

TEMPORARY ORDINANCE NO. 17-25

PERMANENT ORDINANCE NO. 17-25

AN ORDINANCE DELINEATING OVERLAYS IN RELATION TO THE PROPOSED POWERS RUN INCENTIVE DISTRICTS #1 THROUGH #5, WITHIN THE CITY OF LANCASTER, OHIO; ADOPTING A WRITTEN ECONOMIC DEVELOPMENT PLAN AS TO SAME; SETTING THE TIME AND PLACE OF A PUBLIC HEARING; AUTHORIZING AND RATIFYING THE GIVING OF NOTICE TO THE LANCASTER CITY SCHOOL DISTRICT, AND THE BOARD OF COUNTY COMMISSIONERS OF FAIRFIELD COUNTY, OHIO, ALL PURSUANT TO OHIO REVISED CODE SECTION 5709.40(C) AND ITS RELATED RULES AND LAWS; AND DISPENSING WITH THE REQUIREMENT THAT THIS ORDINANCE MUST BE READ ON THREE DIFFERENT DAYS PURSUANT TO OHIO REVISED CODE SECTION 731.17(A)

WHEREAS, this Council (the "Council") of the City of Lancaster, Ohio (the "City") is contemplating the creation of five (5) "Incentive Districts" as defined in Division (A)(5) of Ohio Revised Code Section ("R.C.") 5709.40 for certain parcels in the City, as authorized under Division (C) of R.C. 5709.40, such Incentive Districts being numbered #1, #2, #3, #4, and #5 (each a "Powers Run Incentive District", and collectively, the "Powers Run Incentive Districts"); and

WHEREAS, pursuant to Division (C)(2) of R.C. 5709.40, this Council must conduct a public hearing on an Ordinance proposed under R.C. 5709.40(C)(1) creating the Powers Run Incentive Districts, which such public hearing must be preceded by sufficient notice to every real property owner whose property is located within the boundaries of the Powers Run Incentive Districts, and such notice must include a map of the applicable Powers Run Incentive District on which this Council must have delineated an overlay; and

WHEREAS, this Ordinance an ordinance delineating overlays and adopting a written economic development plan such that this Council may, in the future, consider an ordinance proposed under R.C. 5709.40(C)(1) establishing the Powers Run Incentive Districts (the "Proposed Powers Run Incentive Districts TIF Ordinance"); and

WHEREAS, such overlays must satisfy Division (A)(6) of R.C. 5709.40, namely each overlay must cover an area of not more than three hundred (300) acres that is a square, or that is a rectangle having two (2) longer sides that are not more than twice the length of the two (2) shorter sides; and

WHEREAS, the overlays depicted in EXHIBIT A attached hereto and incorporated herein by reference (each, an "Overlay") are drawn in accordance with the foregoing; and

WHEREAS, pursuant to Division (A)(5)(f) of R.C. 5709.40, one of the distress characteristics of an Incentive District requires certification by the engineer for the City (the "City Engineer") that the public infrastructure serving such Incentive District is inadequate to meet the development needs of the Incentive District as evidenced by a written economic development plan for the Incentive District; and

WHEREAS, in order to make the necessary certification for the Powers Run Incentive Districts, the City Engineer is required to consider a written economic development plan for the Powers Run Incentive Districts adopted by this Council for such purposes; and

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interests of the City to adopt a written economic development plan for the Powers Run Incentive Districts, a copy of which is provided in EXHIBIT B attached hereto and incorporated herein by reference (the "Economic Development Plan"); and

WHEREAS, in order to consider the Proposed Powers Run Incentive Districts TIF Ordinance, the City must comply with the public hearing and notice provisions of R.C. 5709.40(C) and 5709.40(D) and the City intends to (i) set a time and place for a public hearing to occur not later than thirty (30) days prior to adopting the Proposed Powers Run Incentive Districts TIF Ordinance, (ii) ratify the City's transmittal of notice of the public hearing and the Proposed Powers Run Incentive Districts TIF Ordinance to every real property owner whose property is located within the boundaries of the proposed Powers Run Incentive Districts, and (iii) authorize the City to transmit notice to the Board of County Commissioners of Fairfield County and the Lancaster City School District Board of Education of the City's intention to adopt the Proposed Powers Run Incentive Districts TIF Ordinance; and

WHEREAS, this Council has determined to approve this Ordinance and dispense with the rule that this Ordinance shall be read on three (3) different days pursuant to R.C. Section 731.17(A); now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. Pursuant to Division (A)(6) of R.C. 5709.40, this Council hereby delineates the Overlays as they relate to and serve to further describe the proposed Powers Run Incentive Districts.

