

# APPENDIX | “H”, Ordinance 2006-25

## ANNEXATION POLICY & PROCEDURES, VILLAGE OF YELLOW SPRINGS, OHIO 2006

The Village of Yellow Springs, Ohio is committed to maintaining its small, rural village character while at the same time allowing for economic growth from within the Yellow Springs/Miami Township community. Further, the Village is committed to making consistent, fair, and well-informed decisions regarding land use proposals, including annexation requests, to help ensure the public health, safety and welfare. For these reasons, the following policy and procedures will be used by all Village planning and decision-making authorities in considering and making decisions regarding the issues of annexation of land into the Village.

### POLICY

1. Only areas that are contiguous with the Corporate Limits of the Village may be considered for annexation.
2. Village representatives will not actively solicit annexation of land into the Village merely for the purpose of expanding the Village limits.
3. Annexation decisions will be consistent with the objectives of the most recent Village Plan, except where the Plan is inconsistent with Figure 1 (attached), in which case the information presented in Figure 1 will supersede the Village Plan. In particular, annexation beyond the limits of the “Suggested Limits of Urban Expansion” shown on Figure 1 should not be allowed unless there is overwhelming reason shown for such annexation (i.e. a development proposal would involve properties within the boundary and just adjacent to the boundary of the Village, a development would in part accomplish watershed protection, or Figure 1 is determined by Council to be outdated in a material respect and not appropriate with respect to a particular proposal).
4. No annexation request will be granted without prior agreement by the petitioner that all Village utilities will be extended within a reasonable period of time into the territory to be annexed unless Council determines that there is a valid reason to waive this requirement.
5. Annexation studies should be conducted for all proposed annexations. These studies should evaluate the net benefit or harm to the public over the short and long term, taking into consideration the following issues:

- Economic benefits to the public
- Costs to the public
- Tax revenues

- Other benefits to the community
- Public infrastructure
- Land use plan compatibility/owner's use intentions
- Population projections
- Consistency with the objectives of the Village Plan, the attached Figure 1, and other relevant planning documents
- Timing of developments
- Environmental impacts

The annexation study should be conducted by the Village Planner pursuant to an annexation request and shall be completed prior to the date when Village Council must pass legislation to accept or reject the annexation following the approval of the annexation by the Board of County Commissioners of Greene County. The level of detail of such study should be commensurate with the size and intended use of the land, the overall contribution or impact to the community and the complexity of the issues to be addressed when considering the annexation. The cost for such study may be recovered from the petitioner, if warranted and if agreed upon by the petitioner.

6. The Village should resist proposals for annexation where the result would be an isolated development. Two aspects in particular should inform annexation policy in this regard. First, additional density should be accompanied by integration into the Village street network, so that vehicular traffic can be dispersed and pedestrian circulation throughout the Village is encouraged. Second, new development should be accompanied by provision of public open space, either as neighborhood parks or as additions to the Greenbelt. It is recommended that a condition of annexation be the ability to contribute meaningfully to the public open space system, with a target of ten percent of the land area of the annexation as either internal or external open space. In cases where a land donation is not appropriate, a monetary donation equal to the value of the land donation required, shall be provided to the Village's greenspace acquisition fund for future use.

7. Preannexation agreements specifying the terms of the annexation decision (including negotiated infrastructure improvements or other public benefits, for example) should be developed when appropriate.

8. Nothing in this policy shall be deemed to supercede, waive, amend or otherwise alter the requirements of the Ohio Revised Code relating to annexations.