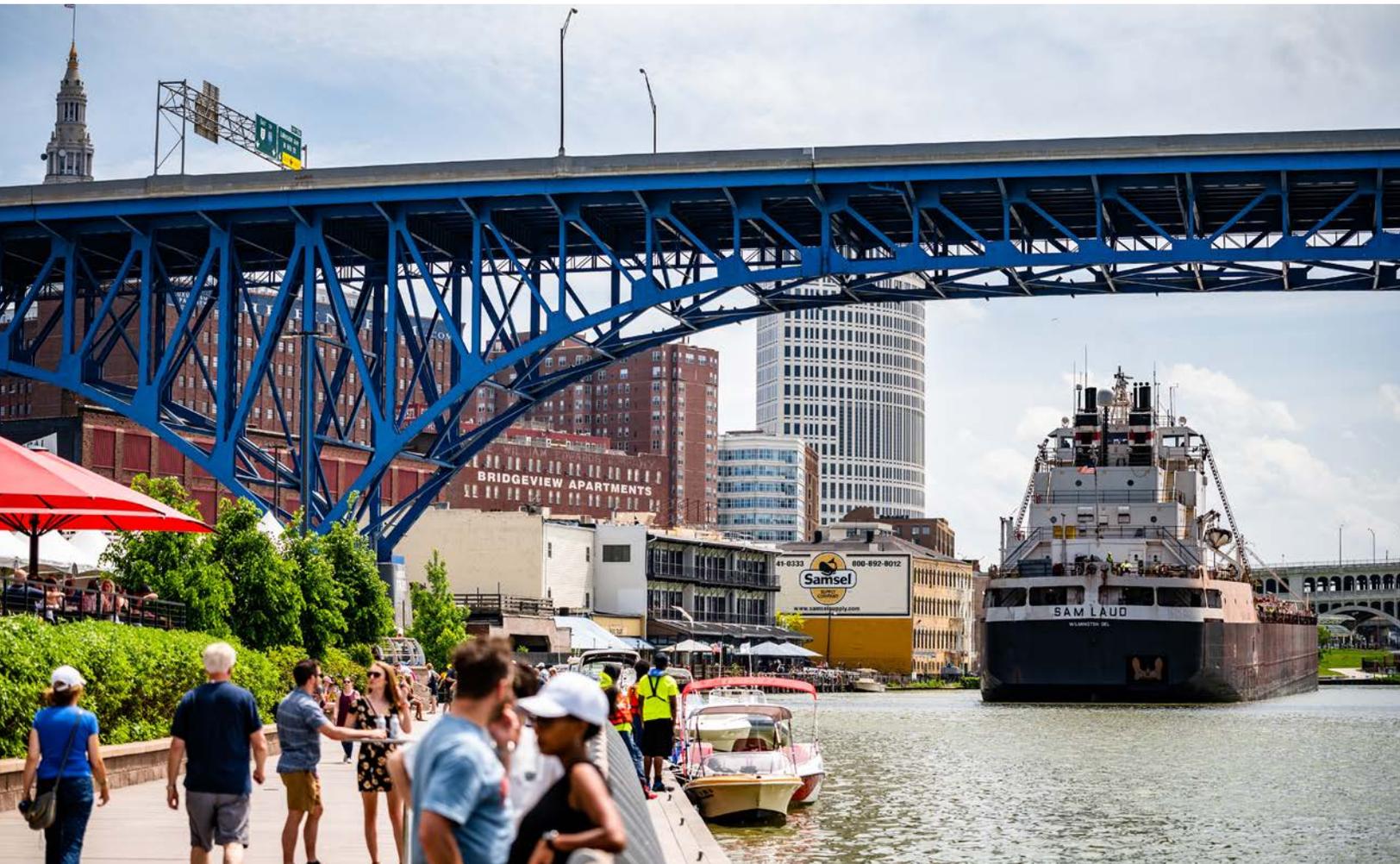


September 2, 2020

SPECIAL IMPROVEMENT DISTRICTS



A GUIDEBOOK OF THE CUYAHOGA COUNTY PLANNING COMMISSION

CUYAHOGA COUNTY PLANNING COMMISSION

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 County Planning

CONTENTS

Section 1:
INTRODUCTION

Section 2:
FORMATION PROCESS

Section 3:
EXISTING SIDS

Section 4:
RESOURCES

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The mission of the Cuyahoga County Planning Commission is to inform and provide services in support of the short and long term comprehensive planning, quality of life, environment, and economic development of Cuyahoga County and its cities, villages and townships.

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SPECIAL IMPROVEMENT DISTRICTS

A GUIDEBOOK OF THE CUYAHOGA COUNTY PLANNING COMMISSION

THE SPECIAL IMPROVEMENT DISTRICTS GUIDEBOOK

The Special Improvement Districts Guidebook describes the benefits of forming a Special Improvement District, the general process of establishing one, and best practices for such districts. It is intended to be used by local governments, community organizations, business owners, and others interested in learning more about Special Improvement Districts.

THE GUIDEBOOK SERIES

This Guidebook was developed as part of the Cuyahoga County Planning Commission's Guidebook Series. The Guidebooks provide information about specific topics and practices of municipal government operations.

All of the reports in our Guidebooks Series are available on our website and include links to resources, example communities, and downloadable content. Visit www.CountyPlanning.us/Guidebooks for more information.

A photograph of a city street at night. The scene is illuminated by warm streetlights and festive decorations. In the foreground, there are buildings with lit-up windows and storefronts. A prominent feature is a large, glowing snowflake-shaped light decoration hanging from a building. The sky is dark, and the overall atmosphere is vibrant and festive. The text is overlaid in the center of the image.

SIDS CAN ENHANCE A DISTRICT'S VIBRANCY, IMPROVE ITS SAFETY AND CLEANLINESS, AND ATTRACT INVESTMENT.

SECTION 1

INTRODUCTION



A Special Improvement District (SID) is a business district in which property owners have formally joined together to fund improvements. Special Improvement Districts directly respond to the issues of property owners in a given area, and as a result, each district is unique in its approach to budgets, activities, and goals.

This Introduction provides an overview of Special Improvement Districts and describes the types of business districts that might be best suited for a SID, the most common types of activities undertaken, and how communities track and measure the success of a SID.

OVERVIEW OF SPECIAL IMPROVEMENT DISTRICTS

A Special Improvement District (SID) is a defined geographic area in which property owners elect to pay an additional assessment in order to fund public improvements and services that benefit the district. The purpose of a SID is to support the growth and development of a business district through services that enhance the area's vibrancy, improve its safety and cleanliness, and attract investment.

Defined by Chapter 1710 of the Ohio Revised Code, a Special Improvement District is a public entity that is organized by property owners, governed by a local board, and authorized by the local municipality. Although Ohio law allows for the creation of Special Improvement Districts for business district improvements, special energy improvement projects, or shoreline improvement projects, this Guidebook is written for those formed in business districts.

FUNDING A SPECIAL IMPROVEMENT DISTRICT

A Special Improvement District is funded through a special assessment on property owners within the district. The assessment is determined by a formula that uses a combination of front footage, assessed land, and building values to determine each property owner's assessment. Each district determines its own formula for assessing property owners to meet the unique characteristics of the district. While property owners are the primary constituents, assessments could be passed directly on to a tenant.

The funds collected are used to pay for services and programs outlined in a services plan. The services plan and assessment formula are typically determined concurrently to ensure the SID assessment raises sufficient funds to fulfill the services plan. The nonprofit that manages the SID can then seek to supplement funding for services with grants, loans, and other financial tools.

CREATING A SPECIAL IMPROVEMENT DISTRICT

Community Development Corporations often initiate the process of forming a Special Improvement District; however, cities, merchants associations,



A SPECIAL IMPROVEMENT DISTRICT IS A DEFINED GEOGRAPHIC AREA IN WHICH PROPERTY OWNERS ELECT TO PAY AN ADDITIONAL ASSESSMENT IN ORDER TO FUND PUBLIC IMPROVEMENTS AND SERVICES THAT BENEFIT THE DISTRICT.





churches, or other organizations may also drive the process. Often, a Steering Committee of local property owners and businesses is formed to guide the formation of a SID.

The primary constituents within a Special Improvement District are property owners. A SID can only be approved when owners constituting 60% of the front footage in the district sign a petition to establish it. Alternatively, a SID may be approved if property owners representing 75% of all land in the district sign the petition. In addition to property owners, the city or cities within which the SID will operate must approve the SID's formation.

Once officially established, a SID is governed by a board comprised of property owners and representatives from the legislative authority and municipal executive. This board has direct control of SID operations including the hiring of staff or contracting for services.

DECIDING IF A SID IS RIGHT FOR YOUR DISTRICT

A Special Improvement District is an effective tool for addressing the concerns of property owners and stimulating business and activity in a district, but that does not necessarily mean that a SID is the best mechanism for achieving your goals. Below are some characteristics of districts that make them prime candidates for a SID:

- ✓ **Existing relationships among merchants:** having strong ties among merchants through an existing association can help ease the process of establishing a more formal SID
- ✓ **Common interests or existing plans:** common goals among building owners within the district will generally result in support for improvements and services
- ✓ **Low vacancy rate:** since a SID raises money through assessments on property, vacant land or storefronts could impact a building

owner's income and the owner's ability to pay a SID assessment

- ✓ **Density of commercial activities:** the operation of a SID relies on a dense area of businesses with incomes ample enough to pay the special assessment
- ✓ **Few governmental or institutional properties:** governmental properties and churches are exempt from SID assessments unless they choose to opt in, while large institutions typically have in-house staff for maintenance and beautification efforts
- ✓ **Supportive city leadership:** a SID must be approved by local governments, making their involvement important, but governments can also support SIDs through matching grants, leadership, and facilitation

If these characteristics are present, it is more likely that a Special Improvement District will be approved and will ultimately be successful. If not, there may be other activities that are better suited to the district. For instance, if existing merchants do not have strong relationships, forming a merchants association may be a positive first step in forming the bonds that can ultimately lead to a Special Improvement District.



