

RESOLUTION NO.: 06-2022
ADOPTED: MARCH 1, 2023

A RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF KIRKERSVILLE, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL

WHEREAS Council for the Village of Kirkersville wants to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the Village that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, a survey of housing, a copy of which is on file in the office of the Village as required by R.C. 3735.66, has been prepared for the area to be included in the proposed Kirkersville Community Reinvestment Area; and

WHEREAS, the maintenance of existing and construction of new structures in such area will serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the Mayor and Council desire to pursue all reasonable and legitimate incentive measures to assist and encourage development in the Village of Kirkersville; and

WHEREAS, the remodeling of existing structures or the construction of new structures in the Kirkersville Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KIRKERSVILLE, LICKING COUNTY, OHIO THAT:

SECTION 1: The area designated as the Kirkersville Community Reinvestment Area 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.

SECTION 2: Pursuant to R.C. 3735.66, the Kirkersville Community Reinvestment Area is hereby established and shall consist of all parcels of land currently located within the Village of Kirkersville municipal corporation limits, as depicted in the outlined area on the map attached hereto as Exhibit A and incorporated herein by reference. Wherein only residential, commercial and/or industrial properties consistent with applicable zoning regulations within the Village of Kirkersville Community Reinvestment Area will be eligible for exemptions hereunder. In addition, all parcels of land, which are subsequently annexed into the Village after the date the

Kirkersville Community Reinvestment Area is certified, will automatically be included in the CRA and eligible for the tax exemption described in Section 4.

SECTION 3: All properties identified in Exhibit A, and those subsequently annexed into the Village of Kirkersville, as being within the designated Community Reinvestment Area are eligible for this incentive, so long as such properties are classified as to use as commercial, industrial, residential, or some combination thereof, and otherwise satisfying the requirements of R.C. 3735.67. The classification of the structures or remodeling eligible for exemption in the area shall at all times be consistent with zoning restrictions applicable to the area. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the Village of Kirkersville intends to undertake supporting public improvements in the designated area.

SECTION 4: Within the Kirkersville 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 R.C. 3765.67. The results of the negotiation as approved by Council for the Village of Kirkersville shall be set in writing in a Community Reinvestment Area Agreement as outlined in R.C. 3735.671.

- a. For the remodeling or new construction of every residential dwelling unit containing not more than two (2) housing units located on the same parcel as the primary housing units and upon which the cost of the remodel or new construction is at least \$2,500, as described in R.C. 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to fifty percent (50%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years. The provision of this section (Section IV(a)) shall take effect upon mutual agreement between the Southwest Licking School District and the Village of Kirkersville.
- b. For the remodeling or new construction of every residential dwelling unit containing more than two (2) housing units located on the same parcel as the primary housing units and upon which the cost of the remodel or new construction is at least \$5,000, as described in R.C. 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to fifty percent (50%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years. The provision of this section (Section IV(b)) shall take effect upon mutual agreement between the Southwest Licking School District and the Village of Kirkersville.
- c. For the remodeling of existing commercial facilities and upon which the cost of remodeling is at least \$5,000, as described in R.C. 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 twelve (12) 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 remodeling of existing industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in R.C. 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.
- e. For the construction of new commercial or industrial facilities, 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.

Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the Kirkersville Community Reinvestment Area will be eligible for exemptions under this Program.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered an improvement on the land on which it is located for the purpose of real property taxation.

SECTION 5: All commercial and industrial projects are required to comply with the state application fee requirements of R.C. 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

SECTION 6: To administer and implement the provisions of this Resolution, the Mayor or his/her signee is designated as the Housing Officer as described in R.C. 3735.65 through 3735.70.

SECTION 7: A “Community Reinvestment Area Housing Council” shall be created and established, consisting of two members appointed by the Village of Kirkersville Mayor, two members appointed by the Council for the Village of Kirkersville, and one member appointed by the Planning Commission of Kirkersville. The majority of the members shall then appoint two additional members who shall be Village residents. Terms of the members of the Housing Council shall be for three years.

An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

A Tax Incentive Review Council shall be created and established pursuant to R.C. 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the Village of Kirkersville who are appointed by the Mayor with Council's concurrence, the county auditor or designee and a representative of each affected Board of Education. At least two members must be residents of the Village of Kirkersville. The Tax Incentive Review Council 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 Council for the Village of Kirkersville as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

SECTION 8: Council for the Village of Kirkersville reserves the right to re-evaluate the designation of the Kirkersville Community Reinvestment Area after December 31, 2023, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in R.C. 3735.67.

SECTION 9: The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the Kirkersville Community Reinvestment Area for which an exemption has been granted under R.C. 3735.67. The Housing Council also shall hear appeals under R.C. 3735.70.

SECTION 10: It is hereby 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 of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 11: The Mayor of the Village of Kirkersville, or his designee, is hereby authorized and directed to petition the Director of the Ohio Department of Development to confirm the findings contained within this Ordinance.

SECTION 12: This Resolution shall take effect and be enforce from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Department of Development of the findings in this Ordinance

Passed in Council this 1 day of March 2023.

Terry Ashcraft, Mayor

ATTEST: _____
Shirley Roskoski, Clerk of Council

APPROVED:

Approved as to form this 2nd day of December 2022:



Brian M. Zets
Village Solicitor

EXHIBIT A
MAP OF KIRKERSVILLE COMMUNITY REINVESTMENT AREA
AREA DEPICTED IN FILLED AREA

