



## Legislation Details (With Text)

**File #:** 1240-2023      **Version:** 1

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

**File created:** 4/19/2023      **In control:** Economic Development Committee

**On agenda:** 5/1/2023      **Final action:** 5/3/2023

**Title:** To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN23-003) of 2.3± Acres in Mifflin Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 1240-2023 AN23-003 Briefing Sheet, 2. 1240-2023 AN23-003 Legal, 3. 1240-2023 AN23-003 Plat

Date	Ver.	Action By	Action	Result
5/3/2023	1	ACTING CITY CLERK	Attest	
5/2/2023	1	MAYOR	Signed	
5/1/2023	1	COUNCIL PRESIDENT	Signed	
5/1/2023	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 Mifflin 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. This Ordinance must be passed by an emergency in order for the City to meet the time frames specified in the ORC.

**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 (AN23-003) of 2.3± Acres in Mifflin 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 Mifflin Township was duly filed on behalf of Airport Commerce Park LLC on April 19, 2023; and

**WHEREAS**, a hearing on said petition is tentatively scheduled before the Board of County Commissioners of Franklin County on May 16, 2023; 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 within the Port Columbus Joint Economic Development Strategy (2008); 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 within the time frames required by 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 2.3± acres in Mifflin Township upon the annexation of said area to the city of Columbus:

**Sanitation:** The station approves this request, however, it does not qualify for city refuse 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 site will be served by an existing 12" water main located in Johnstown Road, the connection to which will be made 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:** This site can be served by an existing 8 inch sewer situated within an easement and on the subject parcel. Sewer plan: CC-13566

**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.** If this 2.3± 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 Mifflin 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 Mifflin 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 made a part hereof, this ordinance is 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.