



MARYSVILLE CITY COUNCIL AGENDA
November 10, 2025 at 7:00 P.M.
Council Chambers - 209 S. Main Street - 2nd Floor

This meeting is available to watch live or archived by clicking [here](#)

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL:

APPROVAL OF MINUTES: 2026 Budget Public Hearing Meeting Minutes.
October 27, 2025 Special City Council Meeting Minutes.
October 27, 2025 City Council Meeting Minutes.

ADMINISTRATIVE REPORT:

REPORT OF CLERK OF COUNCIL:

HEARING OF CITIZENS:

REPORT OF ECONOMIC DEVELOPMENT:

PARKS AND RECREATION REPORT:

RESOLUTION:

Res. A One	TO ADOPT AN INFORMATION SECURITY POLICY FOR THE CITY OF MARYSVILLE, OHIO
Reading	
Only	Administration:
	Citizens:
	Council:

ORDINANCES:

Ordinance A was amended on 10/27/25

Ord. A 3rd Reading TO APPROVE CITY COUNCIL'S AMENDMENT TO PLANNING COMMISSION'S

Vote RECOMMENDATION THAT NO MODIFICATION BE MADE TO SECTION 1141.27 -
ACTION BY PLANNING COMMISSION

Administration:

Council:

Ord. B was amended on 10/13/25

Ord. B 3rd Reading TO AMEND CHAPTER 1320 – VACANT BUILDING REGISTRATION OF THE CITY OF
Vote MARYSVILLE CODIFIED ORDINANCES

Administration:

Council:

Third Reading of Ordinance C waived on 10/27/25

Ord. C 2nd Reading TO APPROVE AN AMENDMENT TO THE AGREEMENT TO CREATE THE MARYSVILLE-
Public JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE
Hearing INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS
& Vote THE KIA EXPANSION AMENDMENT AND TO REPEAL ORDINANCE 020-2025

Administration:

Citizens:

Council:

Ordinance D was amended on 10/27/25

Ord. D 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public SECTION 1123.29 – OPEN SPACE REGULATIONS
Hearing

Administration:

Citizens:

Council:

Ord. E 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public SECTION 1107.18 AND SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,
Hearing VRD, ARD, HMD, UT, USF

Administration:

Citizens:

Council:

Ord. F 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public 1105.09 – RESIDENTIAL SUBDIVISION LOT VARIABILITY
Hearing

Administration:

Citizens:

Council:

Ord. G 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public SECTION 1107.14 – LOTS, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL
Hearing DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.12 -
HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY
DISTRICT, AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

Administration:

Citizens:

Council:

Ord. H 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF,
Hearing SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS, SECTION 1125.06 MINIMUM
LANDSCAPE STANDARDS, AND SECTION 1125.08 - INSTALLATION AND
MAINTENANCE

Administration:

Citizens:

Council:

Ord. I 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF,
Hearing SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10
VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL
RESIDENTIAL DISTRICT, SECTION 1121.12 – HOSPITAL MIXED-USE DISTRICT,
SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, SECTION 1121.21 -UPTOWN
TRANSITIONAL DISTRICT AND THE APPENDIX - GLOSSARY OF TERMS

Administration:

Citizens:

Council:

Ord. J 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF, SECTION
Hearing 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE
RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL
DISTRICT, SECTION 1121.12 – HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 -
UPTOWN SINGLE FAMILY DISTRICT AND SECTION 1121.21 - UPTOWN TRANSITIONAL
DISTRICT

Administration:

Citizens:

Council:

Ord. K 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public
Hearing SECTION 1109.12 – RESERVED

Administration:

Citizens:

Council:

Ord. L 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public
Hearing SECTION 1123.07 – REQUIRED TRASH AREAS, SECTION 1133.09 - DESIGN REVIEW
STANDARDS FOR MULTI-FAMILY AND SINGLE-FAMILY (ATTACHED) BUILDING
TYPOLOGIES, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE,
INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES, AND
SECTION 1133.11 - DESIGN REVIEW STANDARDS FOR MANUFACTURING AND
OFFICE/WAREHOUSE BUILDING TYPOLOGIES

Administration:

Citizens:

Council:

Ord. M 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public
Hearing SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS AND SECTION 1125.06
MINIMUM LANDSCAPE STANDARDS

Administration:

Citizens:

Council:

Ord. N 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Public
Hearing SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL,
MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING MULTI-TENANT
ENTRANCE FEATURES

