



LEGISLATIVE COVER MEMO

Introduction: June 16, 2025

Public Hearing: June 16, 2025

Effective Date: June 16, 2025

Agenda Item: **Ordinance 2025-14**

AN EMERGENCY ORDINANCE DELINEATING OVERLAYS IN RELATION TO THE PROPOSED SHAKER FARMS INCENTIVE DISTRICTS #1 THROUGH #5, WITHIN THE CITY OF FRANKLIN, 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 FRANKLIN CITY SCHOOL DISTRICT, THE WARREN COUNTY CAREER CENTER, AND THE BOARD OF COUNTY COMMISSIONERS OF WARREN 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 SECTION 4.05 OF THE CITY CHARTER

Submitted by: Karisa Steed, Assistant City Manager

Scope/Description: This emergency ordinance establishes overlays for the proposed Shaker Farms Incentive Districts #1–#5 within the City of Franklin, adopts a written economic development plan, sets a public hearing date, and authorizes required notifications pursuant to Ohio Revised Code Section 5709.40(C). These procedural steps enable future consideration of a Tax Increment Financing (TIF) ordinance for the districts.

Exhibits: Exhibit A: Shaker Farms Incentive Districts

Exhibit B: Economic Development Plan for the Shaker Farms Incentive Districts Development Area

CITY OF FRANKLIN, OHIO
ORDINANCE 2025-14

AN EMERGENCY ORDINANCE DELINEATING OVERLAYS IN RELATION TO THE PROPOSED SHAKER FARMS INCENTIVE DISTRICTS #1 THROUGH #5, WITHIN THE CITY OF FRANKLIN, 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 FRANKLIN CITY SCHOOL DISTRICT, THE WARREN COUNTY CAREER CENTER, AND THE BOARD OF COUNTY COMMISSIONERS OF WARREN 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 SECTION 4.05 OF THE CITY CHARTER

WHEREAS, this Council (the "Council") of the City of Franklin, 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 "Shaker Farms Incentive District", and collectively, the "Shaker Farms 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 Shaker Farms 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 Shaker Farms Incentive Districts, and such notice must include a map of the applicable Shaker Farms Incentive District on which this Council must have delineated an overlay; and

WHEREAS, this Ordinance is a procedural 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 Shaker Farms Incentive Districts (the "Proposed Shaker Farms 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 Shaker Farms Incentive Districts, the City Engineer is required to consider a written economic development plan for the Shaker Farms 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 Shaker Farms 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 Shaker Farms 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 Shaker Farms Incentive Districts TIF Ordinance, (ii) authorize the City's transmittal of notice of the public hearing and the Proposed Shaker Farms Incentive Districts TIF Ordinance to every real property owner whose property

is located within the boundaries of the proposed Shaker Farms Incentive Districts, and (iii) authorize the City to transmit notice to the Board of County Commissioners of Warren County, the Board of Education for the Franklin City School District, and the Board of Education for the Warren County Career Center of the City's intention to adopt the Proposed Shaker Farms 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 Section 4.05 of the City Charter.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Franklin, Ohio, that:

