



Legislation Details (With Text)

File #: 2821-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/5/2012 **In control:** Development Committee

On agenda: 12/17/2012 **Final action:** 12/19/2012

Title: To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-017) of 1.011 + acres in Orange Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2821-2012 AN12-017 Legal Description, 2. ORD2821-2012 AN12-017 Map (3392 E Powell Road)

Date	Ver.	Action By	Action	Result
12/19/2012	1	CITY CLERK	Attest	
12/18/2012	1	MAYOR	Signed	
12/17/2012	1	COUNCIL PRESIDENT	Signed	
12/17/2012	1	Columbus City Council	Approved	Pass

AN12-017

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Orange Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Delaware County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Delaware County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, annexation of land also has the potential to create revenue to the City.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-017) of 1.011 ± acres in Orange Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed on behalf of N.P. Limited Partnership on December 5, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Delaware County on January 3, 2013; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

WHEREAS, the annexation involves a single-family residence served by an access easement to Powell Road and the intended use is land assemblage for mixed-use development; and

WHEREAS, the property is located within the boundaries of the adopted Far North Area Plan in the “J2” sub-district, which recommends: Preserving existing residential uses; supporting compatible infill residential development. The Far North Plan is currently under revision; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Delaware County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health, safety and welfare; **now, therefore,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City of Columbus will provide the following municipal services for 1.011 ± acres in Orange Township upon the annexation of said area to the City of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

Sanitation: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: Water service to the annexation site would require a water main extension of approx. 1750’+/- from the 12” water main located at the intersection of Gemini Pkwy and Orion Place.

Sanitary Sewer: The property will require mainline extension from existing Delaware Co sewer CC7915 (30-inch MH#5) which is situated approximately 2600 feet from the eastern property boundary. Mainline (CC engineered sanitary plan) extension is required and will be performed at the owner’s expense. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/owner. In

addition, there appears to be a stream within the proposed annexation area that would require the Stormwater Drainage Manual Stream Corridor Protection Zone policy be addressed.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development. All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

Section 2. If this 1.011 ± acre site is annexed, and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Orange Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Orange Township. For the purpose of this section, “buffer” includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.