

TEMPORARY RESOLUTION NO. 31-25

PERMANENT RESOLUTION NO. _____

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE LANCASTER NEW COMMUNITY AUTHORITY IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A HEARING ON THE PETITION; AUTHORIZING THE NOTICE BY PUBLICATION OF SUCH HEARING; AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “City”) plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on Tuesday, March 25, 2025, the City, in its capacity as a developer, submitted to the Council of the City (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Lancaster New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the City; and

WHEREAS, the new community district, as described in the Petition (the “District”), is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition; and

WHEREAS, this Council has determined to approve this Resolution and dispense with the rule that this Resolution shall be read on three (3) different days pursuant to Revised Code Section 731.17(A) because the Council is statutorily required to hold a public hearing on the Petition not less than thirty (30) days nor more than forty-five (45) days after the Petition was filed and timely development of the Powers Run Single Family Residential Project requires it; now, therefore,

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

SECTION 1. This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the “organizational board of commissioners” of the Lancaster New Community Authority for all purposes of Revised Code Chapter 349.

SECTION 2. This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance.

SECTION 3. Pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition on Monday, May 5, 2025, in Council Chambers at 111 S. Broad Street, Lancaster, Ohio 43130, at 6:30 p.m., and this Council hereby authorizes the Clerk to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Fairfield County, Ohio, pursuant to Revised Code Section 349.03(A).

SECTION 4. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, and safety in the City, and specifically to allow for the timely development of the Powers Run Single Family Development Project described in the Term Sheet entered into by and between the City and Forestar (USA) Real Estate Group Inc. as of October 22, 2024. Accordingly, it shall take effect immediately upon its adoption.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Economic Development Committee