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 Shaker Farms 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 Shaker Farms 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 Shaker Farms Incentive Districts pursuant to the Proposed Shaker Farms 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 Shaker Farms Incentive Districts TIF Ordinance shall occur on [July 21, 2025], at a regularly scheduled meeting of this Council at 5:30 p.m. in the Council Chambers of the Franklin Municipal Building, located at 1 Benjamin Franklin Way, Franklin, Ohio 45005, which such public hearing shall occur not later than thirty (30) days prior to this Council's formal adoption of the Proposed Shaker Farms Incentive Districts TIF Ordinance.
- iii) Pursuant to R.C. 5709.40(C)(2)(a), this Council hereby authorizes the City Manager, 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 Shaker Farms Incentive Districts subject of the Proposed Shaker Farms 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 Manager, the Clerk of this Council, and their designees, to send proper and timely notice to the Franklin City School District Board of Education of this Council's intention to formally adopt the Proposed Shaker Farms Incentive Districts TIF Ordinance following all required notice periods.
- v) Pursuant to R.C. 5709.83, this Council hereby authorizes the City Manager, the Clerk of this Council, and their designees, to send proper and timely notice to the Warren County Career Center Board of Education of this Council's intention to formally adopt the Proposed Shaker Farms Incentive Districts TIF Ordinance following all required notice periods.
- vi) Pursuant to R.C. 5709.40(E), this Council hereby authorizes the City Manager, the Clerk of this Council, and their designees, to send proper and timely notice to the Board of County Commissioners of Warren County, Ohio of this Council's intention to formally adopt the Proposed Shaker Farms 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. Pursuant to Section 4.05 of the City Charter, and provided this Ordinance receives the affirmative vote of at least five (5) of this Council's members, 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 Shaker Farms Residential Public Infrastructure Project described in the Final Term Sheet entered into by and between the City and Forestar (USA) Real Estate Group Inc. as of September 12, 2024. Accordingly, this Council has dispensed with the rule that this Ordinance shall be read on three (3) different days, and it shall be effective at the earliest date allowable by law upon its adoption and approval by the Mayor.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Chapter 121 of the Ohio Revised Code, and the Rules of Council.

INTRODUCED: June 16, 2025

ADOPTED: June 16, 2025

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
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 Ordinance 2025-14 passed by City Council on June 16, 2025.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Law Director

EXHIBIT A

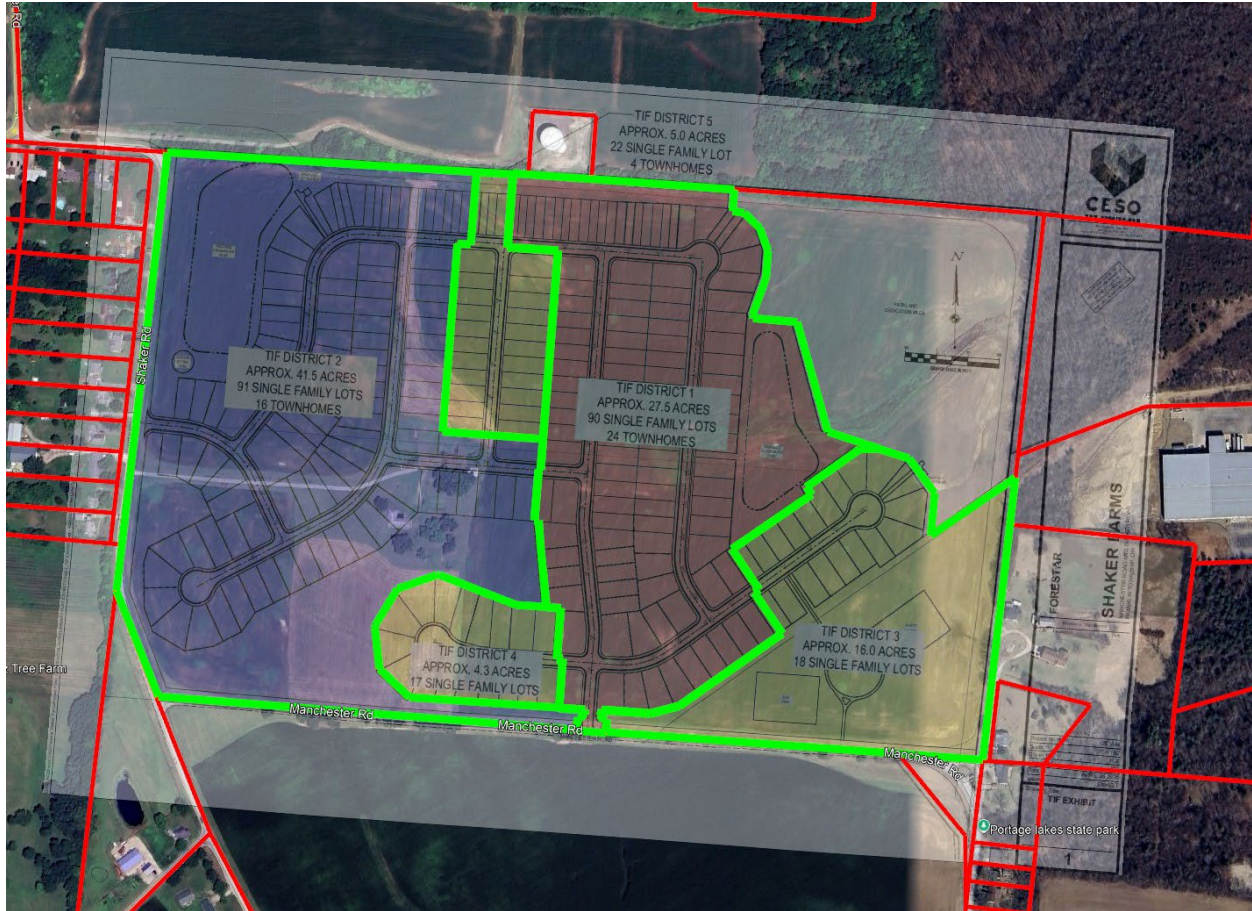
The Shaker Farms Incentive Districts are intended to include real property situated in the City of Franklin, Ohio, County of Warren, and State of Ohio consisting of the real property identified by the Warren County Auditor's Permanent Parcel Identification Numbers set forth below (including any subsequent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

