



Legislation Details (With Text)

File #: 3007-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/25/2018 **In control:** Economic Development & Small and Minority Business Committee

On agenda: 11/5/2018 **Final action:**

Title: To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN18-011) of 1.957± acres in Franklin Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3007-2018 AN18-011_Legal, 2. ORD3007-2018 AN18-011_Platt

Date	Ver.	Action By	Action	Result
11/7/2018	1	CITY CLERK	Attest	
11/6/2018	1	MAYOR	Signed	
11/5/2018	1	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Columbus City Council	Approved	Pass

AN18-011

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 Franklin 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 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.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN18-011) of 1.957± acres in Franklin 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 Franklin Township was duly filed on behalf of Nael Yasin on October 24, 2018; and

WHEREAS, a hearing on said petition has been scheduled before the Board of County Commissioners of Franklin County on November 27, 2018; 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, 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 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 1.957± acres in Franklin 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: Division of Refuse Collection personnel have made a site visit and the division has no objection to this request. If a multi-family building or complex is built, all requirements of Title 13 would need to be followed in order to qualify for city-provided multi-family refuse collection service.

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 proposed annexation site will receive water service from the Division of Water from either a 20" water main located within Frank Road or an 8" main located within Brown Road. The connection to water service will be made at the owner's expense.

Sewers: 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.

Sanitary: Sanitary sewer service for the proposed development is available to the site through a combination of an 18" sanitary line on the west side of Brown Road and a 21" sewer on north side of Frank road.

Storm: 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. That, if this 1.957± 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 Franklin 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 Franklin 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.