SECTION 2. Under Division (A)(5)(f) of R.C. 5709.40, this Council hereby adopts the Economic Development Plan in furtherance of its contemplation of the Powers Run Incentive Districts.

SECTION 3. This Council hereby provides the following authorizations pursuant to the requirements of R.C. 5709.40, each required in order to establish the Powers Run Incentive Districts pursuant to the Proposed Powers Run Incentive Districts TIF Ordinance, as follows:

- (i) This Council hereby authorizes the City Engineer to conduct a review of the Economic Development Plan, and upon such review, certify the results to this Council pursuant to R.C. 5709.40(A)(5)(f).
- (ii) Pursuant to R.C. 5709.40(C)(2)(a), this Council hereby determines that a public hearing with respect to this Council's formal adoption of the Proposed Powers Run Incentive Districts TIF Ordinance shall occur on April 21, 2025, at a regularly scheduled meeting of this Council at 6:30 p.m. in the Council Meeting Room of the Lancaster City Hall, located at 104 East Main Street, Lancaster, Ohio 43130, which such public hearing shall occur not later than thirty (30) days prior to this Council's formal adoption of the Proposed Powers Run Incentive Districts TIF Ordinance.

- (iii) Pursuant to R.C. 5709.40(C)(2)(a), this Council hereby authorizes the City Mayor, the Clerk of this Council, and their designees, to send proper and timely notice, by first class mail, to every real property owner whose property is located within the boundaries of the Powers Run Incentive Districts subject of the Proposed Powers Run Incentive Districts TIF Ordinance, which such notice being delivered not later than thirty (30) days prior to the public hearing set by this Ordinance in Section 3(i) above.
- (iv) Pursuant to R.C. 5709.40(D), this Council hereby authorizes the City Mayor, the Clerk of this Council, and their designees, to send proper and timely notice to the Lancaster City School District Board of Education of this Council's intention to formally adopt the Proposed Powers Run Incentive Districts TIF Ordinance following all required notice periods.
- (v) Pursuant to R.C. 5709.40(E), this Council hereby authorizes the City Mayor, the Clerk of this Council, and their designees, to send proper and timely notice to the Board of County Commissioners of Fairfield County, Ohio of this Council's intention to formally adopt the Proposed Powers Run Incentive Districts TIF Ordinance.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

SECTION 5. That this Council has dispensed with the rule that this Ordinance shall be read on three (3) different days by a vote of at least three-fourths (3/4) of the members of the Council, and this Ordinance shall be effective at the earliest date allowable by law upon its adoption and approval by the Mayor.

Passed: 3-10-25 after 1 reading. Vote: Yeas 10 Nays 0

Approved: march 10, 2025

Clerk: [Signature]

[Signature]
 President of Council
Don G. McJanet
 Mayor

Offered by: Maayna Hoop

Second by: Michael Wing

Requested by Economic Development Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

 Clerk of Council

EXHIBIT A

The Powers Run Incentive Districts are intended to include real property situated in the City of Lancaster, Ohio, County of Fairfield, and State of Ohio consisting of the real property identified by the Fairfield County Auditor's Permanent Parcel Identification Numbers set forth below (including any subsequent combinations or subdivisions) as identified in the records of the Fairfield County Auditor from time to time:

0534008020
0534164600
0270166299

For ease of reference, the maps that follow show the Overlays for the Powers Run Incentive Districts delineated with green lines.

(See attached.)