0835200001

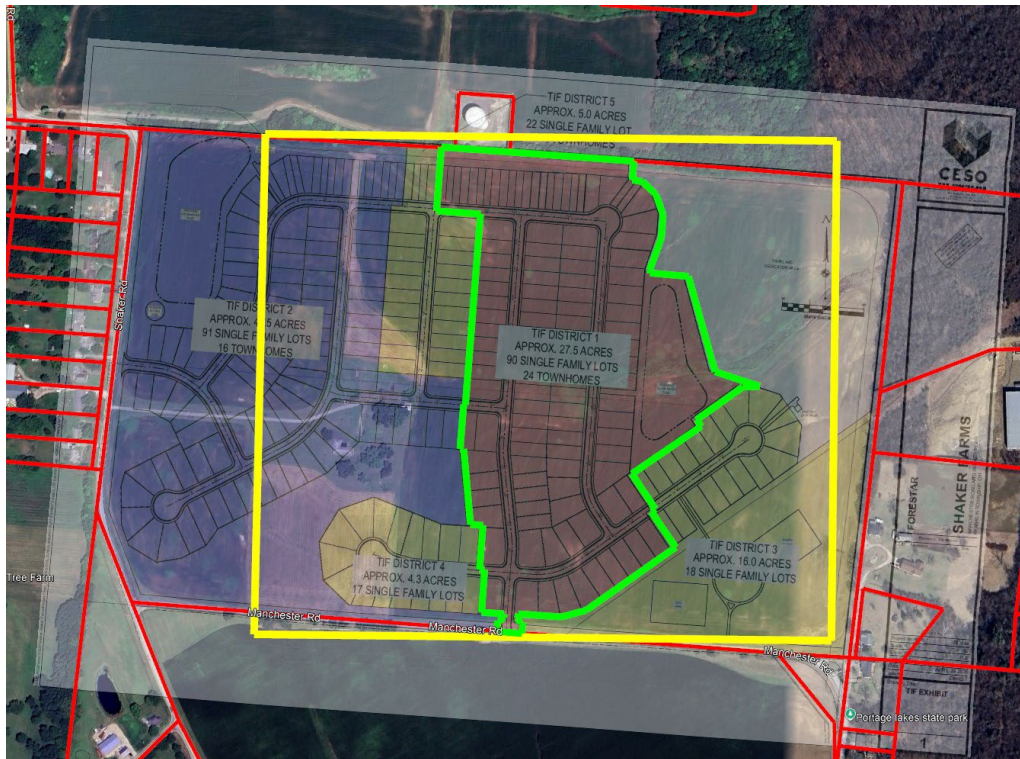
For ease of reference, the maps that follow show the Shaker Farms Incentive Districts delineated in **green** and the Overlays for the Shaker Farms Incentive Districts delineated with **yellow** lines.