IS A SPECIAL IMPROVEMENT DISTRICT RIGHT FOR MY DISTRICT?

- EXISTING RELATIONSHIPS AMONG MERCHANTS, SUCH AS A MERCHANTS ASSOCIATION? ●
- A PLAN OF ACTION FOR THE DISTRICT? ●
- LOW VACANCY RATE? ●
- DENSITY OF ACTIVITIES? ●
- FEW GOVERNMENTAL OR INSTITUTIONAL PROPERTIES? ●
- SUPPORTIVE CITY LEADERSHIP? ●



BENEFITS AND SERVICES

BENEFITS OF A SID

Because a SID is a legally binding entity voted on by property owners, it provides a dependable source of revenue to fund the services desired by owners. With those funds a SID can provide a number of important benefits, including:

- A clean, safe district that is attractive to potential investors
- A consistent funding mechanism for district improvements
- A competitive advantage over other business districts
- A forum for addressing the needs of the business community
- A governing body responsible for the specific and collective needs of the district
- Continuity in capital projects and future development
- Well-coordinated special events
- A consistent and positive image of the district

formed. This is an example of an indirect outcome of the SID, since the SID does not specifically provide economic development activities through SID funds. It could be inferred that the programs of the SID created a safe and clean environment in the district where businesses decided to invest. Other indirect outcomes could include increased property values and an increase in sales at businesses.

Most SIDs track benefits and report back to property owners, businesses, and residents. This can take the form of an annual report, stakeholder discussions, board meetings, or marketing pieces. Tracking progress and reporting to stakeholders at regular intervals further cements the importance of the SID.

MEASURING BENEFITS

In order to show how a SID is benefiting property owners as well as how it is improving the district for the use of the larger community, many SIDs measure their activities and demonstrate outcomes. The icons on the following page show some real-world outcomes from the activities of SIDs in Cuyahoga County, such as graffiti removal, debris collection, and streetscape improvements. These are examples of direct outcomes of SID activities that should be tracked as they are accomplished. Many private companies hired by SIDs have standard reports they produce to document outcomes.

The last icon talks about the dramatic decrease in commercial vacancies in Ohio City after the SID was



**1,152 INSTANCES OF
GRAFFITI CLEANED**
Ohio City SID
2015



**154,000 POUNDS OF TRASH AND
DEBRIS COLLECTED**
Downtown Cleveland SID
2015



**LANDSCAPING, PLANTERS, AND
STREET FURNITURE ADDED**
Cedar Lee SID
2016



**COMMERCIAL VACANCY DROPPED
FROM 40% TO 2%**
Ohio City SID
2016

COMMON SID SERVICES

Special Improvement Districts can fund a variety of activities based on the needs and desires of property owners in the district, but funds raised by the SID must legally be used in the same area that is being assessed. These services cannot replace city services, but they are supplemental or enhanced.

Programs and services should be unique to the district, but common services include the following:

Safety and Assistance

- Safety patrols and escorts
- Visitor ambassadors

Cleaning and Maintenance

- Sidewalk cleaning and powerwashing
- Removal of litter, waste, graffiti, and stickers

Physical Improvements

- Decorative street furniture such as benches, lighting, bike parking, and trash cans
- Landscaping and flowers
- Tree planting and maintenance

Events and Activities

- Seasonal decorations
- Concerts, markets, and festivals

Development Services

- Real estate development assistance
- Technical assistance in permitting and zoning

Business Services

- Strategic planning and market research
- Business recruitment and retention
- Small business assistance
- Advocacy to municipalities

Promotions

- Comprehensive branding and wayfinding
- Website development
- Public relations

Logistics

- Business relocation assistance
- Parking and transportation management

Community Services

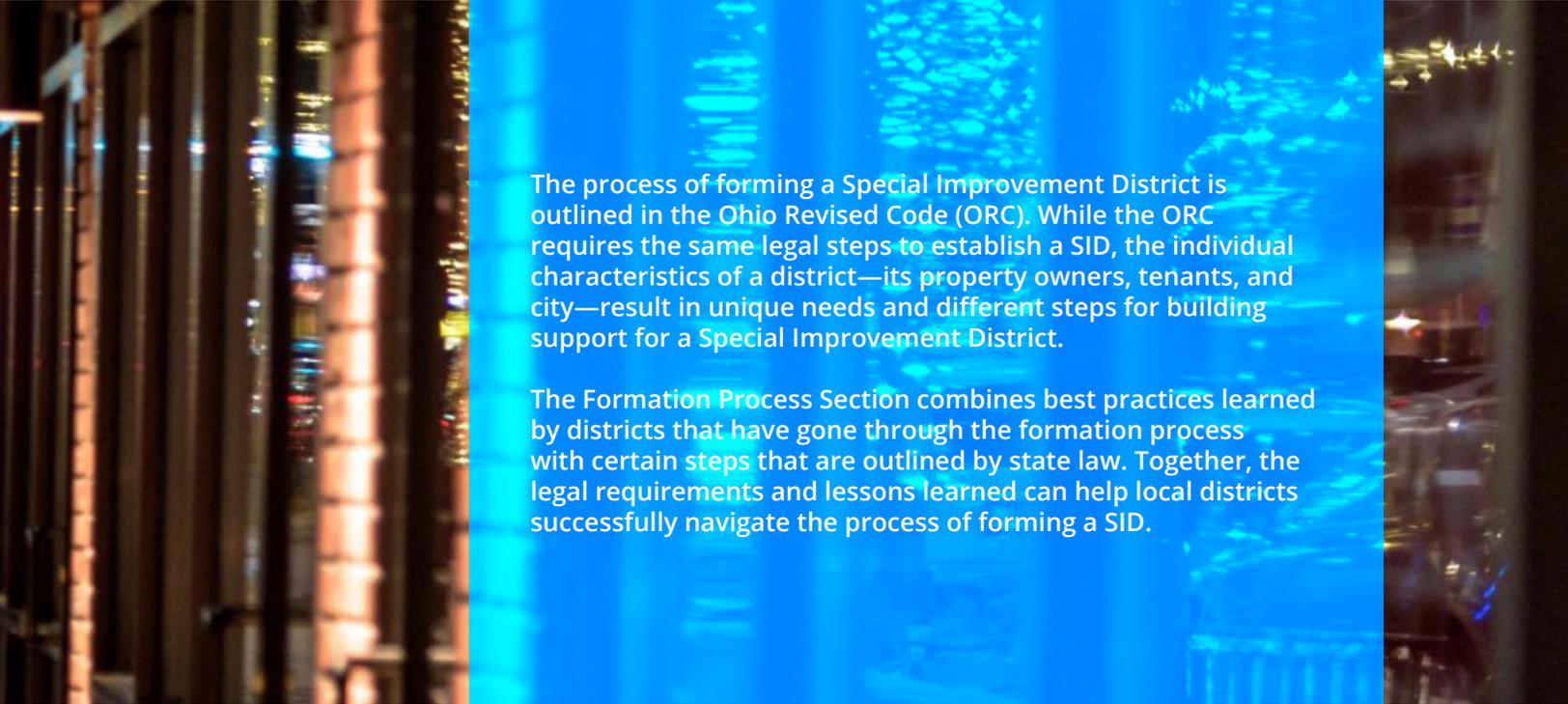
- Housing and homelessness services
- Youth services
- Fundraising and charitable events
- Community organizing



**FORMING A SID TAKES TIME,
BUT THE PROCESS BUILDS
COMMUNITY AMONG
PROPERTY OWNERS AND
BUSINESSES.**



SECTION 2 FORMATION PROCESS



The process of forming a Special Improvement District is outlined in the Ohio Revised Code (ORC). While the ORC requires the same legal steps to establish a SID, the individual characteristics of a district—its property owners, tenants, and city—result in unique needs and different steps for building support for a Special Improvement District.

The Formation Process Section combines best practices learned by districts that have gone through the formation process with certain steps that are outlined by state law. Together, the legal requirements and lessons learned can help local districts successfully navigate the process of forming a SID.

BE THE CHAMPION FOR FORMING A SID

The process of educating property owners, building support for a Special Improvement District, and developing the needed legal materials will require a local champion who can undertake the steps necessary to form a SID. A variety of people and organizations can begin the process, including a business or property owner seeking improvements for their district, a local government aiming to revitalize an area, an active citizen group or Community Development Corporation desiring changes, or a planning organization.

Regardless of who initiates discussion about a SID, these persons or groups should identify potential allies early in the process. Local governments, Community Development Corporations, or nonprofit groups can be helpful in determining the potential for SID development. They might also assist with research and advocacy.

It is important to involve the local government in the early stages of development of the Special Improvement District. Doing so builds support within the city government, and local authorities might also provide assistance in the form of loans, grants, or legal assistance. The local government is ultimately required to approve the SID and can also help facilitate the process.



