



Legislation Details (With Text)

File #: 1965-2011 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/2/2011 **In control:** Development Committee

On agenda: 11/14/2011 **Final action:** 11/16/2011

Title: To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN11-013) of 11.5 + 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. ORD1965-2011 AN11-013 Legal Description, 2. ORD1965-2011 AN11-013 Map (68 Lazelle Rd)

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|----------|--------|
| 11/16/2011 | 1 | CITY CLERK | Attest | |
| 11/15/2011 | 1 | MAYOR | Signed | |
| 11/14/2011 | 1 | COUNCIL PRESIDENT | Signed | |
| 11/14/2011 | 1 | Columbus City Council | Approved | Pass |

AN11-013

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 (AN11-013) of 11.5 ± 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 the Chakroff Limited Partnership et al. on November 1, 2011; and

WHEREAS, a hearing on said petition has been scheduled before the Board of County Commissioners of Delaware County on December 1, 2011; 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 parcel is located within the boundaries of the Far North Plan, which recommends commercial and light industrial uses for the subarea this property is located within; 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 11.5 ± 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.

Water: The proposed annexation site will receive water service from the Division of Power and Water. The annexation site will be served by the existing 16" water main located in Lazelle Road.

Sanitary Sewer: Records indicate that existing sewers can serve the properties based on the following breakdown:

- Parcel 1 (4 acre Doremus property): an existing 8-inch sanitary sewer stubbed at the north property line approximately 650 feet east of S.R.23 (Record Plan RP-11764);
- Parcels 2 and 3: an existing 15-inch sanitary sewer located parallel to Lazelle Road along the south property lines of subject parcels (Record Plan RP-10900)

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 11.5 ± 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.