(See attached.)

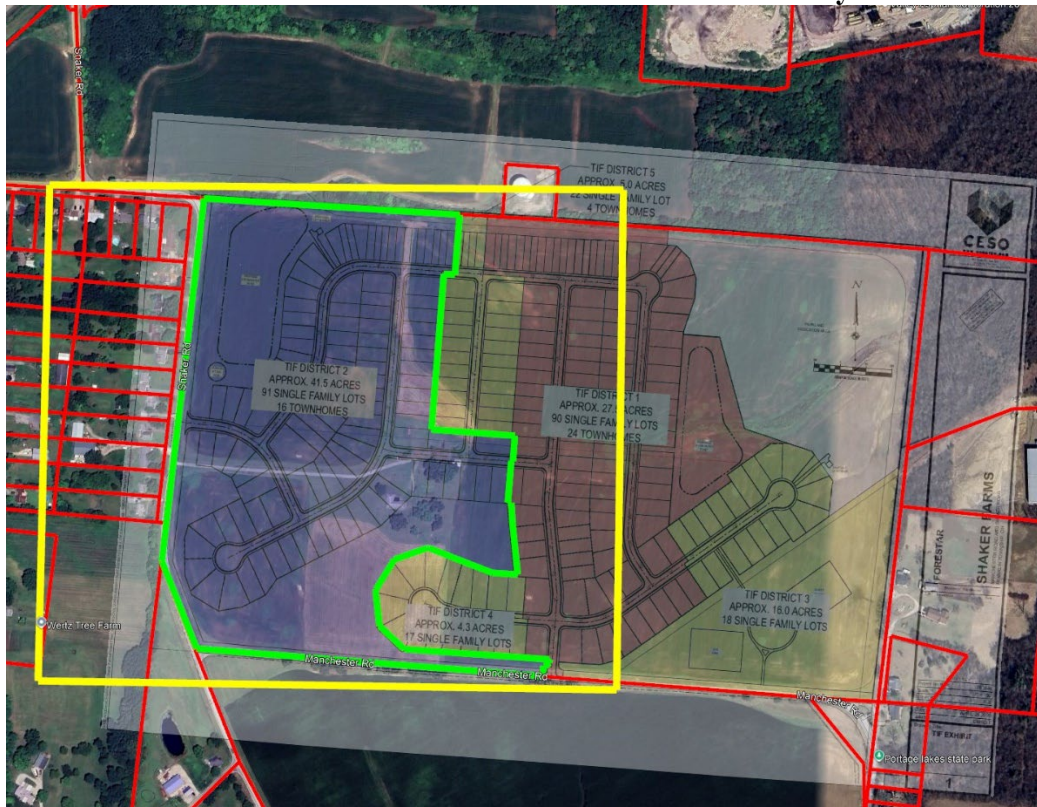
All Incentive Districts



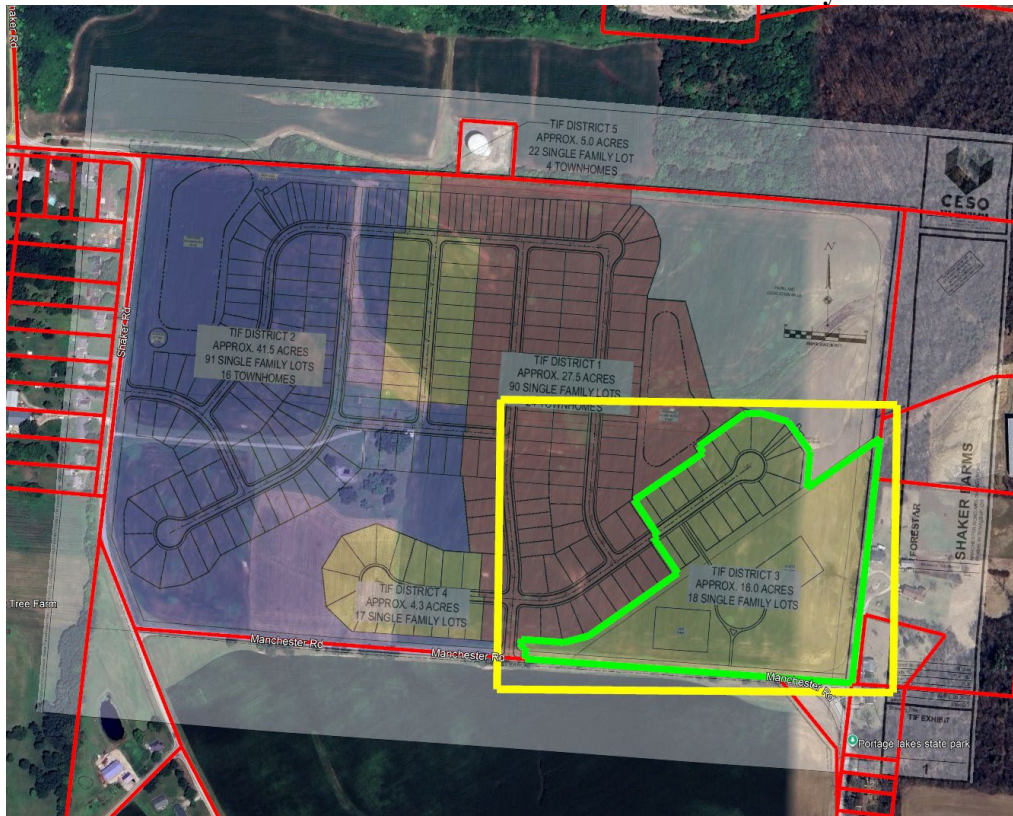
