



**STRONGER COUNTIES. STRONGER OHIO.**

209 East State Street, Columbus, Ohio 43215-4309  
Phone: 614-221-5627 • Fax: 614-221-6986  
Toll Free: 888-757-1904 • www.ccao.org

Cheryl Subler, Executive Director

**HOUSE STATE AND LOCAL GOVERNMENT COMMITTEE**

**Interested Party Testimony – House Bill 315**

April 23, 2024

Jon Honeck  
Senior Policy Analyst

Good afternoon Chair John, Vice Chair Dean, Ranking Member Brennan, and members of the House State and Local Government Committee. My name is Jon Honeck. I am a Senior Policy Analyst with the County Commissioners Association of Ohio (CCAO). Thank you for allowing me the opportunity to be here today as an interested party to address several specific provisions in the bill.

First, I would like to thank the sponsors for the \$3 million appropriation in the bill that creates a grant program to help local governments update their land use plans and zoning codes. This program will be very helpful to townships, counties, and other local governments as they modernize their land use plans to address their community's needs for housing and economic development.

We also thank the sponsors for the inclusion of notice provisions in the bill that remove requirements for townships to publish certain official notices in a newspaper. These types of provisions should also be applied to counties, particularly since municipalities were granted similar relief last year in the state budget. We are reviewing similar provisions of county law to see how we can move this issue forward.

The bill contains one provision that CCAO opposes. This provision modifies the law governing new community authorities. The bill allows an urban township that has adopted limited home rule to create a new community authority. This is an exercise of authority that is exclusively vested in the board of county commissioners in most counties in the state. CCAO is asking the committee to remove this provision from the bill.

This provision would create the second change to the NCA law in less than a year after House Bill 33 allowed townships with populations of at least 5,000 in counties with a population between 200,000 and 400,000 to create a NCA without the agreement of county commissioners. A township that meets these population criteria also will serve as the acting organizational board of trustees when a developer wishes to add or delete territory from an existing NCA.



This change applied to Butler, Clermont, Delaware, Lake, Lorain, Mahoning, Stark, Warren, and Trumbull counties. CCAO believes that the General Assembly should encourage local governments to work together as much as possible rather than creating potentially dueling authorities over the same type of economic development tool.

By way of background, the new community authority law is found in Title 3 of the Revised Code (RC Chapter 349), which pertains to counties. A new community authority is a body corporate and politic governed by board of trustees to assist in the planning and development of a defined area under the long-term control of a private developer or a political subdivision. To create a new community authority, the developer must apply to an “organizational board of trustees” for approval. The board of county commissioners serves this purpose for a NCA proposed in the unincorporated area of the county, unless more than half of the NCA would be located within a joint economic development district, in which case a board of township trustees serves this purpose.

Initially, half the members of the NCA board of trustees are appointed by the local government and the other half by the developer. Over time, as the population of the NCA grows, all of the appointed members are replaced by elected trustees.

The NCA is permitted to implement a development charge on properties within the district to finance infrastructure, facilities, land acquisition, engineering, and utilities necessary for the development of the community plan. The charge can be used to finance bonds or notes. The development charge can take many forms:

- an amount based on the assessed valuation of property in the district;
- an income tax on residents;
- a charge based on the profits, gross receipts, or revenues of businesses in the district, including, but not limited to, rentals received from leases of real property located in the district,
- a uniform or other fee on each parcel of such real property in a new community district,
- any combination of the foregoing methods. (RC 349.01(L)).

The development charge may be incorporated in a real property deed and treated as a covenant running with the land. If this is the case, the new community authority may certify the community development charge to the county auditor where it is treated as a lien on property and collected in the same manner as property taxes. Nonetheless, it is important to note that the budget of the NCA, and the development charges, are not subject to the review of the county budget commission, but they are subject to periodic audits by the Auditor of State.

County commissioners are eager to talk with townships and developers across the state about how to best grow their communities and implement NCAs where needed. CCAO believes that the change to township authority proposed in the bill is unnecessary and detrimental to local governments working together, and we recommend that this

provision be removed from the bill. Thank you for listening to my testimony. I would be pleased to answer any questions you may have.