section, City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. Additionally, if the agreement entered into under ORC Section 3735.671 so provides, City Council may require the owner of property whose exemption has been revoked to reimburse the taxing authorities within whose taxing jurisdiction the exempted property is located for the amount of real property taxes that would have been payable to those authorities had the property not been exempted from taxation.
- Section 14. That the Mayor, Director of Finance, Director of Law, and other City officials, as appropriate, be and are hereby authorized to execute, certify and/or furnish other such documents and do all other actions as are necessary to create and establish the

North Canton CRA and which are incidental to carrying out the purpose of this ordinance.

Section 15. That if any term, provision, or condition of this ordinance is held by a court of competent jurisdiction to be illegal, void, or unenforceable, the rest of this ordinance shall remain in full force and effect and shall in no way be affected, impaired, or invalidated, unless such ruling shall materially alter the economic effect of this ordinance.

Section 16. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 22nd day of June 2020.

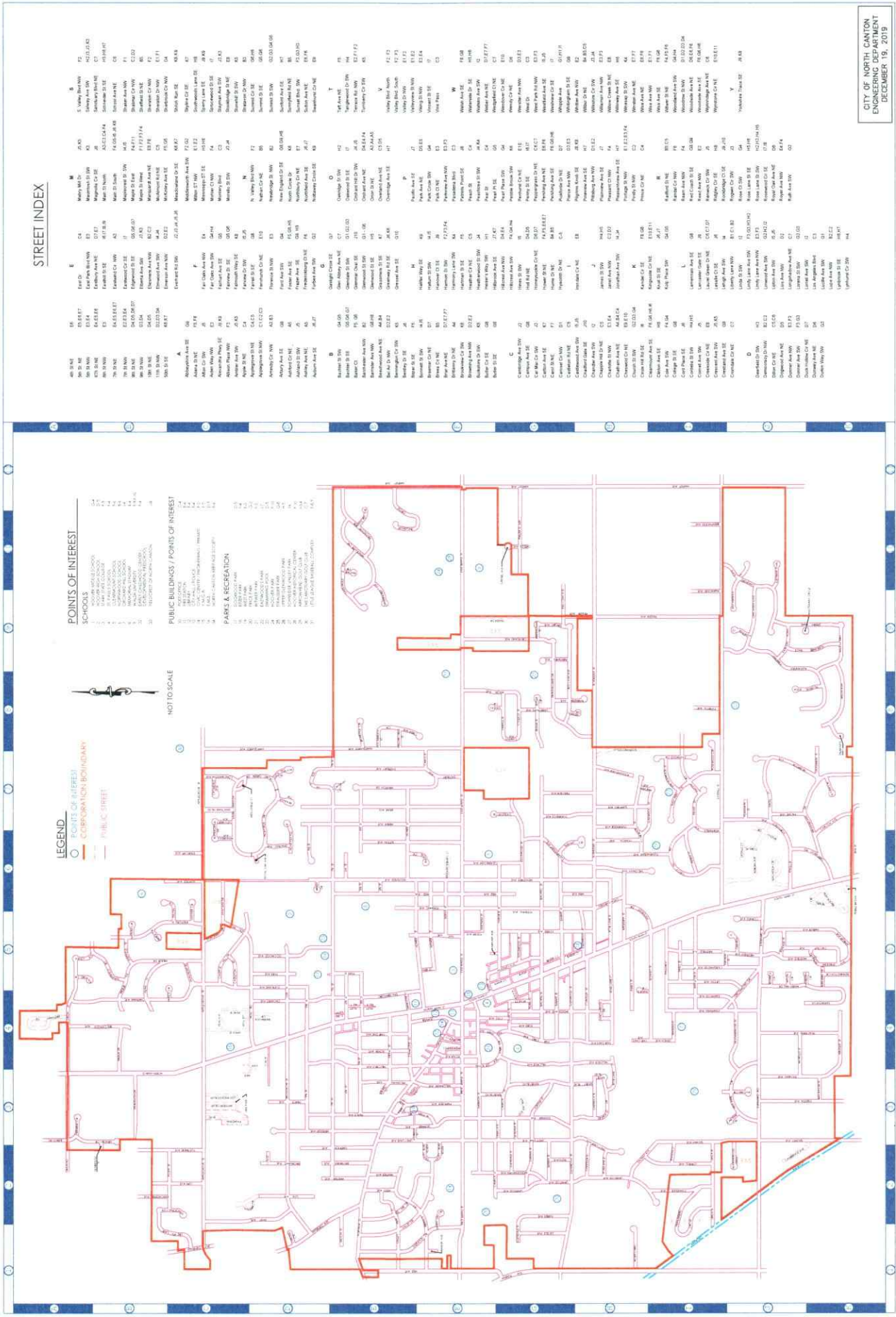
Attest: Benjamin R. Young
Benjamin R. Young, Clerk of Council