Shaker Farms Incentive District No. 1: Overlay



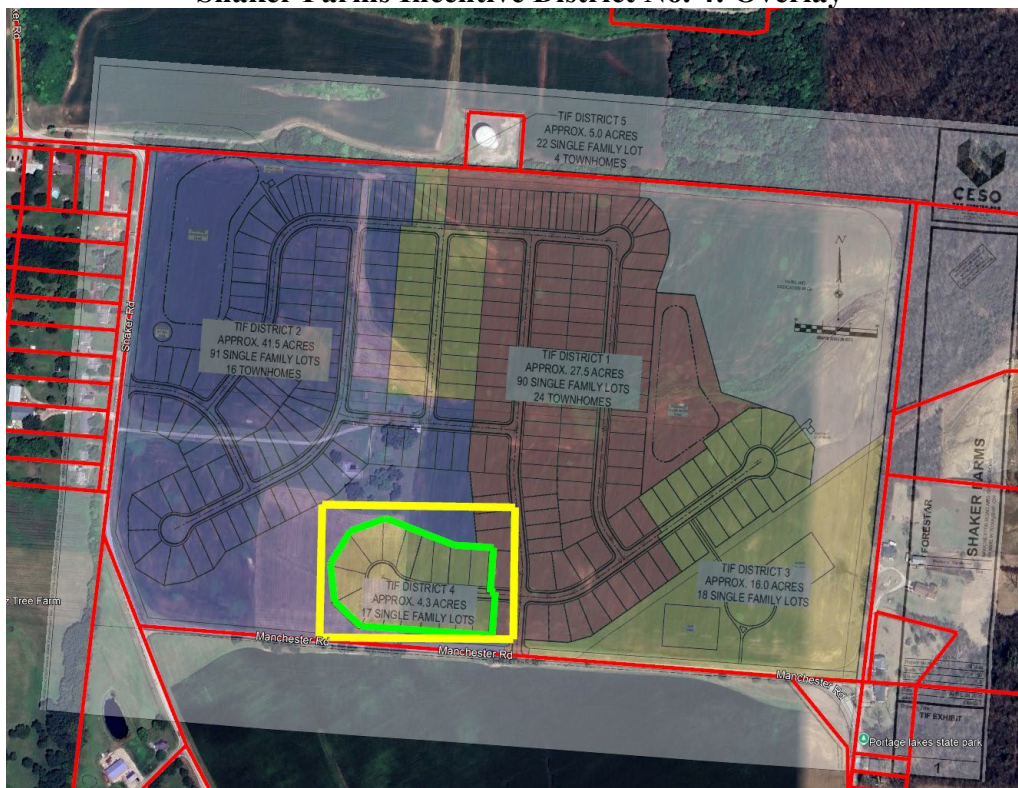
Shaker Farms Incentive District No. 2: Overlay