ACTION STEPS:

- ✓ Start the informal process of establishing a SID
- ✓ Identify interested groups within the business district
- ✓ Meet with early allies to discuss
- ✓ Contact your local government to determine their level of support and how they might assist

STEVE PRESSER OWNER OF BIG FUN

ANYONE CAN BEGIN THE PROCESS OF FORMING A SPECIAL IMPROVEMENT DISTRICT—JUST ASK STEVE PRESSER, THE OWNER OF BIG FUN, WHICH ANCHORED THE COVENTRY VILLAGE DISTRICT OF CLEVELAND HEIGHTS FROM 1991 TO 2018. STEVE AND NEARBY BUSINESSES FORMED THE FIRST SID IN CUYAHOGA COUNTY BY BUILDING UPON THE EXISTING MERCHANTS ASSOCIATION.

INITIALLY, THE GOAL OF THE COVENTRY VILLAGE SID WAS TO IMPROVE SAFETY AS A WAY TO ATTRACT MORE SHOPPERS AND MORE BUSINESSES. OVER TIME, THE SUCCESS OF THE SID SPAWNED PUBLIC ART, STREETScape IMPROVEMENTS, AND EVENTS.

STEVE'S ADVICE: "YOU NEED A CHAMPION." FOR THE COVENTRY VILLAGE SID, THAT CHAMPION WAS STEVE PRESSER.

ESTABLISH A STEERING COMMITTEE

District champions and early allies often establish a formal Steering Committee of local property owners and businesses to conduct necessary outreach, act as a sounding board, and learn how a SID might affect them. A Steering Committee should meet on a regular basis and decide how best to move forward with a SID.

Including property owners on a Steering Committee that meets early and often can help build support for a Special Improvement District among the property owners who must approve the SID's formation. Many district champions who were interviewed recommended the inclusion of property owners who are skeptical of a SID on the Steering Committee as a way of building support among dissenting property owners through ongoing education and empowerment.

The district champions and Steering Committee should continuously seek to educate property owners about the benefits of a SID. This could include a website for the proposed SID, one-on-one outreach, brochures, and public meetings. Additionally, a

'needs assessment' should be conducted to determine what issues a SID could address. A needs assessment could include a survey of property owners or district visitors, online surveys, and district analyses. Such a needs assessment should be used to determine whether cleanliness, vibrancy, safety, marketing, maintenance, or other issues are most important to improving the district.

ACTION STEPS:

- ✓ Form a Steering Committee of local property owners and businesses
- ✓ Select a Steering Committee chairperson
- ✓ Educate property owners about SIDs
- ✓ Conduct a needs assessment for the district

Local groups have used flyers and brochures to educate property owners about Special Improvement District proposals.



SET BOUNDARIES & DETERMINE ASSESSMENTS

The boundaries of a Special Improvement District identify the property parcels included in the SID. Property owners within a Special Improvement District pay the special assessment and receive services from the SID. When determining the boundaries of a Special Improvement District, it is important to ensure there are enough properties contributing special assessments to finance the operation and special services of the SID. While the boundaries of the district can change during the planning process, it is important to identify an initial district to start the discussion. Property parcels within a SID are required to be contiguous, however a SID can cross municipal boundaries.

Funding for SID services is raised through an assessment that is levied on properties based on one or a combination of the following methods:

- By a percentage of the tax value of the property assessed
- By the front foot of the property bounding and abutting upon the improvement
- In proportion to the benefits that may result from the improvement

In general, SIDs in Cuyahoga County have used property value or front footage length to calculate assessments.

Special Improvement Districts cannot include any church property; federal or state government property; or county, township, or municipal corporation property unless these entities specifically request in writing that the property be included in the SID. Any other nonprofit-owned land can be included in a SID.

To determine the best method of assessing owners, various combinations of assessments should be modeled against district properties to determine which provides the most equitable and favorable assessment method.

Once the modeling is completed, the Steering Committee should adopt a preferred assessment method that is equitable and raises the necessary amount of funding.

ACTION STEPS:

- ✓ Set the initial boundaries of the proposed SID
- ✓ Develop a database of property owners and parcel information
- ✓ Determine whether the district includes church or governmental property
- ✓ Model the assessments of individual parcels using different assessment formulas
- ✓ Adopt a preferred assessment method



The Superior Arts Special Improvement District includes properties between East 18th and East 30th, north of Payne Avenue.

Once the initial boundaries are set, detailed property ownership data is necessary to determine who owns the property, property values, and frontage length. Information on property ownership is available in a County through the Assessor or Recorder's office. In Cuyahoga County, this information is available through the County Fiscal Office.

EXAMPLE: MODELING ASSESSMENTS FOR A DISTRICT

An annual budget is the first step in determining the amount of money that needs to be raised to fund Special Improvement District operations. Once a budget is adopted, there must be a determination of how a special assessment on SID properties will be calculated and how that can be done equitably among all property owners. This example demonstrates different methods authorized by Ohio law for calculating special assessments in a Special Improvement District.

In the figure to the right, the blue shapes represent the properties within a fictional "Main Street SID". The different assessment methods are modeled for the properties hatched in pink, green, and yellow.

In this example, the individual assessments paid by the property owners are based on a total annual budget of \$150,000 for the district as a whole. The assessment formula demonstrated is based on two variables: property value or frontage. It can be solely based on one of these variables or a combination can be used.

Individual Assessment Formula Based on Property Value or Frontage:

$$\text{Individual annual assessments} = \left(\frac{\text{Owner's property value or frontage}}{\text{Total value or frontage of all property in the SID}} \right) \times \text{The annual SID budget amount}$$

For example, the following are Property 1's annual assessment amounts calculated from the formula based on:

100% Value:
 $(\$354,100 / \$1,539,400) \times \$150,000 = \$3,450$

100% Frontage:
 $(120 \text{ ft} / 2,071 \text{ ft}) \times \$150,000 = \$8,699$

50% Value , 50% Frontage:
 $(0.5 \times \$3,450) + (0.5 \times \$8,699) = \$6,075$

Example "Main Street SID"



Assessment Formula	Annual Assessment		
	Property 1	Property 2	Property 3
100% Value	\$3,450	\$4,165	\$12,653
100% Frontage	\$8,699	\$3,984	\$10,966
50% Value, 50% Frontage	\$6,075	\$4,074	\$11,809

The table above shows the annual assessment for three example properties in the Main Street SID. From the table, one can see how different assessment formulas impact property owners. This occurs because of the difference in proportion between an owner's property value and frontage. Property 1 pays significantly less if the formula is based on its property value. In contrast, Property 3 pays less if the formula is based solely on frontage. However, Property 2 pays roughly the same amount, no matter which method is used. Understanding how each method impacts property owners allows for a more equitable distribution of cost.



AN INDIVIDUAL SID ASSESSMENT IS THE SHARE OF THE SID ANNUAL BUDGET THAT A PROPERTY OWNER PAYS TO SUPPORT THE OPERATIONS OF THE SID. THE AMOUNT A PROPERTY OWNER PAYS IS BASED ON A FORMULA CREATED BY THE SID TO ENSURE THE COST OF SERVICES IS SPREAD EQUITABLY AMONG THE OWNERS WITHIN THE SID.

DEVELOP A SERVICES PLAN

Using the information gathered in previous steps, the Steering Committee should develop an initial services plan to define the activities the SID will undertake.

According to the Ohio Revised Code, an initial services plan can cover a variety of activities, including the following:

- Creating and operating the district and the nonprofit corporation, including hiring employees and professional services, contracting for insurance, and purchasing or leasing office space and equipment and other requirements of the district
- Planning, designing, and implementing a public improvements or public services plan, including hiring architectural, engineering, legal, appraisal, insurance, consulting, energy auditing, and planning services, and, for public services, managing, protecting, and maintaining public and private facilities, including public improvements
- Paying damages resulting from the provision of public improvements or public services and implementing the plans
 - Paying the costs of issuing, paying interest on, and redeeming notes and bonds issued for funding public improvements and public services plans

Beyond those broad categories of activities, most services plans outline how funding will be allocated and will include some of the activities identified under Common SID Services on page 9. The graphic on the

following page shows the most common services for SIDs in Cuyahoga County.

Importantly, any public improvements or services provided by the SID must be in addition to, and not in lieu of, any public improvements or public services provided by any participating political subdivision (i.e., the city). A community may neither reduce nor fail to increase improvements or services to a SID area. To avoid any misunderstandings, many SIDs will document existing city services that will be maintained after the SID is established.

A services plan is not required prior to the adoption of a SID; however, most SIDs design the services plan at a early stage to ensure property owners understand what the assessment will fund and to demonstrate that the assessments collected will raise the funds necessary to pay for desired services. If an initial plan is developed, it must be submitted as part of the petition proposing creation of the district.

A services plan should be developed in close coordination with the city, vendors, and property owners to ensure that the funds raised are enough to cover potential costs. For many SIDs this has meant contracting with service providers such as Block by Block, a national provider of district services.

ACTION STEPS:

- ✓ Determine desired services based on input and analysis
- ✓ Develop a proposed budget based on service estimates and bids
- ✓ Outline exactly what municipal services will be maintained after the SID is established
- ✓ Draft, review, and update services plan



A SERVICES PLAN OUTLINES THE TYPES OF ACTIVITIES THE SPECIAL IMPROVEMENT DISTRICT WILL UNDERTAKE, INCLUDING A BUDGET FOR THOSE SERVICES.

