

VILLAGE OF GRAFTON
ORDINANCE #18-008

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF GRAFTON, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL, AUTHORIZING USE OF THE EXISTING COUNTY TAX INCENTIVE REVIEW COUNCIL AND RESCINDING ORDINANCE # 98-010 CREATING VILLAGE OF GRAFTON CRA #093-1-01605-01.

MOTION: STRAH
SECOND: KITTS

WHEREAS, the Council of the Village of Grafton (hereafter "Village") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in the Village of Grafton as an area that has not enjoyed reinvestment from remodeling or new construction;

WHEREAS, a survey of housing, a copy of which is on file in the office of the Village Administrator as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area;

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

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

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL, VILLAGE OF GRAFTON, OHIO, THAT:

Section 1: The area designated as the Village of Grafton Village-Wide 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 ORC Section 3735.66, the Village of Grafton Village-Wide Community Reinvestment Area, is hereby established in the following described area:

The entire Village Boundaries as of 5/1/18. The Community Reinvestment Area is depicted as the bounded area on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein.

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

Section 3: All commercial and/or industrial properties identified in Exhibit A as being within the designated 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 Village of Grafton intends to undertake supporting public improvements in the designated area.

Section 4: 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 the Housing Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671.

- a. Up to, and including, twelve (12) years, and up to, and including one hundred percent (100%) for the remodeling of existing commercial and industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- b. Up to, and including, fifteen (15) years, and up to, and including one hundred percent (100%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the above described Community Reinvestment Area, structures exclusively used for residential purposes, no matter how many units, shall be classified as residential structures and not eligible for abatement.

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 to be 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 ORC Section 3735.672 (C) and the local annual monitoring fee of \$750, made payable to the Village of Grafton.

Section 6: To administer and implement the provisions of this Ordinance, the Village of Grafton Administrator is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

Section 7: That a "Community Reinvestment Area Housing Council" shall be created, using the Village's existing Enterprise Zone Negotiation Team and consisting of the Village Administrator, at two members of Village Council, the Superintendent of the affected School District (treasurer as alternate); Superintendent of the affected Joint Vocational School District (treasurer as alternate); and two representatives of the Village. Terms of the members of the 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. 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 Section 3735.67 of the ORC. The Council shall also hear appeals under Section 3735.70 of the ORC.

Lorain County has established a Tax Incentive Review Council pursuant to ORC Section 5709.85. The Village shall forward all annual CRA reports to the Tax Incentive Review Council for their review under Section 3735.671, of the ORC.

Section 8: The Village of Grafton reserves the right to re-evaluate the designation of the Village-Wide Community Reinvestment Area after May 1, 2019 at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

Section 9: The Community Reinvestment Area Housing Council or Housing Officer shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Council shall also hear appeals under 3735.70, of the ORC.

Section 10: The existing Grafton CRA (Ordinance #98-010) is hereby rescinded; although all existing CRA Agreements in these Areas are grandfathered with their abatements until their expiration dates.

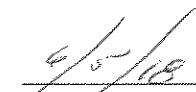
Section 11: Village Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of the Village Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 12: That this Ordinance shall take effect and be enforced from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Development Services Agency of the findings in this Ordinance.

Section 13: The Mayor, is hereby directed and authorized to sign below and provide said Ordinance for the Village's petition to the Director of the Ohio Development Services Agency to confirm the findings contained within this Ordinance.



PRESIDENT OF COUNCIL



DATE PASSED



MAYOR



DATE APPROVED



CLERK-TREASURER



DATE ATTESTED

APPROVED AS TO FORM BY 

GRETCHEN A. HOLDERMAN, LAW DIRECTOR

1ST Reading 5-1-18
2nd Reading 5-15-18
3rd Reading 6-5-18