Shaker Farms Incentive District No. 3: Overlay



Shaker Farms Incentive District No. 4: Overlay



Shaker Farms Incentive District No. 5: Overlay

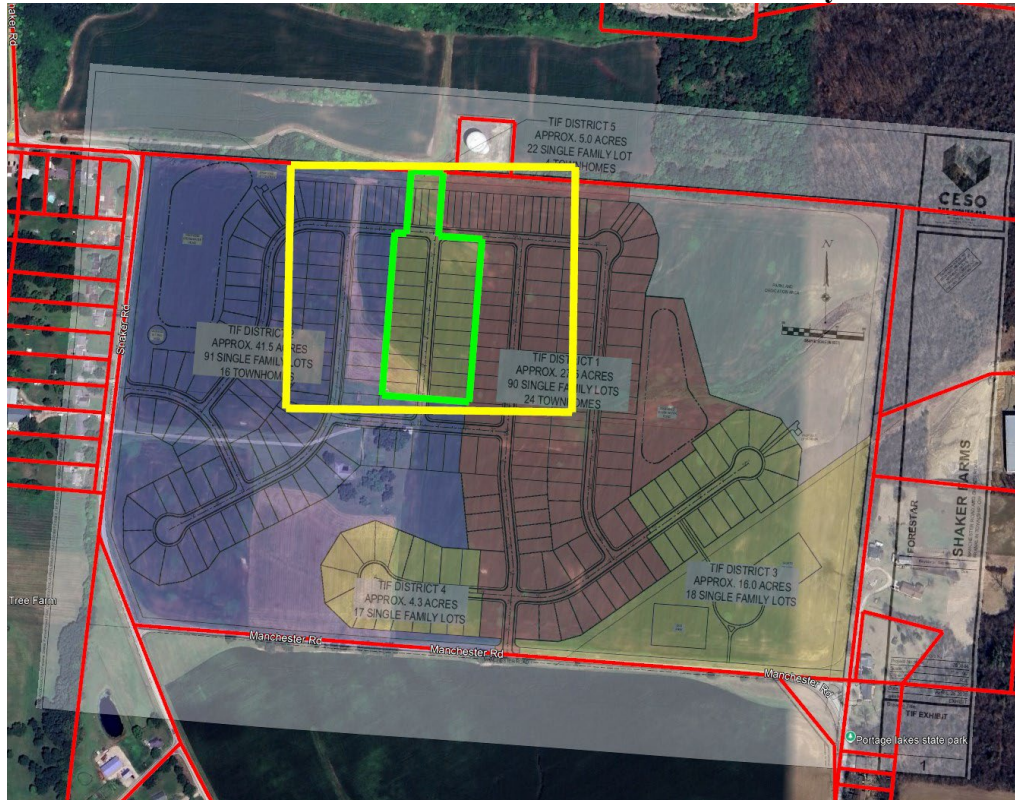


EXHIBIT B

City of Franklin, Ohio

Economic Development Plan for the Shaker Farms Incentive Districts Development Area

June 16, 2025

OVERVIEW OF PROPOSED DEVELOPMENT

Forestar (USA) Real Estate Group Inc. (“Forestar”), has acquired options to purchase approximately 107.403 acres of real property (“Project Site”) located at 5764 Shaker Road within the City of Franklin, 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 284 single-family homes (the “Building Project,” and together with the Site Preparation Project, the “Shaker Farms Project”).