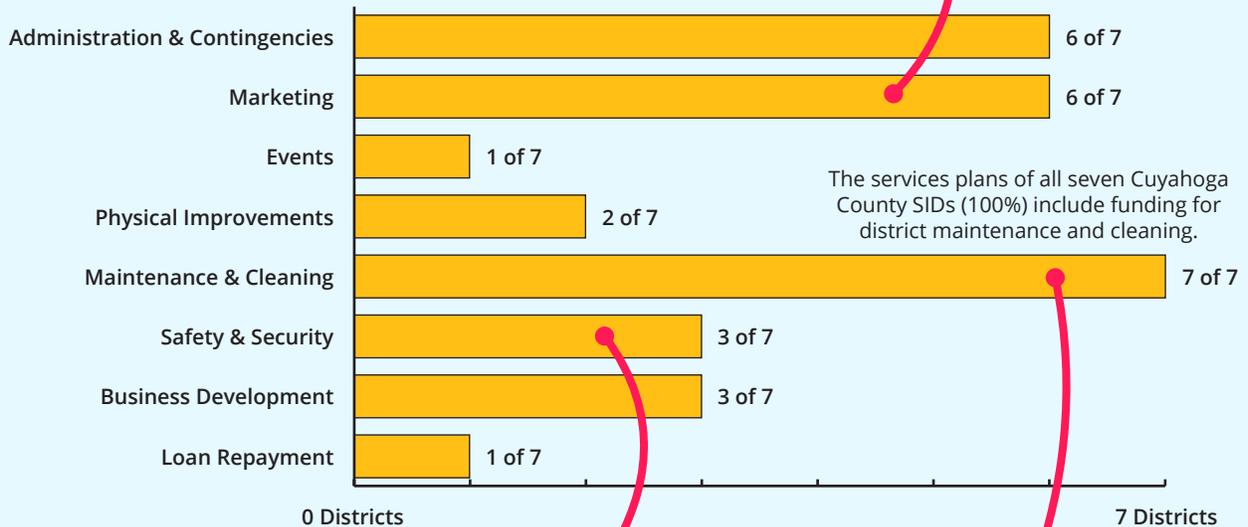
EXAMPLE: TYPICAL SERVICES PLAN CATEGORIES

The chart below shows the broad service categories described in the budgets of seven Special Improvement Districts in Cuyahoga County.

In general, maintenance and cleaning are the most common services and cover landscaping, snow shoveling, removal of graffiti, gum removal, and refuse collection.



A look at what seven Cuyahoga County SIDs fund...



The seven SIDs included in this analysis are Coventry, Cedar Fairmount, Cedar Lee, Downtown Cleveland Alliance, Kamm's Corners, Ohio City, and Gordon Square. The Superior Arts District is not included.

INCORPORATE THE SID'S NONPROFIT

A Special Improvement District is required to be run by a nonprofit organization headed by a Board of Directors. While the Ohio Revised Code allows for an existing nonprofit corporation to develop a SID, the requirements for an existing nonprofit are extensive, leading most organizations to develop a separate nonprofit entity.

Whether a Special Improvement District is being championed by an existing nonprofit such as a neighborhood group, Community Development Corporation, or other local nonprofit, it is often the case that a new nonprofit will be established to manage the SID and meet the legal requirements of the Ohio Revised Code. Often the new nonprofit will then immediately contract with the existing nonprofit for the staffing and day-to-day administration of the SID.



CAN AN EXISTING NONPROFIT FORM A SID?

YES, AN EXISTING NONPROFIT CAN FORM A SID; HOWEVER, REGULATIONS OUTLINE EXTENSIVE REQUIREMENTS FOR THIS. FOR INSTANCE, AN EXISTING NONPROFIT MUST HAVE ESTABLISHED A POLICE DEPARTMENT TO BE ELIGIBLE TO FORM A SID.

The proposed nonprofit corporation must develop articles of incorporation that meet the requirements of the Ohio Revised Code Chapter 1702. In addition to required nonprofit regulations, the Ohio Revised Code stipulates that a nonprofit formed to govern a Special Improvement District must include certain items in its articles of incorporation, including:

- the name of the district
- the name of participating political subdivisions

- a description of the territory of the district
- procedures for amending the articles of incorporation
- the method for giving notice for meetings of the membership of the SID and the method of voting by membership
- the reasons for creating the district with an explanation of how the district is conducive to the public health, safety, peace, convenience, and welfare of the district

Except in the case of a district created by an existing qualified nonprofit corporation, the articles of incorporation for the new nonprofit managing the SID must be approved by resolution of the legislative authority of each participating political subdivision of the district. Subsequently, the articles of incorporation and the authorizing resolutions must be filed with the Secretary of State's Office.

Once established, all owners of real property within the district are considered members of the district, and the nonprofit corporation is governed by the Board of Directors of the Special Improvement District.

The board must consist of at least five directors, including a person appointed by the legislative authority of each community and a person appointed by the municipal executive. In the case of a SID spanning multiple communities, the Board of Directors must include an appointee of the legislative authority and municipal executive of each political subdivision. The remainder of the Board of Directors consists of members of the district or their proxies.

In general, SIDs in Cuyahoga County have more than the minimum required number of directors on the board. The Downtown Cleveland Alliance Special Improvement District, headed by the Downtown Cleveland Improvement Corporation, is governed by a 23-member Board of Directors, while the Ohio



City SID, headed by the Ohio City Improvement Corporation, is governed by a 9-member Board of Directors.

These directors must be elected at a meeting of the entire membership of the district. The initial election of directors may occur at the first meeting of the entire membership of the district after its creation, while all subsequent elections must be held at a November meeting of the membership.

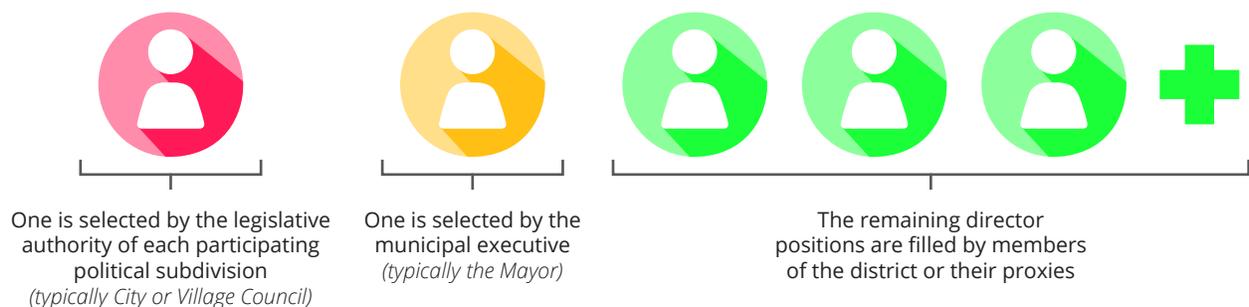
Because the Board of Directors is largely comprised of property owners in the district, the governance of the SID and the use of SID funds is largely in the hands of private property owners. This ensures that funds are controlled locally, privately, and by the members that pay for services.

ACTION STEPS:

- ✓ Identify whether a new or existing nonprofit will run the SID
- ✓ Develop the nonprofit's articles of incorporation
- ✓ Establish the nonprofit and elect its Board of Directors

BOARD OF DIRECTORS OF THE SID NONPROFIT

The Board of Directors of the newly created SID nonprofit must consist of *at least* five members, and is formed as follows. Additional members would be necessary if a SID crosses municipal boundaries. In the case of a district created by an existing qualified nonprofit corporation, the corporation's Board of Trustees shall be the Board of Directors for the SID.



GATHER PETITION SIGNATURES

In order for a Special Improvement District to be established, a petition of property owners within the district is necessary. The information gathering, stakeholder outreach, and Steering Committee meetings outlined in previous steps are geared toward building support for the signing of this petition.

To create the SID, property owners representing a minimum of 60% of the front footage of all real property or 75% of all land area of the district must sign the petition. It is not the case that both conditions must be met for approval.

Real property excludes church property or property owned by the state, county, township, municipal, or federal government, unless a church, county, township, or municipal corporation has specifically requested in writing that the property be included in the district.

Because a minimum length of front footage or property size is the standard for SID approval, many organizations attempting to form a SID get the signatures of their largest property owners first before approaching smaller property owners. This ensures that the largest payers are supportive and often gets SIDs most of the way toward the requisite number of signatures. It can also help to convince smaller property owners that their assessment will be matched to have a real effect.

If the petition is signed by the necessary number of property owners, it then is

sent to the legislative authorities for approval. If ultimately approved, all property owners within the district must pay into the SID, not just those who signed the petition. This ensures that everyone benefiting from the SID improvements or services contributes to those improvements or services.

ACTION STEPS:

- ✓ Approach largest property owners first to gain their petition signature
- ✓ Gather petition signatures of 60% of front footage or 75% of all land area for approval



STEVE LORENZ **KAMM'S CORNERS DEVELOPMENT** **CORPORATION**

THE KAMM'S CORNERS SPECIAL IMPROVEMENT DISTRICT WAS INITIALLY ESTABLISHED IN 2015 AND WAS RENEWED IN 2018. WHEN IT WAS INITIALLY ESTABLISHED, THE DISTRICT HAD THREE MAJOR PROPERTY OWNERS THAT COULD GET THE SID MOST OF THE WAY TO THE 60% OF FRONT FOOTAGE IN THE DISTRICT NEEDED FOR APPROVAL. BY APPROACHING THOSE THREE PROPERTY OWNERS FIRST, THE SID WAS ABLE TO DETERMINE HOW MANY SMALLER PROPERTY OWNERS WOULD NEED TO SIGN OFF ON THE SID'S FORMATION.