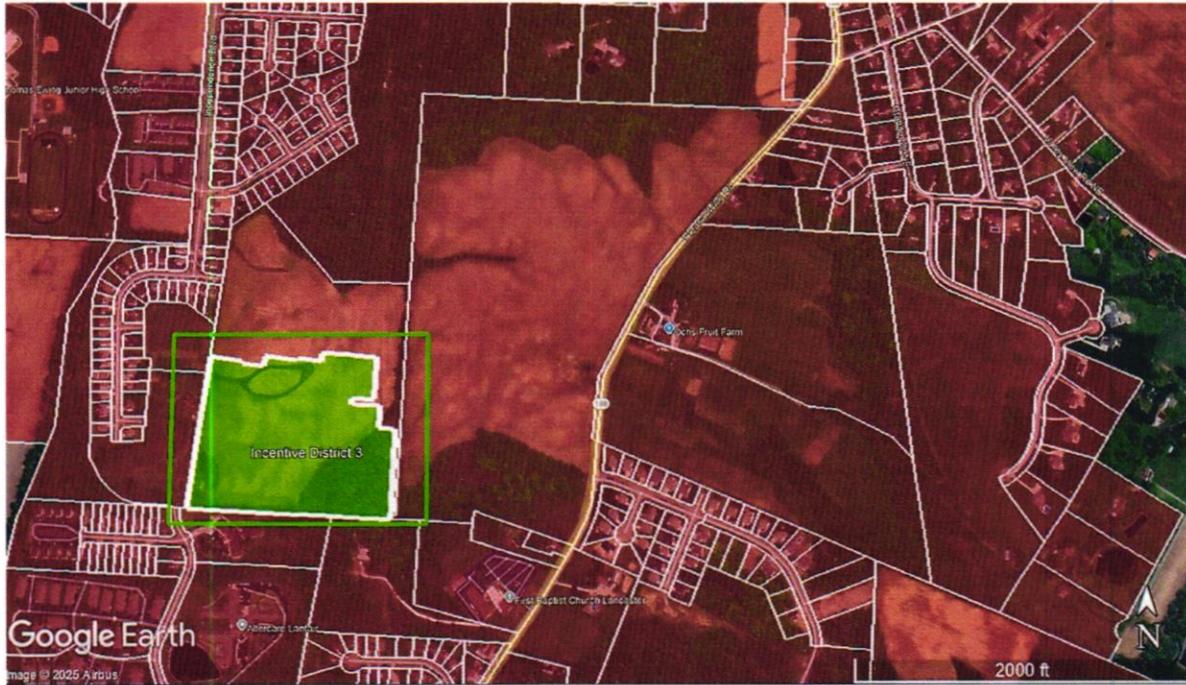
Incentive District 1



Incentive District 2



Incentive District 3



Incentive District 4



Incentive District 5

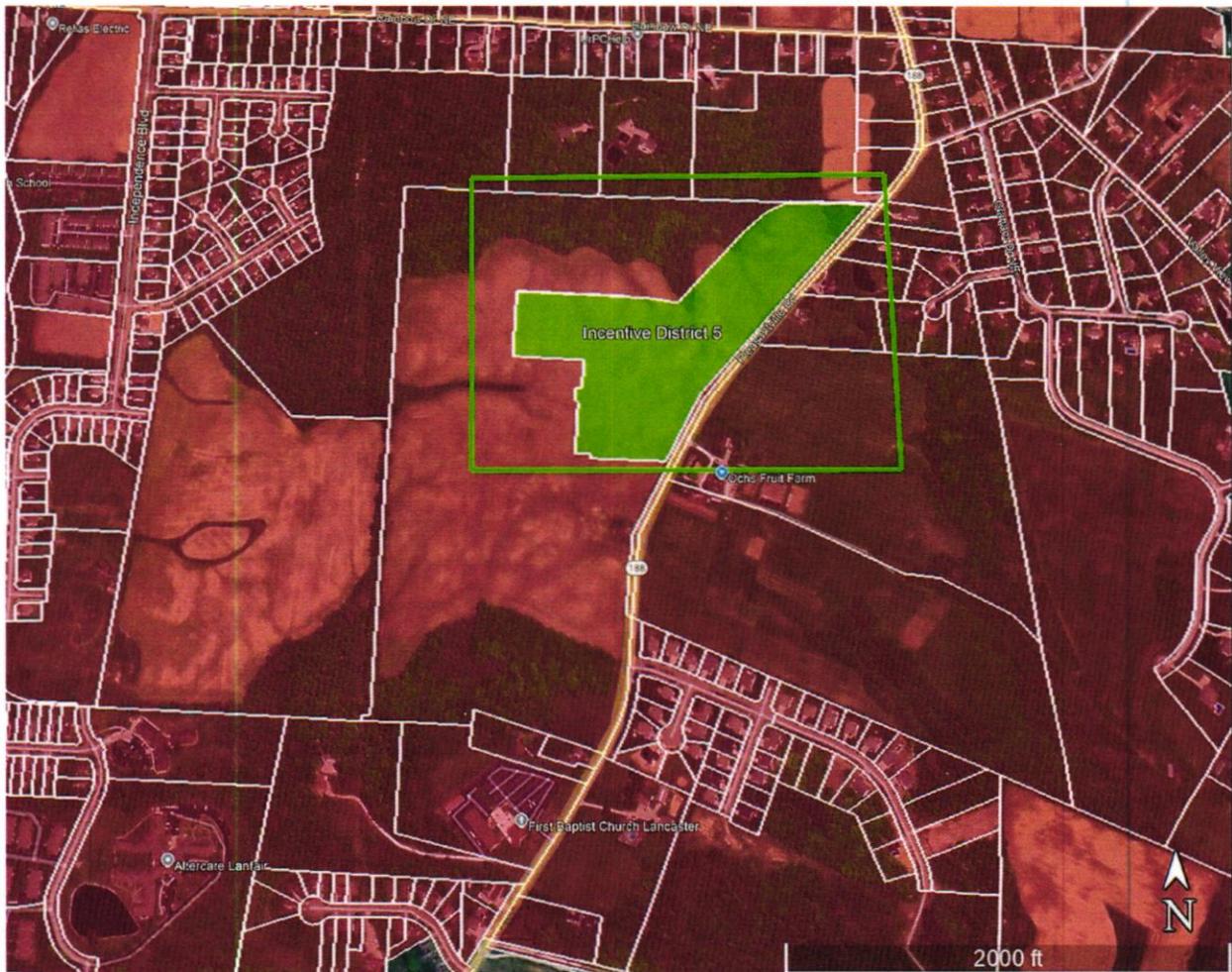


EXHIBIT B

City of Lancaster, Ohio

Economic Development Plan for the Powers Run Incentive Districts Development Area

[_____, _____]

OVERVIEW OF PROPOSED DEVELOPMENT

Forestar (USA) Real Estate Group Inc. (“Forestar”), has acquired approximately 128.88 acres of real property (“Project Site”) located at 2106 Pleasantville Road within the City of Lancaster, Ohio (“City”). It is currently anticipated that Forestar will act as the initial lot developer of the Project Site by installing certain public infrastructure in anticipation of transferring the Project Site or portions thereof, from time to time, to one or more home building companies (the “Site Preparation Project”). The home building companies that develop the Project Site after completion of the Site Preparation Project (the “Home Builders”) are expected to construct approximately 333 single-family homes (the “Building Project,” and together with the Site Preparation Project, the “Powers Run Project”).

The anticipated layout of the Powers Run Project is generally depicted in that certain Phasing Plan prepared for Forestar by CESO Inc. attached hereto and incorporated herein by reference as Attachment A-1. Relatedly, Attachment A-2, attached hereto and incorporated herein by reference, shows the Phasing Plan imposed on a map of the surrounding area. The