The anticipated layout of the Shaker Farms 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 superimposed on a map of the surrounding area. The Shaker Farms Project is expected to occur upon the Warren County Auditor’s Permanent Parcel Identification Numbers set forth below (including any subsequent combinations or subdivisions) as identified in the records of the Warren County Auditor from time to time:

0835200001

LAND USE CONTROLS

As currently described by the Warren County Auditor’s Permanent Parcel Identification Numbers set forth above, such real property is zoned, pursuant to Ordinance 2009-11 adopted July 6, 2009, as the same may be amended or supplemented from time to time, including by that certain Ordinance 2024-17 adopted July 29, 2024 (the “Unified Development Ordinance”), as Metropolitan Residential (“R-2”). Pursuant to Section 1107.14 of the Codified Ordinances of the City of Franklin, Ohio, the R-2 designation requires a minimum lot area of 6,000 square feet and a minimum lot frontage of 60 feet. The purpose of the R-2 zoning designation is to, among other things, provide space in the City for moderate-density, single-family residential uses in urban areas with complete municipal services, and to provide for additional uses that serve the residential neighborhood as conditional uses, all as more particularly described in the Unified Development Ordinance.

In addition, Forestar has submitted a Planned Unit Development (PUD) Application and a Preliminary Development Plan for the Project Site to the City (the “PUD and Preliminary Plan Submission”). The Franklin City Planning Commission, at its July 10, 2024 meeting, voted to make a recommendation to the City for approval of the PUD and Preliminary Plan Submission. Pursuant to City Resolution 24-18, adopted by City Council on July 29, 2024, the City accepted the Franklin City Planning Commission’s recommendation and approved the PUD and Preliminary Plan Submission. Forestar has also submitted a [Final Development Plan] to the City for approval, and such [Final Development Plan] is currently under review by the City as of the date of this Shaker Farms Economic Development Plan.

The general ordinances and Ordinances of the City of Franklin, Ohio shall apply except as otherwise provided within this Exhibit B. All references to the City of Franklin, 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 Shaker Farms Economic Development Plan text and exhibits, and the general ordinances and Ordinances of the City, the provisions of the Shaker Farms Economic Development Plan's text and exhibits shall prevail. Where the Shaker Farms Economic Development Plan text and exhibits are silent, the provisions of the general ordinances and Ordinances of the City of Franklin, Ohio and the Unified Development Ordinance of the City of Franklin, Ohio shall prevail.

DEVELOPMENT MIX

Constructed in one or more phases, the entire Shaker Farms Project is presently anticipated to consist of approximately 284 lots for single-family homes, the development of public infrastructure improvements needed to service the Shaker Farms 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 \$20,000,000.00, which includes various on and off-site roadwork and utility improvements and will directly benefit the Shaker Farms Project as well as provide an overall benefit to the City, its residents, and future development patterns.

ANALYSIS AND ASSESSMENT

The Shaker Farms 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 Franklin, Ohio owing to increased population growth in the City and region.

With close proximity to major thoroughfares, including Interstate 75, and the downtown area of the City of Franklin, the Shaker Farms 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 Shaker Farms Project, or current residents moving into the Shaker Farms 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 Shaker Farms Site is located within a 10-minute drive of the City's elementary schools (including the George H. Gerke Elementary School, the Hunter Elementary School, and the William C. Schenck Elementary School) as well as the Franklin Intermediate School, Franklin Junior High School, and Franklin High School, providing nearby housing for new students to the Franklin City School District.

Road networks within Shaker Farms 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 Franklin, Ohio. Roads within Shaker Farms are anticipated to include sidewalks to encourage pedestrian mobility.

While the Shaker Farms 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, street trees and other landscaping, as well as pedestrian-friendly connectivity, are anticipated features of the Shaker Farms Project. Such features are intended to operate in a cohesive manner, being complementary to the surrounding areas of the City of Franklin, Ohio. Furthermore, it is expected that a single homebuilder will build all homes in the Shaker Farms 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.