Stephan B. Wilder
Stephan B. Wilder, Mayor

Signed: 22 June 2020

Ord 19-2020
Exhibit A

CITY OF NORTH CANTON, OHIO STREET MAP



- LEGEND**
- POINTS OF INTEREST
 - POINTS OF INTEREST
 - CORPORATION BOUNDARY
 - PUBLIC STREET
- POINTS OF INTEREST**
- SCHOOLS**
- 1. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 2. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 3. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 4. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 5. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 6. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 7. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 8. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 9. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 10. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 11. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 12. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 13. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 14. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 15. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 16. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 17. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 18. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 19. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 20. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 21. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 22. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 23. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 24. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 25. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 26. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 27. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 28. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 29. NORTH CANTON LOCAL SCHOOL DISTRICT
 - 30. NORTH CANTON LOCAL SCHOOL DISTRICT
- PUBLIC BUILDINGS / POINTS OF INTEREST**
- 1. CITY OF NORTH CANTON
 - 2. CITY OF NORTH CANTON
 - 3. CITY OF NORTH CANTON
 - 4. CITY OF NORTH CANTON
 - 5. CITY OF NORTH CANTON
 - 6. CITY OF NORTH CANTON
 - 7. CITY OF NORTH CANTON
 - 8. CITY OF NORTH CANTON
 - 9. CITY OF NORTH CANTON
 - 10. CITY OF NORTH CANTON
 - 11. CITY OF NORTH CANTON
 - 12. CITY OF NORTH CANTON
 - 13. CITY OF NORTH CANTON
 - 14. CITY OF NORTH CANTON
 - 15. CITY OF NORTH CANTON
 - 16. CITY OF NORTH CANTON
 - 17. CITY OF NORTH CANTON
 - 18. CITY OF NORTH CANTON
 - 19. CITY OF NORTH CANTON
 - 20. CITY OF NORTH CANTON
 - 21. CITY OF NORTH CANTON
 - 22. CITY OF NORTH CANTON
 - 23. CITY OF NORTH CANTON
 - 24. CITY OF NORTH CANTON
 - 25. CITY OF NORTH CANTON
 - 26. CITY OF NORTH CANTON
 - 27. CITY OF NORTH CANTON
 - 28. CITY OF NORTH CANTON
 - 29. CITY OF NORTH CANTON
 - 30. CITY OF NORTH CANTON
- PARKS & RECREATION**
- 1. PARKS & RECREATION
 - 2. PARKS & RECREATION
 - 3. PARKS & RECREATION
 - 4. PARKS & RECREATION
 - 5. PARKS & RECREATION
 - 6. PARKS & RECREATION
 - 7. PARKS & RECREATION
 - 8. PARKS & RECREATION
 - 9. PARKS & RECREATION
 - 10. PARKS & RECREATION
 - 11. PARKS & RECREATION
 - 12. PARKS & RECREATION
 - 13. PARKS & RECREATION
 - 14. PARKS & RECREATION
 - 15. PARKS & RECREATION
 - 16. PARKS & RECREATION
 - 17. PARKS & RECREATION
 - 18. PARKS & RECREATION
 - 19. PARKS & RECREATION
 - 20. PARKS & RECREATION
 - 21. PARKS & RECREATION
 - 22. PARKS & RECREATION
 - 23. PARKS & RECREATION
 - 24. PARKS & RECREATION
 - 25. PARKS & RECREATION
 - 26. PARKS & RECREATION
 - 27. PARKS & RECREATION
 - 28. PARKS & RECREATION
 - 29. PARKS & RECREATION
 - 30. PARKS & RECREATION

STREET INDEX

46. 46.1 NE	47. 47.1 NE	48. 48.1 NE	49. 49.1 NE	50. 50.1 NE	51. 51.1 NE	52. 52.1 NE	53. 53.1 NE	54. 54.1 NE	55. 55.1 NE	56. 56.1 NE	57. 57.1 NE	58. 58.1 NE	59. 59.1 NE	60. 60.1 NE	61. 61.1 NE	62. 62.1 NE	63. 63.1 NE	64. 64.1 NE	65. 65.1 NE	66. 66.1 NE	67. 67.1 NE	68. 68.1 NE	69. 69.1 NE	70. 70.1 NE	71. 71.1 NE	72. 72.1 NE	73. 73.1 NE	74. 74.1 NE	75. 75.1 NE	76. 76.1 NE	77. 77.1 NE	78. 78.1 NE	79. 79.1 NE	80. 80.1 NE	81. 81.1 NE	82. 82.1 NE	83. 83.1 NE	84. 84.1 NE	85. 85.1 NE	86. 86.1 NE	87. 87.1 NE	88. 88.1 NE	89. 89.1 NE	90. 90.1 NE	91. 91.1 NE	92. 92.1 NE	93. 93.1 NE	94. 94.1 NE	95. 95.1 NE	96. 96.1 NE	97. 97.1 NE	98. 98.1 NE	99. 99.1 NE	100. 100.1 NE
-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	---------------