ULTIMATELY, ONLY TWO OF THE BIG THREE PROPERTY OWNERS SIGNED THE PETITION, BUT BECAUSE OF THEIR SIZE, GETTING THE REMAINING OWNERS TO SIGN BECAME EASIER.

GAIN APPROVAL & OPERATE THE DISTRICT

Once the petition has been signed by the required number of property owners, the SID formation begins a legislative process for formal approval by the cities or villages where the SID is located. Although the legislative process may vary slightly among cities, the Ohio Revised Code outlines the legislative steps required.

To formally begin the legislative process, the petitions, initial services plan, and articles of incorporation must be submitted to the municipal executive and the legislative authority of each municipal corporation in which the proposed district is located. Each legislative authority must, by resolution, approve or reject the petition within sixty days after receiving it. For a SID located in one city, the plan contained in that petition becomes effective at the earliest date on which a nonemergency resolution becomes effective. For a SID that crosses municipal boundaries, the legislative authorities of each city must individually approve the legislation, and the effective date is the latest among all nonemergency resolutions.

Following approval, each community levies, by special assessment upon property located within the district, the costs of any public improvements or public services plan.

The Ohio Revised Code requires the treasurer of the SID Board of Directors to submit an annual report by the first day of March to the appropriate legislative authorities. Many SIDs use this report as a marketing product for their district and as an opportunity to update the businesses and greater community on SID activities.

ACTION STEPS:

- ✓ Submit the signed petitions, initial plan of services, and articles of incorporation
- ✓ Obtain approval from the legislative authority or authorities
- ✓ Institute collection of assessments for district properties
- ✓ Submit an annual report by the first day of March each year

The Downtown Cleveland Alliance produces annual reports that detail the SID's activities to keep property owners informed.



A nighttime aerial view of a city with illuminated buildings and streets. A prominent clock tower with a glowing clock face is visible on the right side. The text is overlaid in the center of the image.

**SPECIAL IMPROVEMENT
DISTRICTS SERVE MANY OF THE
MOST POPULAR AND LIVELY
PLACES IN THE REGION.**

SECTION 3

EXISTING SIDS

Cuyahoga County is home to several Special Improvement Districts, all of which are clustered in Cleveland and Cleveland Heights. The business districts that have set up a SID include many of the most popular and lively places in the region, including Downtown Cleveland and Cedar Fairmount.

Existing SIDs include large, urban districts with multi-million dollar budgets and smaller, suburban districts with a more limited financial capacity. SIDs in Cuyahoga County provide varying services to their districts, have varied assessment methods, and were established at different times. These SIDs can provide important lessons and insights to other districts, and they show one important theme: once established, all of these SIDs have been renewed because business owners have seen the inherent benefits of having a Special Improvement District.

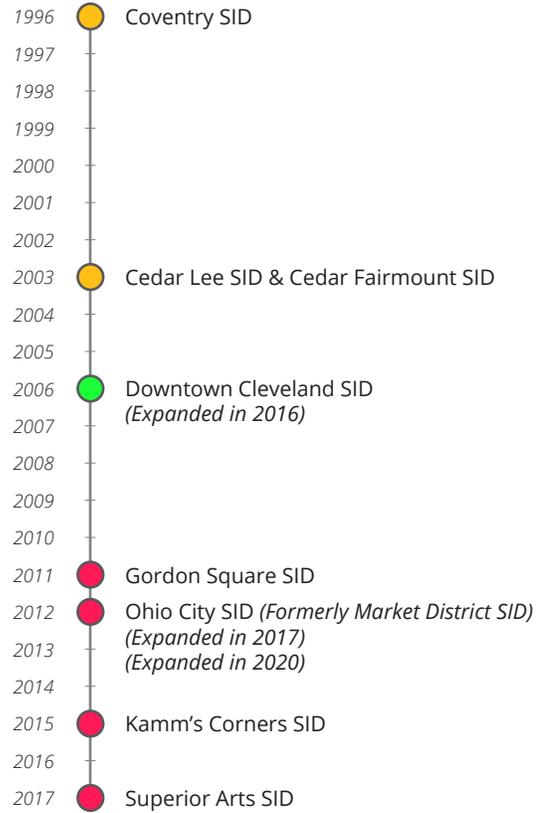


EXISTING SIDS

While Cuyahoga County is home to dozens of business districts, only a handful have completed the process of forming a Special Improvement District. This includes one in Downtown Cleveland, four in Cleveland neighborhoods, and three in the City of Cleveland Heights. Other communities or districts have proposed Special Improvement Districts or are presently in the process of vetting such a district. These include Old Brooklyn in Cleveland, the Van Aken District in Shaker Heights, and Downtown Euclid.

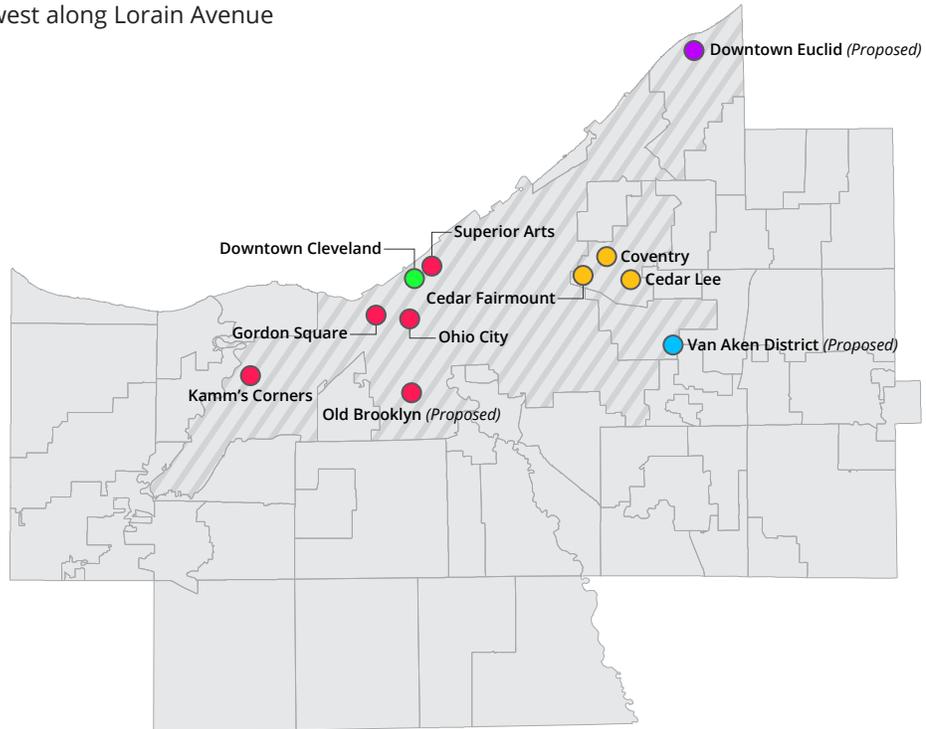
Some existing SIDs have also been successful in expanding the size of the district. Ohio City expanded its SID boundary in 2017 and again in 2020 to encompass a larger portion of the neighborhood. The new district extends from the core of Ohio City near the West Side Market north along West 25th as well as west along Lorain Avenue and Detroit Avenue.

History of SIDs in Cuyahoga County



SIDs in Cuyahoga County

- Downtown SID
- Cleveland Neighborhood SIDs
- Cleveland Heights SIDs
- Shaker Heights SID
- Euclid SID
- Communities with Existing or Proposed SIDs



OVERVIEW OF EXISTING SIDS

Below is a chart comparing Cuyahoga County's eight SIDs, including the years they were established and renewed, the length of that renewal, their budget and annual budget increase, and an overview of their method of assessment.

Of the eight Special Improvement Districts, seven have been in operation since at least 2015. Over the course of their existence, all seven districts renewed their SIDs.

The data in the comparison chart demonstrates how to customize a Special Improvement District. The annual budget for neighborhood-based SIDs ranged from \$30,000 to \$240,000, while the Downtown Cleveland SID's budget topped \$4 million. Most SIDs included an annual increase in the SID budget to

account for inflation, with those increases ranging from 1% to 3%. Two districts did not include annual budget increases.

The three Special Improvement Districts in Cleveland Heights assess properties based on the property value of the parcels in the district. Alternatively, the Gordon Square SID assesses owners based solely on the front footage of properties in the district. Downtown Cleveland and Ohio City assess properties on a combination of frontage and value, but place caps on the assessment. The cap ensures that properties of extraordinarily high value, such as downtown skyscrapers, would not pay a similarly extraordinary rate for services, but still pay a higher rate than much smaller properties.