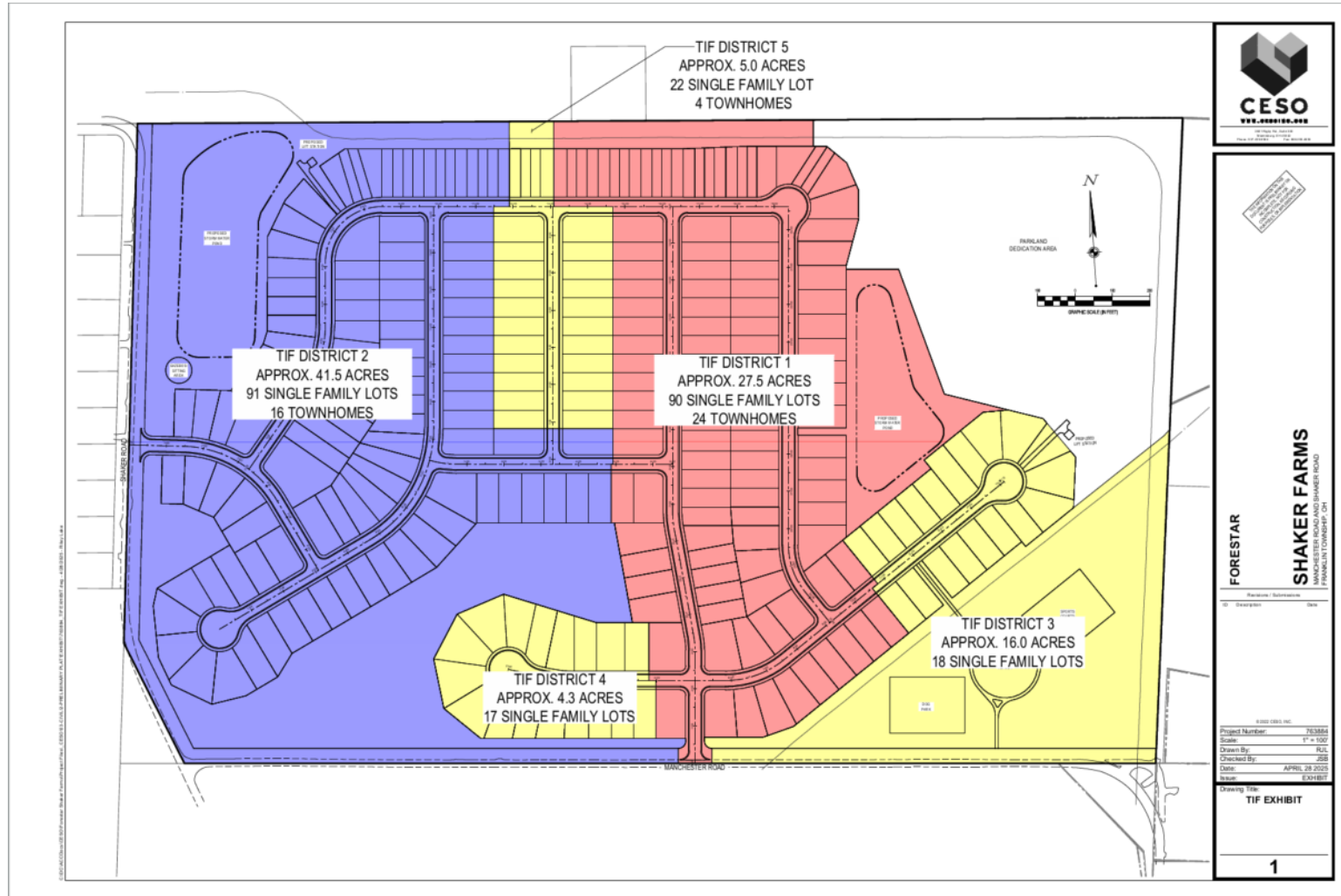
CONCLUSION

It is the conclusion of the City of Franklin, Ohio and its staff that it is in the interests of the City of Franklin, 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 Franklin, Ohio, of the Shaker Farms Incentive Districts pursuant to Ohio Revised Code Section 5709.40(C).

ATTACHMENTS

(Attachments commence on next page.)

ATTACHMENT A-1 **Phasing Plan – Shaker Farms**



ATTACHMENT A-2
Phasing Plan Superimposed on Map of Surrounding Area – Shaker Farms