Powers Run Project is expected to occur upon the Fairfield County Auditor’s Permanent Parcel Identification Numbers set forth below (including any subsequent combinations or subdivisions) as identified in the records of the Fairfield County Auditor from time to time:

0534008020

0534164600

0270166299

LAND USE CONTROLS

As currently described by the Fairfield County Auditor’s Permanent Parcel Identification Numbers set forth above, such real property is zoned, according to the Zoning Ordinance of the City of Lancaster, Ohio pursuant to Ordinance 15-23 adopted August 14, 2023 (the “Zoning Ordinance”), as may be amended from time to time, as Residential Medium Density District (“R-MD”). Pursuant to Section 1129.03 of the Codified Ordinances of the City of Lancaster, Ohio, R-MD designation requires 50 feet of frontage minimum and the maximum density to be 8.71 dwelling units per acre. The purpose of the R-MD zoning designation is to, among other things, promote redevelopment of one-unit residential dwellings on moderately sized lots where off street parking may or may not be provided, to promote new residential development on moderately sized lots with off-street parking, to accommodate the growing trend of patio homes and other similar products, to allow for minimal non-residential uses, such as schools and parks, that are compatible with and maintain the overall residential character of the area and to provide pedestrian connections between such uses, all as more particularly described in the Zoning Ordinance.

