

ORDINANCE NO. 2026-6

Introduced by Joel Hagy

AN ORDINANCE AUTHORIZING ONE OR MORE AMENDMENTS TO ORDINANCE NO. 2010-37 IN ORDER TO REMOVE CERTAIN AREAS OF REAL PROPERTY WITHIN THE CITY FROM COMMUNITY REINVESTMENT AREA II AND DESCRIBING THE REVISED BOUNDARIES OF COMMUNITY REINVESTMENT AREA II; AUTHORIZING CERTAIN TECHNICAL AMENDMENTS RELATED THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, Sections 3735.65 through 3735.70 of the Ohio Revised Code ("ORC" and the "CRA Act") provide that the City of Huron (the "City") may grant certain exemptions from real property taxation for new construction or remodeling efforts within an area that is designated by the City Council (the "Council") as a Community Reinvestment Area ("CRA"); and

WHEREAS, Ordinance No. 2010-37 was passed by this Council on September 28, 2010 (the "Original CRA Ordinance"), establishing and describing the boundaries of Community Reinvestment Area II, an area of the City in which the Council determined, pursuant to a housing survey completed by the City, that housing facilities or structures of historical significance are located and new construction or repair of existing facilities has been previously discouraged (the "Original CRA Area II"); and

WHEREAS, this Council now desires to amend the Original CRA Ordinance to remove certain areas of real property within the City from the territory of the Original CRA Area II currently owned by the City and as identified and described pursuant to **Exhibit A** attached hereto (the "ConAgra Property") and incorporated herein by this reference, all to establish and describe the boundaries of the revised CRA area (the "Revised CRA Area II"), and to provide for certain technical amendments to the Original CRA Ordinance; and

WHEREAS, this Council desires to reaffirm that housing facilities or structures of historical significance are located, and new construction or repair of existing facilities has been previously discouraged in, the area comprising the Revised CRA Area II, all pursuant to the housing survey previously conducted by the City and on file with the Clerk of this Council with respect to the Original CRA Ordinance and the Original CRA Area II; and

WHEREAS, the revised geographical boundaries of the Revised CRA Area II are described and depicted pursuant to the map attached hereto as **Exhibit B** and incorporated herein by this reference; and

WHEREAS, the remodeling of existing structures and the construction of new structures in the Revised CRA Area II will serve to encourage economic stability, maintain real property values, generate new employment opportunities, and constitute a public purpose for which real property tax exemptions may be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: Pursuant to the housing survey conducted by the City and on file with the Clerk of this Council, this Council determines that the Original CRA Area II described pursuant to Section 2 of the Original CRA Ordinance, as amended pursuant to this Ordinance, 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: This Council hereby amends the Original CRA Ordinance such that the ConAgra Property identified and described pursuant to **Exhibit A** hereof shall be removed from the boundaries of the Original CRA Area II and the balance of real property remaining shall be considered the Revised CRA Area II as identified and described pursuant to **Exhibit B** hereof.

Notwithstanding the amendments included in this Section 2, all remaining terms of the Original CRA Ordinance shall remain unaffected unless specifically indicated otherwise pursuant to this Ordinance.

SECTION 3: That all properties identified in Section 2 as being within the Revised CRA Area II are eligible for the incentives described in Section 4 of the Original CRA Ordinance, as amended pursuant to Sections 4 and 5 of this Ordinance. This proposal is a public/private partnership intended to promote and expand conforming uses in the Revised CRA Area II.

SECTION 4: This Council hereby amends Section 4 of the Original CRA Ordinance and replaces it, in its entirety as follows:

Within the Revised CRA Area II, the percentage of the real property 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 ORC Section 3765.67. The results of the negotiation, as shall be approved by this Council, will be set in writing in a CRA agreement as outlined in ORC Section 3735.671.

For residential property, a real property tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon proper application by the property owner and certification thereof by the Housing Officer for the periods authorized by this Section. The owners of residential property located in the Revised CRA Area II that are eligible for real property tax exemptions pursuant to Section 4 of this Ordinance shall file an application with the Housing Officer no later than six (6) months after construction or remodeling is completed, which such "completion" may, in the discretion of the Housing Officer, be evidenced by a certificate of occupancy issued by the City.