Special Improvement District	Year Est.	Most Recent Renewal	Term of Plan	Budget*	Annual Budget Increase	Method of Assessment		Assessment Notes
						Frontage	Value	
Coventry	1996	2017	5 Yrs	\$165,300	3.0%	0%	100%	
Cedar Lee	2003	2018	5 Yrs	\$155,888	0.0%	0%	100%	
Cedar Fairmount	2003	2018	5 Yrs	\$66,275	0.0%	0%	100%	
Downtown Cleveland	2006	2016	5 Yrs	\$4,063,407	1.0%	25%	75%	Max value of district properties capped at \$100m; Assessment rate reduced by half for value between \$50m - \$100m
Gordon Square	2011	2016	5 Yrs	\$133,663	2.5%	100%	0%	
Ohio City	2012	2020	5 Yrs	\$570,000	3.0%	65%	35%	Max assessment of single-family, owner-occupied dwellings capped at \$500
Kamm's Corners	2015	2018	5 Yrs	\$30,000	0.0%	90%	10%	
Superior Arts	2018	-	3 Yrs	\$208,996	3.0%			

*Each district's budget represents an annual amount for the first year of its most recent services plan renewal

BUILDING PHYSICAL IMPROVEMENTS CEDAR LEE



The Cedar Lee Special Improvement District is in the heart of Cleveland Heights and has many notable anchors in the area, including the Cedar Lee Theater, Cleveland Heights High School, the Heights Libraries Main Branch, and Cain Park. The business district itself is more than a mile long with different design aesthetics and business types.

To tie the business district together, merchants along the corridor sought physical improvements, specifically streetscape improvements. Working together, the city and business district finalized a streetscape improvement plan to add amenities such as decorative lamp posts, additional landscaping, benches, trash receptacles, and new crosswalks.

The Special Improvement District contributes \$30,000 annually to fund elements of the streetscape plan. In 2016, the city was awarded federal funding which, combined with county and local funding, allowed for the completion of the project.

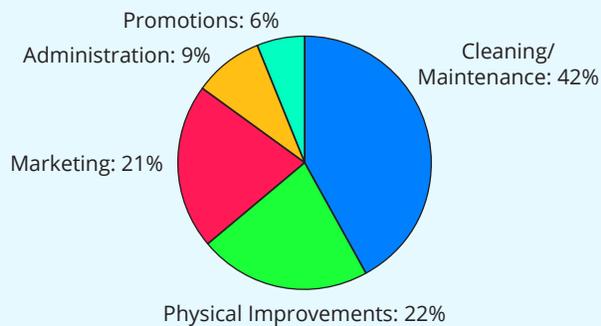
The streetscape improvements began in the summer of 2016 and were completed by the end of the year. Since then, numerous businesses have opened their doors including a winery, brewery, and new restaurants. The city also reopened a request for proposals for the development of a city-owned site in the center of the Cedar Lee business district.

The SID's contribution to the streetscape effort allowed Cedar Lee to rebuild its major thoroughfare and add the amenities that can attract shoppers, visitors, and new businesses to the area.

Cedar Lee Special Improvement District

Community	Cleveland Heights
Establishment	2003
Budget	\$155,888
Assessment	100% based on property values

Budget Breakdown



LEADING THE WAY

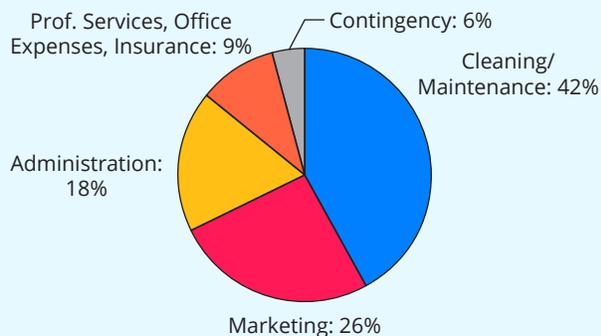
COVENTRY VILLAGE



Coventry Special Improvement District

Community	Cleveland Heights
Establishment	1996
Budget	\$165,300
Assessment	100% based on property values

Budget Breakdown



The Coventry Village Special Improvement District was the first SID established in Cuyahoga County, cementing the district as a leader in forming SIDs. Its formation at a time when SIDs were not well-known established this district as a leading example of forming SIDs in Ohio. With no Community Development Corporation in Cleveland Heights at the time, local business owners were the guiding hand behind the establishment of the SID.

Based on conversations among these business owners, safety became the dominant theme of the early SID. Business leaders and stakeholders saw safety as a critical first piece in developing a business district people felt comfortable visiting. Consequently, the initial services of the SID focused on improving safety.

The success of the initial services plan led the SID to expand its services over time. To reflect the arts orientation of the community, public art became a dedicated budget item of the SID. To attract more customers, festivals and events grew to be a larger part of the annual budget. The SID also funded maintenance and landscaping to attract larger funding for streetscape improvements.

Because SIDs at this time were untested organizations in Ohio, the Coventry SID ensured that business owners were aware of what was being done with the assessments collected. Physical improvements were deemed important because they were visible, and updates for business owners ensured marketing and promotional efforts were known.

The Coventry Village SID has been renewed consistently since its founding in 1996, even as some of the initial businesses and personalities behind the SID have moved on. Today the district is home to restaurants, a renovated streetscape, arts-oriented stores, and community spaces.

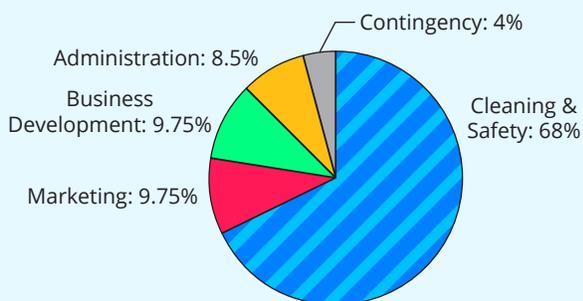
ADDING ECONOMIC DEVELOPMENT SERVICES DOWNTOWN CLEVELAND



Downtown Cleveland Special Improvement District

Community	Cleveland
Establishment	2006
Budget	\$4,063,407
Assessment	25% Frontage, 75% Value with a cap on value of properties

Budget Breakdown



The Downtown Cleveland Alliance (DCA) Special Improvement District is the largest in Cuyahoga County, with a budget exceeding four million dollars. The mission of DCA is to make Downtown Cleveland the region's most dynamic place to live, work, play, and visit. Its size and budget allows the Downtown Cleveland Alliance to offer a wider array of services than many other SIDs.

Following its success in developing a clean, safe, and walkable downtown, DCA developed a new services plan in 2011 that expanded its resources to include business development. The business development center provides a single point of contact for business leaders, real estate brokers, investors, and developers interested in Downtown Cleveland, and the work of the business development center aims to reduce office vacancy by attracting and retaining office tenants as well as reducing obsolete office inventory.

To accomplish these tasks, the business development center provides assistance with site selection, helps secure financial incentives, and provides market research to companies. Since its inception, the center has assisted in the reduction of obsolete office space through conversion into downtown housing. To ensure that office tenants of these buildings remain downtown, the center works with businesses to ensure they can find a suitable place elsewhere in the central business district.

Moving forward, the business development center of the Downtown Cleveland Alliance continues to focus on office attraction, retention, and expansion, as well as residential development, retail attraction, policy leadership, and entrepreneurship.

The example of the Downtown Cleveland Alliance shows how Special Improvement Districts can branch out from traditional 'clean and safe' activities to include the economic development needs of the district.

EXPANDING THE BOUNDARIES OF A SID

OHIO CITY



The Ohio City Special Improvement District provides cleaning, maintenance, and safety services in the Ohio City neighborhood of Cleveland. The district covers properties that front portions of West 25th Street, Detroit Avenue, and Lorain Avenue, as well as some interior neighborhood streets. The service area includes the historic West Side Market and nearby businesses.

The Ohio City SID was originally established in 2012 and included a significantly smaller footprint that covered the “Market District,” the area immediately around the West Side Market. This boundary was maintained for a five year period from 2012 to 2016.

As part of the 2017 renewal, the Ohio City SID expanded north along West 25th Street to include most properties between the West Side Market and Detroit Avenue. This renewal lasted for three years from 2017 to 2019.

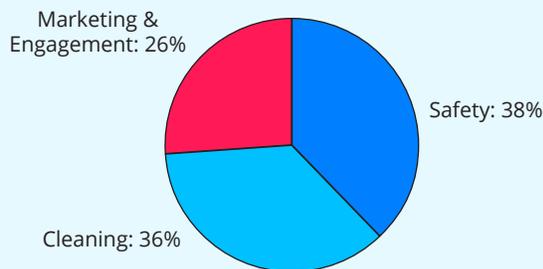
As part of the 2020 renewal, the Ohio City SID expanded substantially, with new businesses along Detroit Road and a large stretch of Lorain Avenue. The map on the left shows the 2017-2019 SID in red and the expanded 2020 area in black. Not only was the SID expanded, the services plan was set for a longer time period of five years.

