



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 3/16/2017 **In control:** Economic Development Committee

On agenda: 3/27/2017 **Final action:** 3/29/2017

Title: To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN17-004) of 0.47± Acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0763-2017 AN17-004 Plat Map, 2. ORD0763-2017 AN17-004_Legal_Description

Date	Ver.	Action By	Action	Result
3/29/2017	1	CITY CLERK	Attest	
3/28/2017	1	MAYOR	Signed	
3/27/2017	1	COUNCIL PRESIDENT	Signed	
3/27/2017	1	Columbus City Council	Approved	Pass

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 Prairie Township. An agreement between Columbus and the property owners stipulates that upon annexation by the City, a petition will be submitted to Franklin County in order to transfer the property to Montgomery Township per Section 503.07 of the Ohio Revised Code (ORC). The agreement, which was authorized by ordinance 0601-2017, applies only to the subject site. This ordinance is required by the ORC as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required 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. Ordinance 0601-2017 authorized a pre-annexation agreement between the City and property owner. This agreement addresses City payment to the Township as required by the ORC upon boundary conformance and subsequent reimbursement by the property owners.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN17-004) of 0.47± Acres in Prairie 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 Prairie Township was duly filed by Thomas & Patricia Hawkins on March 15, 2017; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on May 23, 2017; 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 to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Big Darby Accord Watershed Master Plan planning area; 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 Franklin 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 0.47± acres in Prairie 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: Residential refuse collection services will be available upon annexation of the property.

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: The site will be served by an existing 12" water main located in Doherty Road.

Sewer: This site can be served by an existing 8-inch sanitary sewer situated within an easement along the rear property line within the neighboring property to the west. Sewer Plan indicates a wye and riser were installed to provide future service to this property. Sewer plan: RP-7069

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/developers at their own expense with no cost to the city.

Section 2. If this 0.47± 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 Prairie 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 Prairie 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.