After receipt of a proper application, the Housing Officer shall verify the construction or remodeling of the structure and the facts asserted in the application. If the new construction or remodeling satisfies the requirements of the Original CRA Ordinance, as amended by this Ordinance, the Housing Officer shall grant a real property tax exemption as permitted under ORC Section 3735.67 and shall forward the application and certification stating the period and percentage of the real property tax exemption to the Erie County Auditor. The exemption shall vary for each type of activity to be performed in the Revised CRA Area II and the period and percentage of the real property tax exemption shall be as follows:

a) For the remodeling of every residential dwelling unit containing not more than (2) units located within the Revised CRA Area II and upon which the cost of remodeling is at least Two Thousand Five Hundred Dollars (\$2,500), as described in ORC Section 3735.67, a ten (10) year residential real property tax exemption for Seventy Five Percent (75%) of the amount by which the remodeling increases the assessed value of the property.

b) For the remodeling of every residential dwelling containing more than two (2) units located within the Revised CRA Area II and upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000), as described in ORC Section 3735.67, a ten (10) year residential real property tax exemption for Seventy Five Percent (75%) of the amount by which the remodeling increases the assessed value of the property.

c) For the construction of every residential dwelling in the Revised CRA Area II as described in ORC Section 3735.67, a ten (10) year residential real property tax exemption for Seventy Five Percent (75%) of the amount by which the construction increases the assessed value of the property.

d) For the remodeling of existing commercial and industrial facilities located within the Revised CRA Area II and upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000), as described in ORC Section 3735.67, a real property tax exemption up to, and including, fifteen years (15), and up to, and including, One Hundred Percent (100%) of the amount by which the remodeling increases the assessed value of the property, the final term and percentage of which shall be negotiated on a case-by-case basis in advance of the remodeling on terms acceptable to the City in all respects.

e) For the construction of new commercial or industrial facilities located within the Revised CRA Area II, a real property tax exemption up to, and including, fifteen years (15), and up to, and including, One Hundred Percent (100%) of the amount by which the construction increases the assessed value of the property, the final term and percentage of which shall be negotiated on a case-

by-case basis in advance of construction on terms acceptable to the City in all respects.

f) For the new construction of commercial or industrial facilities within the Revised CRA Area II that constitute a “megaproject” pursuant to the CRA Act, a real property tax exemption up to, and including, thirty (30) years, and up to, and including, One Hundred Percent (100%) of the amount by which the new construction increase the assessed value of the property; provided, that the property owner has satisfied the terms of the CRA Act required to designate the project as a “megaproject” in all respects; provided, further, that the final term and percentage of which shall be negotiated on a case-by-case basis in advance of construction on terms acceptable to the City in all respects.

The real property tax exemptions granted pursuant to this Ordinance shall apply in the first year that the new construction or remodeling is taxable pursuant to ORC 3735.67(D). In the event an owner receiving an exemption under this Ordinance transfers the property, the residential real property tax exemption will continue for the remainder of the original period specified and inure to the benefit of the subsequent owner.

For the purposes of the above described Revised CRA Area II:

(a) Structures exclusively used for residential purposes and composed of multiple units shall be classified as residential structures pursuant to the discretion afforded this Council as to whether a structure or remodeling composed of multiple units is classified as commercial or residential pursuant to ORC Section 3735.66.

(b) Mixed-use structures are defined as those containing both residential and commercial components. Both the residential and the commercial or industrial components of a mixed-use structure may be eligible for real property tax exemption, on a case-by-case basis, provided that the structures and remodeling are permitted by the building and zoning regulations of the City. For a commercial or an industrial property, or the commercial or industrial portion of a mixed-use property, the owner of the property and the City must enter into a written agreement prior to the commencement of remodeling or construction, as required by ORC Section 3735.671.