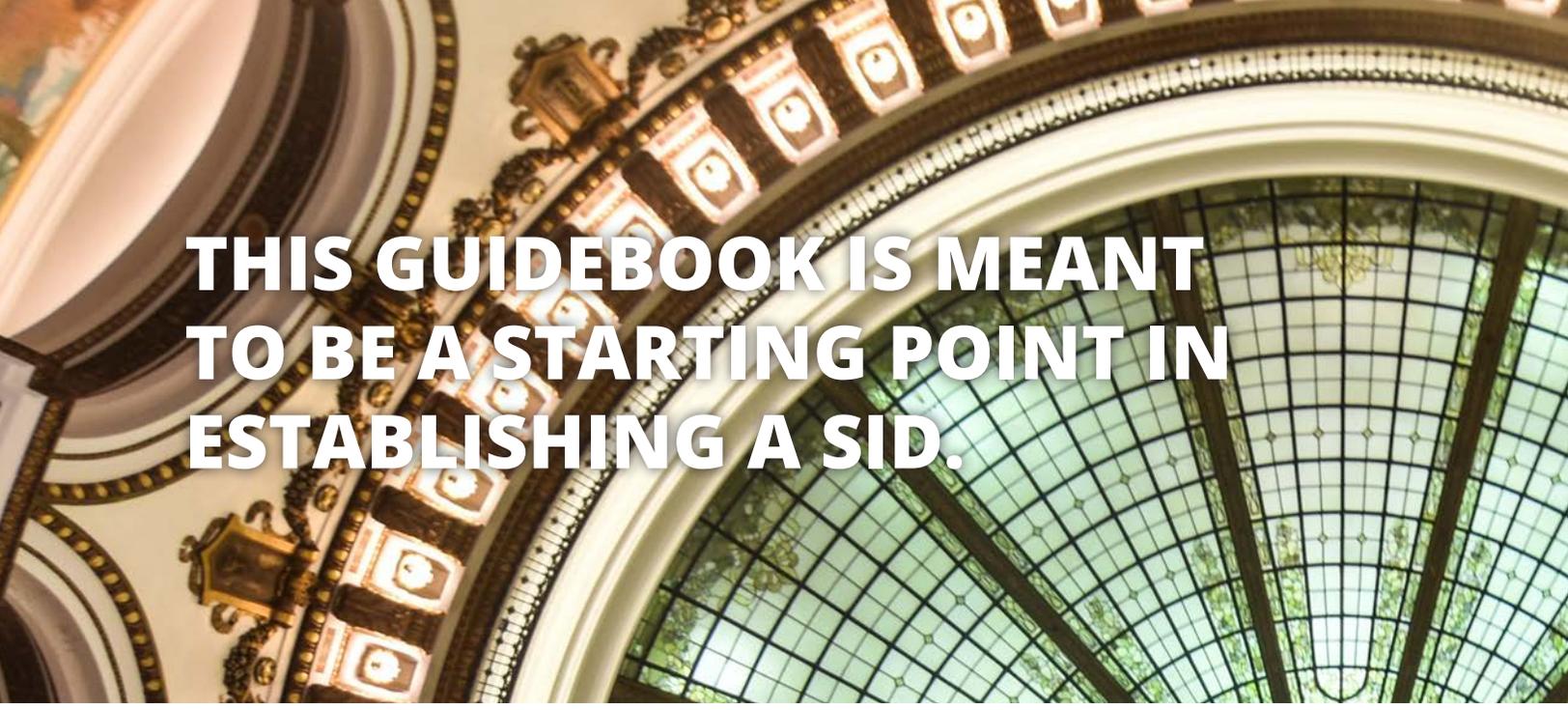
The success of Ohio City in expanding the boundaries of its Special Improvement District shows how starting in a small area can prove the usefulness of a SID and attract nearby areas to join it.

Ohio City Special Improvement District

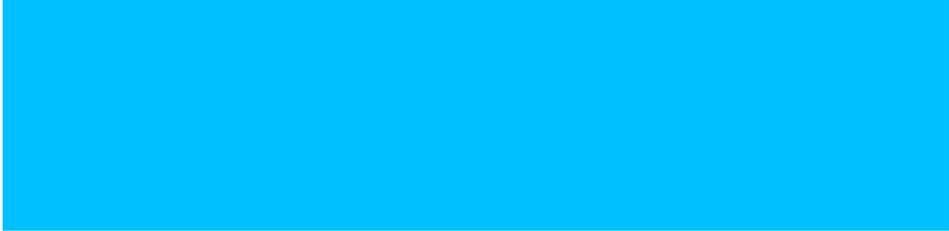
Community	Cleveland
Establishment	2012
Budget	\$570,000
Assessment	65% Frontage, 35% Value with a cap on assessment of single-family owner-occupied dwellings

Budget Breakdown





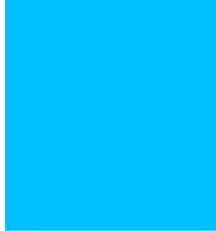
**THIS GUIDEBOOK IS MEANT
TO BE A STARTING POINT IN
ESTABLISHING A SID.**



SECTION 4 RESOURCES



The Special Improvement District Guidebook is meant as a tool and starting point for discussion about a SID. This section provides resources to help the discussion when considering a SID, including contact information for Cuyahoga County Special Improvement Districts and frequently asked questions. This document is intended to supplement services provided by local municipalities, legal experts, and/or consulting agencies.



FREQUENTLY ASKED QUESTIONS

What is a Special Improvement District?

A Special Improvement District (SID) is a physical area in which property owners elect to pay an additional assessment in order to fund public improvements and services that benefit the district.

Is a SID different from a BID?

The Ohio Revised Code establishes Special Improvement Districts. Other states use the term Business Improvement District for similar programs, however the terms are interchangeable.

What services can be offered by a SID?

Services must be for the public good and may include maintenance, physical improvements, cleaning, and additional safety among a variety of activities. The services are chosen by the property owners themselves, through a Board of Directors, and cannot replace city services.

How is a SID set up?

A SID is established when owners representing 60% of the front footage or 75% of the land area of the district sign a formal petition to establish it.

Why is a SID needed?

Business districts often establish SIDs to fund improvements and services that will help the district succeed. Establishing a SID allows property owners to directly control what their assessments fund.

How will a SID be governed?

A nonprofit organization operates the SID and is governed by a Board of Directors comprised largely of property owners and businesses, keeping the operation and funds of the SID in local hands.

Merchants association or SID?

A merchants association is a great first step, but SIDs have certain advantages. SIDs provide a steady and reliable stream of funding that all property owners are required to pay.

Will the city reduce its existing services?

No! A city is required to maintain its base level of services and frequency of service. A SID's services only act as supplemental services.

How much will a SID cost?

Individual assessments are based upon your property and the assessment formula developed during the SID's formation.

How long will a SID last?

The length of a SID is determined by the services plan approved by property owners and the city. While SIDs can last longer, most SIDs last for three to five years, after which the SID can be renewed.

Do SID assessments change?

Many, but not all, SIDs include an annual increase to cover increased operating expenses of the SID. Locally, SIDs schedule increases between 1% and 3% annually for the length of a SID.

Will the SID leverage additional resources?

A SID establishes a nonprofit that can seek additional grants, loans, and other funding mechanisms to supplement SID assessments.

I want a SID! What do I do?

This document is a great place to start! Read through this Guidebook, contact your local government, and use the resources contained here.

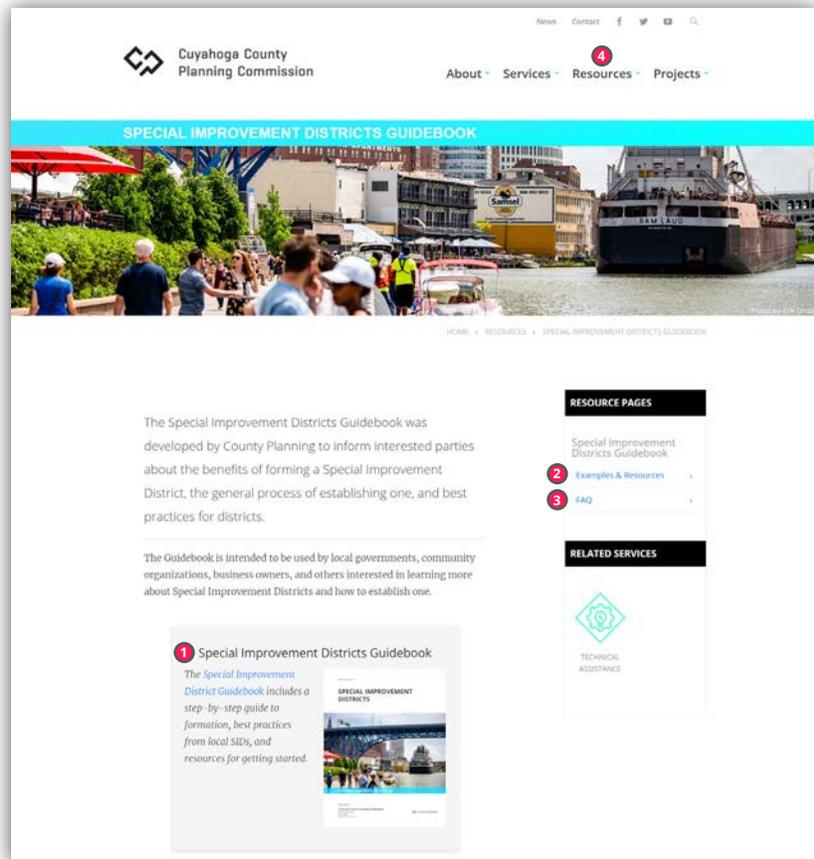
WEBSITE RESOURCES

The Cuyahoga County Planning Commission maintains a website of resources for forming Special Improvement Districts at www.CountyPlanning.us/Guidebooks. The information includes an online and PDF version of this guide, sample legislation and petitions from existing SIDs, and sample services plans and budgets. These documents show how other SIDs approached the process. Please consult with your community's law director to ensure all legal stipulations are met in the process of forming a SID.

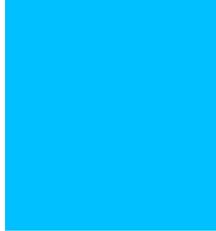
WEBSITE EXAMPLE

The SID Guidebook website includes examples and resources that can assist in developing a local Special Improvement District.

- 1 An electronic version of this guidebook
- 2 Example legislation, petitions, service plans, and budgets from local SIDs
- 3 Frequently asked questions for forming SIDs
- 4 Other Guidebooks and resources



Visit www.countyplanning.us/guidebooks for more information



CONTACTS

For information on local Special Improvement Districts in Cuyahoga County, please see the contacts below.

