

NAIOP Meeting with Building and Zoning Director Scott Messer

NAIOP's Legislative Committee and Legislative Working members met with Columbus Building and Zoning Services Director Scott Messer this week. Messer provided an update on the City's zoning code, reviewed plans for a fee schedule update in 2024 (it has been five years since fees were last increased, and the City's fund is headed to a negative balance), and discussed development plan approval process improvements and how that would be impacted by "shot clock" legislation regarding approval times. Finally, there was discussion about interest by some in the City regarding fencing of stormwater and amenity ponds. The Committee will be considering any follow-up items from this discussion.

Columbus City Council Housing Agenda Items

Columbus City Council has been working through a series of housing-related proposals that they believe will help improve residents' circumstances and create greater equity within the housing market. Housing Chair Shayla Favor has provided a summary of the six remaining items for which she would like to see ordinances by the end of the year:

1. Rent Increase Notification Requirements: Legislation requires tenants to receive at least a 180-day notice of monthly price increase upon lease renewal.
2. Vacant and Foreclosure Registry: A registry would give the ability to have up-to-date contact information for the owners of foreclosed or vacant properties and legally hold property owners responsible for leaving abandoned properties in disrepair.
3. Housing Wholesaler Regulations: This legislation would create licensed regulations similar to that of a realtor to prevent predatory practices.
4. Accessory Dwelling Unit (ADU) Pilot Program: This program will focus on creating affordable accessory dwelling units on lots that currently house one single-unit dwelling. Adding an ADU doubles the amount of housing units at a low cost to the primary landowner.
5. Rental Registry: A Rental Registration Program will protect the well-being of our residents and encourage both owners and occupants to maintain and improve the quality of rental housing. With the collection of a rental registration fee, millions of dollars will be generated and used for rental assistance, thus providing an "insurance policy" for landlords.
6. Office of Fair Housing: Legislation would create a robust, fair housing office to hold landlords/property owners accountable and protect tenants' rights.

NAIOP does not have details on any of these proposals at this point. Members are encouraged to contact Council directly or contact DebbieLee Dougherty if you want to be a part of any collective NAIOP feedback.

City of Columbus Public Tree Code

As a part of its ongoing work on its Urban Forestry Master Plan, the City of Columbus has put together a draft of changes for its code that oversees what the City defines as **PUBLIC** trees. Below is a link to a redline version of this draft:

· https://www.columbusufmp.org/uploads/2/6/0/6/26062495/chapter_912_public_august2023_tracking_changes.pdf

The City will have a public hearing (in-person and on WebEx) on September 14 from 4:00 to 6:00 p.m. and has a comment period open until September 22.

[Additional information is available.](#)

NAIOP members who have feedback are encouraged to contact DebbieLee Dougherty.

Notice of Violations for ROW Work?

The Department of Public Service has new administrative authority to issue notices and fines for violations of ROW policy. If NAIOP members have been receiving notifications of violations in the past few weeks that seem to be of a new/different rationale, please contact DebbieLee Dougherty with a general description of these circumstances so that NAIOP can get a better

City of Columbus Storm Water Drainage Manual: Wetland Impact

There are several volunteers in a multi-stakeholder working group that the City has put together looking at updating the stormwater drainage manual. The group is looking at guidelines for limited impacts on selected isolated wetlands. At a meeting earlier this month, the City's [consultant presented their information](#) and an outline to guide these impacts. The working group is expected to continue its work for a few more months.

OBBS Proposals on New Rules

As a part of the State's rulemaking process, two new OBBS rules are out for initial stakeholder input.

[1] *Proposed New Industrialized Unit (I.U.) Rules*

The Ohio Board of Building Standards proposes to adopt new rules regulating the construction of residential and non-residential Industrialized Units. These rules will replace the current provisions in Section 113 of the 2017 Ohio Building Code. The proposed draft rules are available for stakeholder review and comment:

[Proposed Industrialized Units Rules | Ohio Department of Commerce](#)

These proposed new rules are open for initial stakeholder comment until September 15, 2023.

Send your written comments on these rules to BBS@com.ohio.gov.

[2] *Proposed Boiler & Elevator Rules*

The Board of Building Standards proposes to update the Ohio Boiler Rules to update ASME BPVC and NBIC-referenced editions and the Ohio Elevator Rules to update the ASME-referenced editions and make other editorial changes to these rules. The proposed regulations are available for stakeholder review and comment:

[Proposed Boiler and Elevator Rules | Ohio Department of Commerce](#)

Additionally, Board Staff will conduct a Stakeholder Meeting on the proposed updated Ohio Boiler and Elevator Rules on September 15, 2023, @ 10 a.m. More information regarding the Stakeholder Meeting can be found at the link above.

These rules are open for initial stakeholder comment **until September 20, 2023.**

Send your written comments on these rules to BBS@com.ohio.gov

Developer Input Sought: Green Infrastructure

Franklin County Soil and Water Conservation District seeks developer feedback on green infrastructure practices. They created an [anonymous survey](#) for developers and design professionals to use. FCSWCD hopes for a better understanding of any hurdles there are and to work on solutions. For any questions, NAIOP members can contact David Reutter at 614-486-9613, ext. 127, or dreutter@franklinswcd.org

OSU Center for Real Estate Career Recruiting Forum

The Center has put out an invitation to participate in their inaugural, targeted recruitment event. Students and firms first will attend a moderated “Day in the Life” panel discussion to hear about a day in the life of a variety of industry participants, including lenders, developers, investment managers, brokers, advisors, lawyers, non-profit professionals, and other constituents within the commercial real estate ecosystem.