SECTION 5: For purposes of clarity, the following additional criteria shall apply to the eligibility for any property owner’s application and receipt of any of the exemptions defined pursuant to Section 4 of this Ordinance:

- (a) All structures must comply with the building and zoning code regulations of the City to be eligible for exemptions under this Ordinance. The Housing Officer may deny an exemption if building and zoning code violation(s) exist at a site prior to the request for real property tax exemptions and the building and zoning code violations will not be remedied by the proposed construction or remodeling.
- (b) Property owners granted or seeking a real property tax exemption pursuant to this Ordinance must keep all real estate taxes current. In the event real estate assessments are levied against a property granted a real property tax exemption pursuant to this Ordinance and such tax assessments remain delinquent for a period of more than twelve (12) months, the property owner must provide evidence to the Housing Officer that the Erie County Treasurer's Office has approved a payment arrangement to bring such assessments current. If real estate tax assessments on a property granted or seeking a real property tax exemption pursuant to this Ordinance are not current and the owner cannot provide evidence of a payment arrangement or the owner of the property defaults in making payments under a payment arrangement with the Erie County Treasurer's Office, the Housing Officer may deny the application for real property tax exemption or revoke the real property tax exemption.

SECTION 6: This Council hereby amends Section 5 of the Original CRA Ordinance and replaces it, in its entirety as follows:

All commercial and industrial projects receiving an exemption pursuant to this Ordinance are required to comply with the City's local annual monitoring fee. In lieu of a specific fee calculation, the City Manager shall have the discretion to establish and impose a reasonable, annual fee (which such reasonable, annual fee may include the complete waiver of the local annual monitoring fee). The determination of the City Manager as to the imposition of a reasonable, annual fee shall be supported by the Housing Officer's assessment of the financial need of each property owner and the determination that the reasonable, annual fee applicable to the property owner is rationally related to the City's interest in promoting the equitable and sustainable development of business within the Revised CRA Area II.

SECTION 7: That the Housing Officer identified and described by Section 6 of the Original CRA Ordinance shall remain as so defined and the Housing Officer shall continue to make the annual inspection defined pursuant to Section 9 of the Original CRA Ordinance.

SECTION 8: That the "Community Reinvestment Area Housing Council" and the "Tax Incentive Review Council" identified and described pursuant to Section 7 of the Original CRA Ordinance shall continue in full effect in performing the functions assigned to them pursuant to the CRA Act and the Original CRA Ordinance.

SECTION 9: Pursuant to ORC Section 3735.66, the City Manager is, on behalf of this Council, directed and authorized to send a copy of this Ordinance and a map of the Revised CRA


Area II sufficient in detail to denote the specific boundaries of the Revised CRA Area II, to the Director of the Ohio Department of Development. The Housing Officer is further authorized to submit one or more annual reports, together with all executed agreements, certificates, and other documents as the Housing Officer shall deem necessary, to the Director of the Ohio Department of Development on or before March 31st of each year that the City has entered into a CRA agreement with a property owner under ORC Section 3735.671, all as required by ORC Section 3735.672.

SECTION 10: Pursuant to ORC Section 3735.66, the Clerk of the Council is further hereby directed and authorized to publish this Ordinance once a week for two (2) consecutive weeks in a newspaper of general circulation in the City, which shall otherwise indicate that this Council has adopted this Ordinance and established the Revised CRA Area II.

SECTION 11: In accordance with ORC Section 5709.832, the City hereby determines that no recipient of a tax exemption pursuant to this Ordinance and ORC Section 3735.67 located in the Revised CRA Area II shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin or ancestry.

SECTION 12: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

SECTION 13: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare of the residents and for the further reason that the orderly development of property within the City will be adversely affected in the event of a delay in the effective date of this Ordinance; **WHEREFORE** this Ordinance shall take effect immediately upon its adoption.



William Biddlecombe, Vice-Mayor

ATTEST: 
Clerk of Council

ADOPTED: 10 MAR 2026



EXHIBIT A

DESCRIPTION OF CONAGRA PROPERTY

The ConAgra Property is the real property currently owned by the City and identified by the Erie County Auditor's Permanent Parcel Identification Number 42-61270.001 as may be divided, subdivided, combined, recombined, or renumbered from time to time, as indicated in the map below and outlined in blue. For the avoidance of doubt, the ConAgra Property is also described pursuant to the legal description, attached, as follows:



[See Legal Description Attached]



POLARIS ENGINEERING & SURVEYING - 34600 CHARDON ROAD SUITE D - WILLOUGHBY HILLS - OHIO - 44094

LEGAL DESCRIPTION OF
11.2926 ACRE PARCEL
(CITY OF HURON)

