



## Legislation Details (With Text)

**File #:** 0424-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 2/10/2017      **In control:** Economic Development Committee

**On agenda:** 2/27/2017      **Final action:** 3/2/2017

**Title:** To authorize and direct the City Clerk to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Delaware County by Evans Farm Land Development Company, LLC to create a new community authority and new community district under Chapter 349 of the Ohio Revised Code; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/2/2017	1	MAYOR	Signed	
3/2/2017	1	CITY CLERK	Attest	
2/27/2017	1	COUNCIL PRESIDENT	Signed	
2/27/2017	1	Columbus City Council	Approved	Pass

**Background:** Evans Farm Land Development Company, an Ohio limited liability company (the “Developer”) is developing an approximately 1,159.6 acre residential and commercial development in Orange Township and Berlin Township in Delaware County, Ohio. The Developer will submit a petition (the “Petition”) to Delaware County, Ohio (the “County”) requesting the establishment of a new community authority and new community district to be named “Evans Farm NCA” for the purposes of developing the area in a multiple phase and multiple year development as one functionally interrelated community in accordance with Ohio Revised Code Chapter 349 of the Ohio Revised Code. The Developer is required to obtain the approval of the Petition by “proximate cities” as defined in Section 349.01(M) of the Ohio Revised Code. The City is a “proximate city” pursuant to Section 349.01(M) of the Ohio Revised Code because the southern edge of the development is within five miles of the most populous city in an adjoining county, the City of Columbus in Franklin County. The Developer is requesting the City’s approval so it may move forward with seeking the County’s approval of creation of the Evans Farm NCA to allow for development and financing of the public infrastructure improvements needed to support the Evans Farm NCA through the levying of a 10 mill community development charge on the property within the Evans Farm NCA. The City’s Department of Development and the City Attorney’s Office have reviewed the Petition and it is sufficient to meet the requirements of Chapter 349 of the Ohio Revised Code. The Developer has requested that the ordinance be approved as an emergency for the immediate preservation of the public peace, property, health or safety to take advantage of the prime construction season.

**Fiscal Impact:** No funding is required for this legislation.

To authorize and direct the City Clerk to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Delaware County by Evans Farm Land Development Company, LLC to create a new community authority and new community district under Chapter 349 of the Ohio Revised Code; and to declare an emergency.

**WHEREAS,** Evans Farm Land Development Company, an Ohio limited liability company (the “Developer”) will submit a petition (the “Petition”) to Delaware County, Ohio (the “County”) requesting the establishment of a new community

authority to be named “Evans Farm NCA” comprising approximately 1,159.6 acres in Orange Township, Delaware County, Ohio and Berlin Township, Delaware County, Ohio (the “District Property”) for the purposes of developing the District Property as one functionally interrelated community; and

**WHEREAS**, the Developer has requested that the City of Columbus, Ohio (the “City”), as a “proximate city” as defined in Section 349.01(M) of the Ohio Revised Code, authorize the City Clerk to sign the Petition as approval of such Petition by the City, as a “proximate city” to allow for the Petition to be then presented to the County, as the “Organizational Board of Commissioners” to consider creation of the Evans Farm NCA as a new community authority and new community district under the provisions of Chapter 349 of the Ohio Revised Code; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that this Ordinance is required to be immediately effective to provide for the timely consideration of the Petition by the County, to allow for the Developer and the new community authority to commence financing and construction of public infrastructure improvements, thus securing for economic benefits of the future residents of the Evans Farm NCA which are needed to provide for the health, welfare and safety of the residents of the City; now, therefore,

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

**Section 1.** That the City Clerk is hereby authorized to execute and sign the Petition on behalf of the City and this Council, which Petition shall then be presented to the County, as the “organizational board of commissioners” as defined Section 349.01(M) of the Ohio Revised Code, pursuant to Chapter 349 of the Ohio Revised Code to create Evans Farm NCA as a new community authority and as a new community district for the benefit of the residents of the City, the Townships and the County, and the residents of the proposed new community authority and the new community district. The City Clerk’s signature on that Petition shall indicate the approval of that Petition by the City as a “proximate city” within the meaning of Section 349.01(M) of the Ohio Revised Code.

**Section 2.** That for the reasons stated in the preamble hereto, which is 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.