The general ordinances and Ordinances of the City of Lancaster, Ohio shall apply except as otherwise provided within this Exhibit B. All references to the City of Lancaster, Ohio general ordinances and Ordinances refer to the version of such general ordinances and Ordinances in force at the time of their adoption. Whenever there is a conflict or difference between the provisions of this Powers Run Economic Development Plan text and exhibits, and the general ordinances and Ordinances of the City, the provisions of the Powers Run Economic Development Plan’s text and

exhibits shall prevail. Where the Powers Run Economic Development Plan text and exhibits are silent, the provisions of the general ordinances and Ordinances of the City of Lancaster, Ohio and the Zoning Ordinance of the City of Lancaster, Ohio shall prevail.

DEVELOPMENT MIX

Constructed in one or more phases, the entire Powers Run Project is presently anticipated to consist of approximately 333 lots for single-family homes, the development of public infrastructure improvements needed to service the Powers Run Project, and necessary appurtenances thereto. Specifically, the City and Forestar currently anticipate that land development costs incurred in the Site Preparation Project will be approximately \$21,268,281.00, which includes various on and off-site roadwork and utility improvements and will directly benefit the Powers Run Project as well as provide an overall benefit to the City, its residents, and future development patterns.

ANALYSIS AND ASSESSMENT

The Powers Run Project is designed using smart-growth principles that foster a human scale, pedestrian-friendly community, with the volume of single-family housing types necessary to serve multi-generational needs. The goal of such design is to promote the flexibility of residential land development that is necessary to meet the demand for well-organized residential areas within the City of Lancaster, Ohio owing to increased population growth in the City and region.

With a direct access point to Ohio State Route 188, which leads by way of a 15-minute drive to the downtown area of the City of Lancaster, the Powers Run Project will foster community and economic growth within the City. The addition of new families to the City – either through new residents purchasing homes in the Powers Run Project, or current residents moving into the Power’s Run Project, thereby making their current homes available for potential new residents – will result in both an increased tax base for the City and a new customer market for City businesses. Additionally, the Powers Site is located within a 5-minute drive of Medill Elementary School and Thomas Ewing Junior High School and within a 10-minute drive of the old and new Lancaster High School Buildings, providing nearby housing for new students to the Lancaster City School District.

Road networks within Powers Run are designed around gently curving roads, with houses arranged on walkable blocks, fostering interaction among residents and an integrated development pattern within the City of Lancaster, Ohio. Roads within Powers Run are anticipated to include sidewalks to encourage pedestrian mobility. Pedestrians in Powers Run can utilize this infrastructure to visit the Ochs Fruit Farm and Market, a 50-acre, family owned orchard established in 1872, located directly across the road. Powers Run will also extend Declaration Drive in order to connect Powers Run and the Brentwood subdivision, fostering a sense of community between the current residents of Lancaster, and the new residents of Powers Run.

While the Powers Run Project may occur in phases, visual unity is anticipated to be achieved for the overall Project Site. Entry features including landscaped monument signage, community gathering areas, lake fountains, street trees and other landscaping, as well as

pedestrian-friendly connectivity, are anticipated features of the Powers Run Project. Such features are intended to operate in a cohesive manner, being complementary to the surrounding areas of the City of Lancaster, Ohio. Furthermore, it is expected that a single homebuilder will build all homes in the Powers Run Project, using similar quality materials and a pre-determined architectural scheme. The result being a community that features a variety of single-family homes, while ensuring that the community adheres to a coherent vision.

