

TEMPORARY ORDINANCE NO. 23-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE DETERMINING THAT THE ESTABLISHMENT OF THE LANCASTER NEW COMMUNITY AUTHORITY WILL BE CONDUCIVE TO THE PUBLIC SAFETY, CONVENIENCE, AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY AND DECLARING THE NEW COMMUNITY AUTHORITY TO BE ORGANIZED AS A BODY POLITIC AND CORPORATE, DEFINING THE BOUNDARY OF THE NEW COMMUNITY DISTRICT, AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster, in its capacity as a “developer” within the meaning of Section 349.01(E) of the Ohio Revised Code (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 March 25, 2025, the City submitted to the City Council (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 Clerk of Council; and

WHEREAS, the Lancaster New Community Authority is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this City Council, as the legislative authority of the City, is therefore the organizational board of commissioners for the Lancaster New Community Authority; and

WHEREAS, on April 7, 2025, pursuant to Revised Code Section 349.03, this City Council adopted Permanent Resolution No. 29-25 which ordinance determined that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance; and

WHEREAS, pursuant to Revised Code Section 349.03, this City Council will hold a public hearing on the Petition on May 5, 2025, notice of which will be published as required in Revised Code Section 349.03, and the date of which hearing is not less than thirty (30) nor more than forty-five (45) days after the filing date of the Petition; and

WHEREAS, this City Council has determined that the Petition will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community; now, therefore,

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

SECTION 1. Approval of Petition. The Petition is hereby accepted and shall be recorded, along with this Ordinance, in the journal of this City Council as the organizational board of commissioners for the purpose of Revised Code Chapter 349. The City Council hereby determines that the Lancaster New Community Authority will be conducive to the public

health, safety, convenience, and welfare, and is intended to result in the development of a “new community” as defined in Revised Code Section 349.01(A). Pursuant to the Petition, the Lancaster New Community Authority is hereby organized as a body politic and corporate with the corporate name designated in the Petition (such name being the “Lancaster New Community Authority”), and the boundaries of the Lancaster New Community Authority are consistent with the boundaries described in the Petition.

SECTION 2. Board of Trustees of Lancaster New Community Authority. The Board of Trustees of the Lancaster New Community Authority shall be comprised of seven (7) members selected and appointed as provided in the Petition. Pursuant to Ohio Revised Code Section 349.04, there shall be posted for each member of the Board of Trustees a bond in the amount of \$10,000.00 for the faithful performance of his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety and shall be deposited with and preserved by the Clerk of Council.

SECTION 3. Open Meetings. This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council, and that all deliberations of this City 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 4. Emergency Measure. That this Ordinance 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 that certain 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 _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

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