



Legislation Details (With Text)

File #: 1982-2019 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/10/2019 **In control:** Economic Development Committee

On agenda: 7/22/2019 **Final action:** 7/25/2019

Title: To authorize the director of the Development Department to enter into an Annexation Agreement with the Trustees of Clinton Township that allows and requires the conforming of boundaries for property located at 1480 Chesapeake Avenue to be annexed to the City, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1982-2019 Columbus-Clinton Annexation Agreement and Exhibit - 1480 Chesapeake

Date	Ver.	Action By	Action	Result
7/25/2019	1	CITY CLERK	Attest	
7/24/2019	1	MAYOR	Signed	
7/22/2019	1	COUNCIL PRESIDENT	Signed	
7/22/2019	1	Columbus City Council	Approved	Pass

BACKGROUND

Due to the use of the Expedited Type Two annexation process outlined in the Ohio Revised Code (ORC), most annexations to Columbus result in overlapping jurisdictional boundaries. Sites annexed to Columbus prior to the institution of this process were typically removed from the underlying township through boundary conformance, resulting in a “Columbus-only” status. With the new process, annexed sites retain a relationship to the underlying township. This dual status is reflected in the tax district assigned to such sites. An annexation agreement as outlined in ORC section 709.192 between the municipality and township may allow for removal of the site’s connection to the underlying township (boundary conformance).

The owner of 1480 Chesapeake Avenue in Clinton Township (PID 230-001393) is seeking to annex the property to Columbus for the purpose of residential development. A plat map of the subject site is included with this legislation. Columbus does not wish to add to the inventory of overlapping parcels in this area. Accordingly, the property owner successfully sought an agreement between the City and Clinton Township as outlined by ORC 709.192, allowing the subject parcel to be removed from the township upon acceptance by the City. This action does not obligate the City to compensate Clinton Township.

This legislation authorizes the director of the Department of Development to enter into an annexation agreement with the Trustees of Clinton Township. The agreement calls for the use of a Type One annexation application as stipulated by the ORC in such instances. Upon acceptance of the annexation, the City will submit a petition to the Franklin County Board of Commissioners seeking to conform the boundaries of the subject site in accordance with Section 503.07 of the ORC. This legislation is filed as emergency to facilitate the timely completion of the annexation and conformance process.

FISCAL IMPACT: None.

To authorize the director of the Development Department to enter into an Annexation Agreement with the Trustees of Clinton Township that allows and requires the conforming of boundaries for property located at 1480 Chesapeake Avenue to be annexed to the City, and to declare an emergency.

WHEREAS, most annexations to Columbus are filed using the Expedited Type Two process outlined in the Ohio Revised Code; and

WHEREAS, this process does not generally allow municipalities to conform the boundaries of newly annexed territory, resulting in annexed territory having a “dual” status of being within both the city and township; and

WHEREAS, the owner of 1480 Chesapeake Avenue (PID 230-001393) is seeking to annex the property to Columbus for the purpose of residential development; and

WHEREAS, Columbus does not wish to add to the inventory of overlapping parcels in this area; and

WHEREAS, an exception to the conformance prohibition is permitted under ORC 709.023(H) if an annexation agreement between the municipality and township addresses the matter; and

WHEREAS, both the City of Columbus and the Trustees of Clinton Township have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into an Annexation Agreement requiring the removal of such annexed land from Clinton Township; 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 in order to facilitate the timely completion of the annexation and boundary conformance process; now, therefore

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into an Annexation Agreement with the Trustees of Clinton Township that allows and requires the conforming of boundaries for the subject site.

Section 2. 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.