SITUATED IN THE CITY OF HURON, COUNTY OF ERIE, AND STATE OF OHIO, AND FURTHER KNOWN AS BEING PART OF LOT 31, SECTION 1, ORIGINAL HURON TOWNSHIP, BEING TOWNSHIP NUMBER 6 IN THE 22 RANGE OF TOWNSHIPS IN THE CONNECTICUT WESTERN RESERVE;

BEGINNING AT A RAILROAD SPIKE FOUND IN THE CENTERLINE INTERSECTION OF RIVER ROAD AND CLEVELAND ROAD EAST (WIDTH VARIES);

THENCE NORTH $15^{\circ}39'53''$ EAST, 88.84 FEET TO A $\frac{3}{4}$ INCH IRON PIPE FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CLEVELAND ROAD EAST, ALSO BEING THE SOUTHWEST CORNER OF LAND DESCRIBED TO THE NORFOLK & SOUTHERN RAILWAY COMPANY, BY DEED RECORDED IN VOLUME 547, PAGE 371 OF ERIE COUNTY RECORDS, PERMANENT PARCEL NUMBER 42-90077.000;

THENCE NORTH $14^{\circ}36'12''$ EAST, ALONG A WESTERLY LINE OF SAID NORFOLK & SOUTHERN RAILWAY COMPANY, PASSING THROUGH A $\frac{5}{8}$ INCH IRON PIN FOUND AT 44.71 FEET, A TOTAL DISTANCE OF 306.85 FEET TO A $\frac{1}{2}$ INCH IRON PIN FOUND (I.D. CAP "HARTUNG") AT AN ANGLE POINT THEREIN;

THENCE NORTH $55^{\circ}17'48''$ WEST, ALONG A WESTERLY LINE OF SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 212.41 FEET TO A $\frac{5}{8}$ INCH IRON PIN FOUND (I.D. CAP "PDG") AT AN ANGLE POINT THEREIN;

THENCE NORTH $21^{\circ}16'18''$ WEST, ALONG SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 10.41 FEET TO AN IRON PIN SET AT THE PRINCIPAL PLACE OF BEGINNING:

COURSE 1 THENCE NORTH $55^{\circ}18'18''$ WEST, 22.03 FEET TO AN IRON PIN SET AT THE POINT OF CURVATURE;

COURSE 2 THENCE 185.05 FEET, ALONG AN ARC OF A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF $24^{\circ}39'24''$ AND A 183.62 FEET CHORD THAT BEARS NORTH $67^{\circ}38'00''$ WEST TO A PIN SET AT THE POINT OF TANGENCY IN A NORTHERLY LINE OF LAND DESCRIBED TO STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES, BY RECEPTION NUMBER 200608925 & 200608926, PERMANENT PARCEL NUMBER 42-61270.000;

COURSE 3 THENCE SOUTH $25^{\circ}36'40''$ WEST, ALONG A NORTHERLY LINE OF SAID STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES, 5.72 FEET TO AN IRON PIN SET:

COURSE 4 THENCE SOUTH $86^{\circ}28'53''$ WEST, ALONG A NORTHERLY LINE OF SAID STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES 241.81 FEET TO AN IRON PIN SET:

COURSE 5 THENCE NORTH $80^{\circ}29'48''$ WEST, 69.39 FEET TO AN IRON PIN SET AT AN POINT OF CURVATURE:

COURSE 6 THENCE 143.45 FEET, BEING AN ARC OF A CURVE DEFLECTING TO THE RIGHT, HAVING AN RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF $35^{\circ}44'10''$ AND AN 141.14 FEET CHORD THAT BEARS NORTH $62^{\circ}37'43''$ WEST TO A POINT OF TANGENCY;

COURSE 7 THENCE NORTH $44^{\circ}45'38''$ WEST, 50.59 FEET TO AN IRON PIN SET;

COURSE 8 THENCE SOUTH $85^{\circ}22'44''$ WEST, 57.66 FEET TO THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER;

COURSE 9 THENCE NORTH $4^{\circ}39'08''$ WEST, ALONG THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER, 30.74 FEET TO A POINT;

COURSE 10 THENCE NORTH $11^{\circ}19'32''$ WEST, ALONG THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER, 93.00 FEET TO A POINT;