Following the “Day in the Life” panel discussion, undergraduate- and graduate-level students from multiple Ohio State colleges interested in pursuing careers in real estate will join dozens of employers for a resume and business card exchange reception.

The event will be **on Monday, October 23, 2023**, with the panel discussion from 5:00 - 6:00 p.m. and the meet and greet resume and business card exchange from 6:00 - 7:30 p.m.

Expressions of interest to attend will be considered on a rolling basis until capacity is filled, and emails can be sent to: irwin.336@osu.edu

WOTUS Rule Issued

Last week, the Environmental Protection Agency and U.S. Army Corps of Engineers issued a redline version of the revised, [final waters of the United States \(WOTUS\) rule](#) under the federal Clean Water Act in the aftermath of the Supreme Court *Sackett* ruling. While the rule is an apparent improvement of the previous version, it has fallen short of the specificity that residential interests sought.

Delaware City Tree Preservation Ordinance

The City has been considering a new tree preservation ordinance for over a year. Delaware is one of the potential “early adopters” of a new tree preservation ordinance following the U.S. Court of Appeals ruling that established new standards for a local government ordinance on this topic. Contact DebbieLee Dougherty for either the court ruling or Delaware’s latest draft.

Federal Energy Credits Update

An update on the issue of the status of new federal energy credits from the federal “Inflation Reduction Act” passed by Congress: the Ohio Department of Development Office of Energy and the Environment is on point for Ohio. Just last month, Ohio received guidance from the Department of Energy on how these incentive programs will be deployed, and they are working on their plan now. Realistically, the plan will not be completed, submitted, and approved until 2024. Electric energy providers can provide more information to BIA members; however, residential contractors (both single-family and multi-family) can continue to work with their architect/engineer to see if their projects could qualify for currently available tax credits.

Work Continues on Columbus Safety Fencing for New Amenity/Detention Ponds

City Council maintains its interest in considering legislation this year regarding amenity and detention pond safety. NAIOP members continue working on this issue, with no clear outcome. Members who have talked to City Council and/or are interested in participating in this issue should contact DebbieLee Dougherty.

Ohio Senate Special Committee on Housing Explores Solutions For Supply and Affordability

The Ohio Senate has launched a special committee to focus on improving housing in Ohio. The Committee is being chaired by Senator Michele Reynolds (R-Canal Winchester). Additional Central Ohio Senators on the Committee include Andy Brenner (R-Delaware) and Hearcel Craig (D-Columbus)

While the committee will have one focus on home ownership, the Chair indicates that all forms of housing and related issues will be considered - rentals, low-income housing tax credits, workforce housing, affordable housing, zoning and property taxes.

The Committee held its initial hearing last week, and housing stakeholders laid out for lawmakers the impacts of the issues of interest rates, inflation, zoning, population growth, development approval timeframes, building costs and bureaucracy combine to contribute to Ohio's housing market issues.

Hearings will continue as the Senate searches for policy changes the state should consider.

90% of CPI: Housing's Determining Role in Current Inflation Calculations

There is much national attention to economic data and the Federal Reserve's policies to moderate inflation and achieve a "soft landing" by keeping a buoyant economy and avoiding a recession. [NAHB reports](#) that the most recent inflation calculations are due almost exclusively to the housing market. Regulatory changes that could help increase the housing supply and bring more affordability to the housing market are essential to the nation's long-term inflation rate.

Intel News

- [Johnstown, Alexandria, Granville Discussing Utility Partnership](#)
- [Are There Parallels Between Intel and Shale Development's Impact on Housing?](#)
- [Johnstown Proposal Takes Shape](#)
- [Federal Money Yet to be Received](#)

Local News

- [Columbus Considering Annexing Land for Apartments](#)
- [Grove City and New Albany Projects Announced](#)
- [Downtown Apartment Site Closes](#)
- [Columbus Site for 200 Units by New Developer to Central Ohio](#)
- [Dublin Has New Economic Development Director](#)
- [Extended Stay Hotel Underway in 161 Area](#)
- [Grove City Approves Rezoning](#)
- [Canal Winchester Gets Apartment Proposal](#)
- [Jerome Township Voting on Home Rule](#)
- [Downtown Apartment Site Closes](#)
- [Delaware County Site Has Unique Theme](#)
- [Local Multi-Family Projects Recognized](#)

- [Hebron Hires Economic Development Director and Administrator](#)
- [OSU Center for Real Estate Revamping Offerings](#)
- [Mill Run Redevelopment to Include Apartments](#)
- [Next Columbus Peninsula Phase to Include 300 Apartments](#)
- [Bexley Proposal Includes 200+ Apartments](#)
- [Construction Delay Impacts Students](#)
- [New Fairfield County Land Plan Faces Opposition](#)
- [Canal Winchester Hires Administrator and Tables Apartment Proposal](#)
- [Fairfield County Growth Recognized](#)
- [Etna Trustees Defeat Ban on Solar Sites](#)
- [Property Owner Denied TRO Over Downtown Public Restroom Plan](#)
- [Delaware Business Park Area Includes Multi-Family Plans](#)
- [Franklinton Park Vision of Private Sector](#)
- [Franklinton Changing](#)
- [Downtown Office Building Vacancy Rates](#)
- [New Airport Terminal: A Sign of Future Central Ohio Growth?](#)

National News

- [WOTUS Rule Lacking Clarity](#)
- [Rent Control Discussions Increasing](#)
- [Is Housing Bound for Longer Term Freeze?](#)
- [Will WFH Impact Affordability?](#)
- [SF Homes Smallest in Decade](#)