DOWNTOWN CLEVELAND ALLIANCE

1010 Euclid Ave., 3rd Floor
Cleveland, Ohio 44115
216.736.7799
www.downtowncleveland.com
dtcle@downtowncleveland.com

GORDON SQUARE ART DISTRICT

1305 W. 80th St., Suite 114
Cleveland, Ohio 44102
216.930.4566
www.gordonsquare.org
info@gordonsquare.org

UNIVERSITY CIRCLE INC.

10831 Magnolia Drive
Cleveland, Ohio 44106
216.791.3900
www.universitycircle.org
comments@universitycircle.org

OHIO CITY, INCORPORATED

2525 Market Ave., Suite A
Cleveland, Ohio 44113
216.781.3222
www.ohiocity.org/ohiocityincorporated
See website for staff emails

CEDAR FAIRMOUNT

2460 Fairmont Blvd.
Cleveland, Ohio 44106
216.932.3322
www.cedarfairmount.org
info@cedarfairmount.org

COVENTRY VILLAGE

1814 Coventry Rd.
Cleveland, Ohio 44118
216.556.0927
www.coventryvillage.org
Email directly from website

CEDAR LEE DISTRICT

2140 Lee Rd., #200
Cleveland, Ohio 44118
216.317.5551
www.cedarlee.org
Email directly from website

KAMM'S CORNERS DEVELOPMENT CORP.

17407 Lorain Ave., Suite 200
Cleveland, Ohio 44111
216.252.6559
www.kammscorner.com
info@kammscorners.com

CAMPUS DISTRICT, INC.

1717 Euclid Ave., Room UR120
Cleveland, Ohio 44115
216.815.0250
www.campusdistrict.org
See website for staff emails

CUYAHOGA COUNTY PLANNING COMMISSION

2079 E 9th St., Suite 5-300
Cleveland, Ohio 44115
216.443.3700
www.countyplanning.us
info@countyplanning.us

CREDITS & ACKNOWLEDGMENTS

ACKNOWLEDGMENTS

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Steve Lorenz, *Kamm's Corners Development Corporation*
Jeff Verespej, *Old Brooklyn Community Development Corporation*
Steve Presser, *Big Fun*
Tim Boland and Brian Anderson, *City of Cleveland Heights*

PHOTO CREDITS

"Flats East Bank," Erik Drost; flickr.com/photos/edrost88/47958451117; Accessed 6/4/20; *Front Cover*
Gordon Square Arts District, *Page 4-5*
"Cleveland Public Square Fountain," Erik Drost; flickr.com/photos/edrost88/47958573812; Accessed 6/4/20; *Page 6*
"Dyngus Day Cleveland," Erik Drost; flickr.com/photos/edrost88/47637656822; Accessed 6/4/20; *Page 7*
West Park Kamm's Neighborhood Development, Eric Tischler, *Page 10-11*
Cuyahoga Arts & Culture, *Page 12*
West Park Kamm's Neighborhood Development, *Page 13 (left)*
Campus District & Downtown Cleveland Alliance, *Page 13 (right)*
Campus District, *Page 14*
Cedar Fairmount, *Page 17 (top)*
Ohio City Incorporated, *Page 17 (bottom left)*
Downtown Cleveland Alliance, *Page 17 (bottom right)*
Cuyahoga County Planning Commission, *Page 19*
West Park Kamm's Neighborhood Development, *Page 20*
Downtown Cleveland Alliance, *Page 21*
"Cleveland West Side Market," Erik Drost; flickr.com/photos/edrost88/15097364980; Accessed 6/3/20; *Page 22-23*
City of Cleveland Heights, *Page 26*
Coventry Village, *Page 27*
"East 4th Street," Erik Drost; flickr.com/photos/edrost88/31163166221; Accessed 6/4/20; *Page 28*
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"Heinen's Cleveland," Erik Drost; flickr.com/photos/edrost88/25571562090; Accessed 6/4/20; *Page 30-31*
"Cleveland Browns NFL Draft Tailgate," Erik Drost; flickr.com/photos/edrost88/47929685883; Accessed 6/4/20; *Page 35*



The Downtown Cleveland Alliance produces special events that contribute to the vibrancy of the area.

ADDENDUM: SID GUIDEBOOK

SIDS THAT INCLUDE SPECIAL ENERGY IMPROVEMENT PROJECTS OR SHORELINE IMPROVEMENT PROJECTS

Ohio law treats special energy improvement projects and shoreline improvement projects included in a Special Improvement District with recognition of the capital nature of these projects, allowing for differences from some of the requirements for Special Improvement Districts that encompass a business district. This section highlights how the state of Ohio regulates these projects in a SID.

SPECIAL ENERGY IMPROVEMENT PROJECT

A special energy improvement project is defined as any property, device, structure, or equipment necessary for the acquisition, installation, equipping, and improvement of any real or personal property used for the purpose of creating a solar photovoltaic project, a solar thermal energy project, a geothermal energy project, a customer-generated energy project, or an energy efficiency improvement, whether such real or personal property is publicly or privately owned, energy efficiency technologies, products, and activities that reduce or support the reduction of energy consumption, allow for the reduction in demand, or support the production of clean, renewable energy and that are or will be permanently fixed to real property.

SHORELINE IMPROVEMENT PROJECT

A shoreline improvement project is defined as acquiring, constructing, installing, equipping, improving, maintaining, or repairing real or tangible personal property necessary or useful for making

improvements to abate erosion along the Lake Erie shoreline. Coastal management considerations for a shoreline improvement project are subject to the regulations of Chapter 1506 of the Ohio Revised Code.

Consultation with the Director of the Ohio Department of Natural Resources regarding the compliance of a proposed Shoreline Improvement Project with the state's coastal management program document is necessary to ensure that the project is consistent with the policies set forth by the state of Ohio.

PROPERTIES MAY BE NONCONTIGUOUS

The area of a Special Improvement District may be noncontiguous if all parcels of real property included within the SID contain at least one special energy improvement project or shoreline improvement project. The Special Improvement District may include any number of parcels of real property as determined by the legislative authority of each participating political subdivision in which the proposed Special Improvement District is to be located.

PETITION MUST BE SIGNED BY 100 PERCENT OF PROPERTY OWNERS IN SID

If a Special Improvement District is being created for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects, the petition

required shall be signed by one hundred per cent of the owners of the area of all real property located within the proposed Special Improvement District. At least one special energy improvement project or shoreline improvement project shall be designated for each parcel of real property within the SID, and the SID may include any number of parcels of real property as determined by the legislative authority of each participating political subdivision in which the proposed SID is to be located.

PETITIONS SIGNED BY CONDOMINIUM OWNERS FOR SHORELINE IMPROVEMENT PROJECTS

The owner of real property that is part of a planned community or condominium development is deemed to have signed the petitions required with respect to a SID being created to implement a shoreline Improvement project if the district and projects have been approved through an alternative process prescribed by bylaws, declarations, covenants, and restrictions governing the planned community or condominium development.

SPECIAL ASSESSMENT LEVIED ONLY UPON BENEFITED PROPERTY

The services or improvements included in the initial plan shall be deemed a special benefit to the property owners within the district. Each owner of real property within a Special Improvement District is a member of the district, and the real property of each member of the district is subject to special assessment under ORC 1710.06C. Each participating political subdivision shall levy, by special assessment upon specially benefited property located within the district, the costs of any public improvements or public services plan contained in a petition approved by the participating political subdivisions.

PERIOD OF ASSESSMENT

After the initial plan is approved by all municipal corporations and townships to which it has been submitted for approval and the district is created, each participating subdivision shall levy a special assessment within its boundaries to pay for the costs of the initial plan. If the proceeds of the levy are to be used to pay the costs of a special energy improvement project or shoreline improvement project, the levy of a special assessment shall be for no more than thirty years from the date of approval of the initial plan.

TERRITORY CAN BE ADDED TO SIDS THAT INCLUDE SPECIAL ENERGY IMPROVEMENT PROJECTS OR SHORELINE IMPROVEMENT PROJECTS

Additional territory may be added to a Special Improvement District for the purpose of developing and implementing plans for special energy improvement projects or shoreline improvement projects if at least one special energy improvement project or shoreline improvement project, respectively, is designated for each parcel of real property included within such additional territory and the addition of territory is authorized by the initial plan adopted by the board of directors of the Special Improvement District. The special assessment to be levied with respect to such additional territory shall commence not earlier than the date such territory is added and shall be for no more than thirty years from such date.

EXEMPTION FROM SPECIAL ASSESSMENT OF STATE-OWNED TERRITORY FOR SHORELINE IMPROVEMENT PROJECTS ON LAKE ERIE

A shoreline improvement project may extend into the territory of Lake Erie. The state shall remain exempt from any special assessment that may be levied against that territory. The ORC Chapter 1506.10 defines the Lake Erie boundary lines as the waters of Lake Erie consisting of the territory within the boundaries of the state, extending from the southerly shore of Lake Erie to the international boundary line between the United States and Canada, together with the soil beneath and their contents belong to the state as proprietor in trust for the people of the state.

APPLICABLE LAWS AND REGULATIONS FOR SHORELINE IMPROVEMENT PROJECTS

A shoreline improvement project must comply with all applicable local zoning requirements, all local, state, and federal environmental laws and regulations and all applicable requirements established in Chapter 1506 of the Ohio Revised Code.