COURSE 11 THENCE NORTH $0^{\circ}34'49''$ EAST, ALONG THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER, 216.00 FEET TO A POINT;

COURSE 12 THENCE NORTH $4^{\circ}14'40''$ EAST, ALONG THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER, 239.00 FEET TO A POINT;

COURSE 13 THENCE NORTH $25^{\circ}28'22''$ WEST, ALONG THE APPROXIMATE LOW WATER MARK OF THE HURON RIVER, 31.00 FEET TO THE SOUTHERLY EDGE OF AN EXISTING SHEET PILE;

COURSE 14 THENCE NORTH $72^{\circ}20'12''$ EAST, ALONG THE SOUTHERLY EDGE OF AN EXISTING SHEET PILE, 487.00 FEET TO A POINT;

COURSE 15 THENCE SOUTH $21^{\circ}16'18''$ EAST, ALONG THE WESTERLY EDGE OF AN EXISTING SHEET PILE, 671.50 FEET TO THE MOST NORTHERLY CORNER OF SAID STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES;

COURSE 16 THENCE SOUTH $21^{\circ}16'18''$ EAST, ALONG A NORTHERLY LINE OF SAID STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES AND ALONG THE WESTERLY EDGE OF AN EXISTING SHEET PILE, 160.57 FEET TO A TO $\frac{1}{2}$ INCH IRON PIN FOUND (I.D. HARTUNG);

COURSE 17 THENCE NORTH $68^{\circ}43'42''$ EAST, ALONG A NORTHERLY LINE OF SAID STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES, AND ALONG THE FACE OF AN EXISTING SHEET PILE WALL TO THE SOUTHWEST CORNER OF SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 66.00 FEET TO A $\frac{1}{2}$ INCH IRON PIN FOUND (I.D. CAP "HARTUNG");

COURSE 18 THENCE SOUTH $21^{\circ}16'18''$ EAST, ALONG A WESTERLY LINE OF SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 45.00 FEET TO A $\frac{1}{2}$ INCH IRON PIN FOUND (I.D. CAP "HARTUNG");

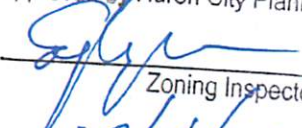
COURSE 19 THENCE SOUTH 68° 43'42" WEST, ALONG A NORTHERLY LINE OF SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 150.00 FEET TO A PIN SET AT AN ANGLE POINT THEREIN;

COURSE 20 THENCE SOUTH 21° 16'18" EAST, ALONG SAID NORFOLK & SOUTHERN RAILWAY COMPANY, 79.59 FEET THE PRINCIPAL PLACE OF BEGINNING, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD AND CONTAINING 11.2926 ACRES OF LAND AS CALCULATED AS DESCRIBED BASED ON A FIELD SURVEY PERFORMED IN MAY 2022 BY RICHARD A. THOMPSON JR., OHIO REGISTERED PROFESSIONAL LAND SURVEYOR #7388 OF POLARIS ENGINEERING AND SURVEYING. BEARINGS REFER TO THE OHIO STATE COORDINATE SYSTEM OF 1983 - NORTH ZONE - 1986 ADJUSTMENT. ALL IRON PINS SET ARE 5/8 INCH DIAMETER BY 30-INCH-LONG REBAR WITH IDENTIFICATION CAPS STAMPED "POLARIS 5-7388". PRIOR DEED REFERENCE IS THE CITY OF HURON, AS RECORDED IN RECEPTION NUMBER 200711763, PERMANENT PARCEL NUMBER 42-61270.001 AND STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES, AS RECORDED IN RECEPTION NUMBERS 200608925 & 200608926, PERMANENT PARCEL NUMBER 42-61270.000

RICHARD A. THOMPSON JR., OHIO REGISTERED PROFESSIONAL LAND SURVEYOR #7388

S:\2017 PROJECTS\17228- LIBERTY DEVELOPMENT - 10 ACRE PARCEL - HURON (CWS)\2-PROJECT SURVEYING INFO\4-LEGAL DESCRIPTIONS\LEGAL DESCRIPTION HURON PARCEL.DOC

Approved by Huron City Planning Commission



Zoning Inspector

05/04/2022

Date