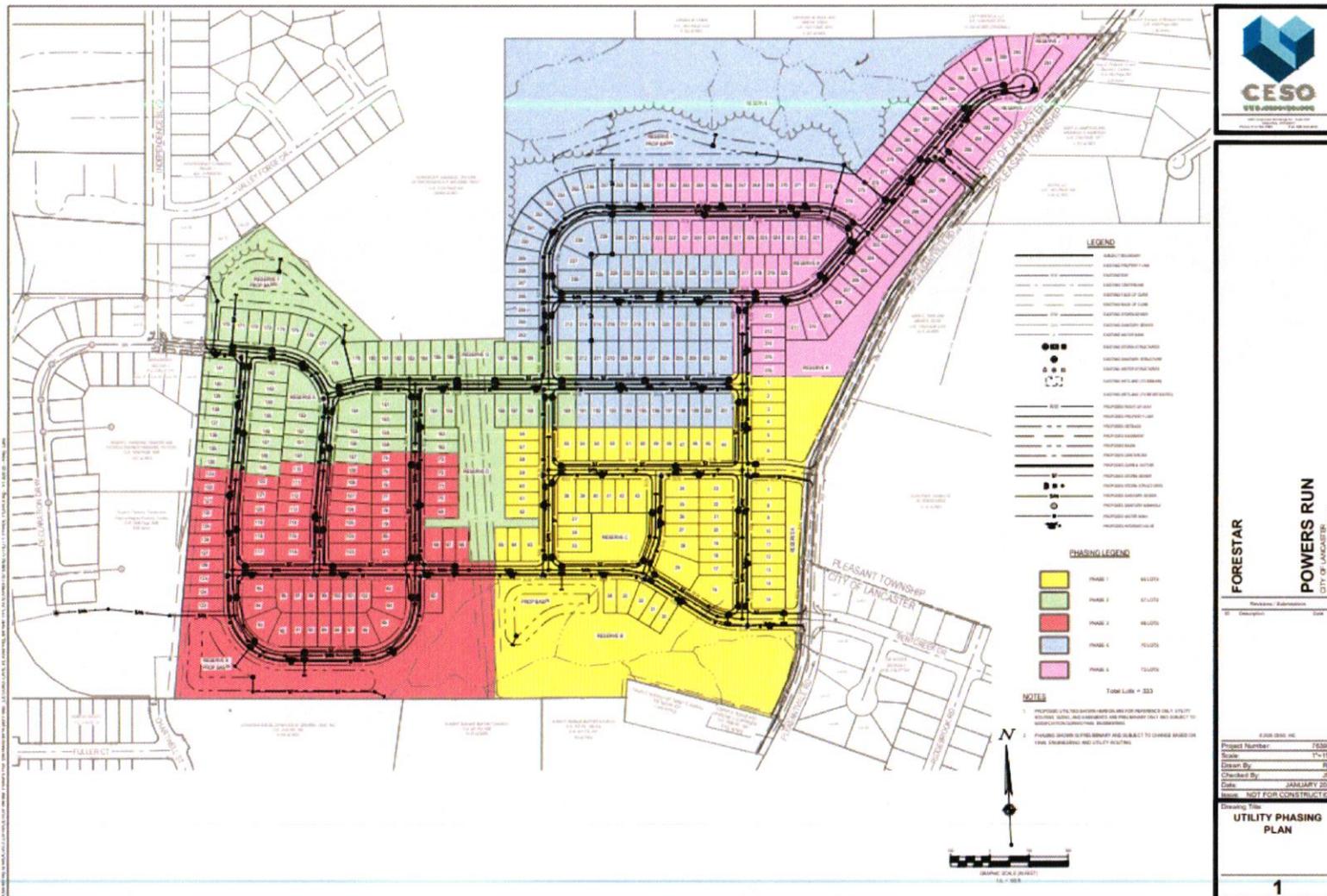
CONCLUSION

It is the conclusion of the City of Lancaster, Ohio and its staff that it is in the interests of the City of Lancaster, Ohio to proceed with the approval of an “Engineer’s Certificate” and this Economic Development Plan so as to provide for the further approval, by the City Council of the City of Lancaster, Ohio, of the Powers Run Incentive Districts pursuant to Ohio Revised Code Section 5709.40(C).

ATTACHMENTS

[Attachments commence on next page.]

**ATTACHMENT A-1
Phasing Plan – Powers Run**



ATTACHMENT A-2
Phasing Plan and Map of Surrounding Area – Powers Run

