

CITY OF FRANKLIN, OHIO  
RESOLUTION 2023-10

**SETTING FORTH STATEMENT OF MUNICIPAL SERVICES THE CITY OF FRANKLIN WILL PROVIDE TO THE 107.403 +/- ACRES OF LAND, LOCATED IN FRANKLIN TOWNSHIP, WARREN COUNTY, AND PROPOSED TO BE ANNEXED TO THE CITY OF FRANKLIN VIA AN EXPEDITED TYPE-II ANNEXATION PURSUANT TO R.C. 709.021 AND 709.023; AND THE BUFFER REQUIREMENTS THE CITY OF FRANKLIN WILL ENFORCE AS PROVIDED IN R.C. 709.023(C)**

WHEREAS, on February 6, 2023 a petition was filed with the Board of County Commissioners of Warren County, Ohio, for the annexation of 107.403 +/- acres of territory in Franklin Township to the City of Franklin, which petition was signed by 100% of the property owner(s) of the territory sought be annexed; and

WHEREAS, said territory is adjacent to the City of Franklin, and no street or highway is included in the territory to be annexed and/or no street or highway be divided or segmented by the boundary line between Franklin Township and the City of Franklin, if the territory is so annexed; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, adopt a statement of services setting forth what services it will provide the territory upon its annexation and an approximate date by which it will provide such services, which ordinance or resolution must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, require buffers separating any new uses in the annexed territory that the City Council determines are clearly incompatible with the uses permitted under current township or county zoning regulations in the adjacent land remaining within the township from which the territory was annexed; and

WHEREAS, the City of Franklin supports the proposed annexation and will provide the services set forth in this Resolution to the territory proposed for annexation, upon its annexation to the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, County of Warren, State of Ohio, with a majority of duly elected members thereof concurring, that:

Section 1. The City of Franklin shall provide all municipal services to the territory proposed for annexation available to other parts of the City, including police; fire and EMS; sanitary sewer; water; waste collection; and planning and zoning services, to the same extent and in the same manner as municipal services are provided to other parts of the City, pursuant to the City's general and uniformly applied policies. Such services will be available and provided by the City to the territory proposed for annexation once the City's resolution or ordinance accepting the annexation becomes final as provided by law. Said services will be provided by the City on the terms and conditions, and shall be subject to the rates, fees, rules, and/or regulations established by City ordinance(s), to the same extent as such are provided/applicable to other territory and properties located within the City of Franklin.

Section 2. If the territory is annexed and becomes subject to City of Franklin zoning regulations/ordinances, and the City's zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the Franklin Township zoning regulations in effect at the time of the filing of the petition, in any adjacent land remaining within Franklin Township, the City Council will require, in the zoning ordinance permitting the incompatible uses, that the owner(s) of the annexed territory provide a buffer separating the use of the annexed territory and any adjacent land

remaining within Franklin Township. "Buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. The Clerk of City Council is hereby directed to immediately forward and file a certified copy of this Resolution to the Board of County Commissioners of Warren County, Ohio (and in no manner later than February 27, 2023).

Section 4. All formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall become effective immediately upon its passage.

ADOPTED: February 25, 2023

ATTEST: Khristi Dunn  
Khristi Dunn, Clerk of Council

APPROVED: Brent Centers  
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on February 25, 2023.

Khristi Dunn  
Khristi Dunn, Clerk of Council