Administration:

Citizens:

Council:

Ord. O 2nd Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,

Public Hearing SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING GLASS

Administration:

Citizens:

Council:

Ord. P 2nd Reading Public Hearing TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING PARKING SPACES

Administration:

Citizens:

Council:

Ord. Q 2nd Reading Public Hearing TO ADOPT A CAPITAL BUDGET FOR 2026

Administration:

Citizens:

Council:

Ord. R 2nd Reading Public Hearing TO ADOPT AN ANNUAL OPERATING BUDGET FOR 2026

Administration:

Citizens:

Council:

Ord. S 2nd Reading Public Hearing TO ADOPT ANNUAL APPROPRIATIONS FOR 2026

Administration:

Citizens:

Council:

Ord. T 2nd Reading Public Hearing TO AMEND ORDINANCE 012-2025 ANNUAL COMPENSATION FOR ALL CITY EMPLOYEES 2026

Administration:

Citizens:

Council:

Ord. U 1st Reading Introduction TO APPROVE THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF MARYSVILLE AND ANADONNA, LLC, AND A DONATION AGREEMENT AMONG THE CITY OF MARYSVILLE, THE BOARD OF EDUCATION FOR THE MARYSVILLE EXEMPTED VILLAGE SCHOOL DISTRICT, THE BOARD OF EDUCATION OF THE OHIO HI-POINT TECHNICAL AND CAREER CENTER SCHOOL DISTRICT AND THE COMMUNITY IMPROVEMENT CORPORATION OF UNION COUNTY

Administration:

Council:

COMMENTS OF THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:

ADJOURN:



CITY COUNCIL 2026 BUDGET PUBLIC HEARING MEETING MINUTES
October 27, 2025
5:45 P.M. in Council Chambers
209 S. Main Street - 2nd Floor

President Boerger called the meeting to order at 5:45 p.m.

CITY COUNCIL MEMBERS PRESENT: Donald Boerger, Henk Berbee, Steven Wolfe, Mark Reams, Scott Hunter, Zack Bordner and Julie Kramer.

CITY ADMINISTRATION PRESENT: *Police Chief/ Acting City Manager Tony Brooks, Law Director Tim Aslaner, Assistant Finance Director Sandy Hoover, City Engineer Kyle Hoyng, Director of Economic Development Eric Phillips and Clerk of Council McKenzie Proudfoot.*

ADDITIONAL PERSONS PRESENT: *Marysville Journal Tribune Mike Williamson and Mike Wolfe.*

AGENDA ITEM:

- **Public Hearing regarding the 2026 Appropriation Budget:** President Boerger asked if there were any citizen comments, there were none.

ADJOURN: There being no further business to bring before Council, Councilman Reams moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 5:46 p.m.

SPECIAL MARYSVILLE CITY COUNCIL MEETING MINUTES
October 27, 2025
6:00 P.M. in the 2nd Floor Conference Room
209 S. Main Street - 2nd Floor

President Boerger called the meeting to order at 6:00 p.m.

CITY COUNCIL MEMBERS PRESENT: Donald Boerger, Henk Berbee, Steven Wolfe, Mark Reams, Scott Hunter, Zack Bordner and Julie Kramer.

CITY ADMINISTRATION PRESENT: *Police Chief/ Acting City Manager Tony Brooks, Law Director Tim Aslaner, Assistant Finance Director Sandy Hoover, City Engineer Kyle Hoyng, Director of Economic Development Eric Phillips and Clerk of Council McKenzie Proudfoot.*

ADDITIONAL PERSONS PRESENT: Matt McQuade, Dan, Dick Roggenkamp, Ann Aquillo and Eric (virtual).

THE POTENTIAL TO ADJOURN TO EXECUTIVE SESSION TO CONSIDER CONFIDENTIAL INFORMATION RELATED TO THE SPECIFIC BUSINESS STRATEGY OF AN APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE: At 6:00 p.m., Councilman Berbee moved to adjourn to Executive Session to consider confidential information related to the specific business strategy of an applicant for economic development assistance, Councilman Wolfe seconded, and the question put, stood:

Mr. Boerger YES; Mr. Hunter YES; Mr. Reams YES; Ms. Kramer YES; Mr. Bordner YES;
Mr. Wolfe YES; Mr. Berbee YES.

Vote 7-0; Motion carried.

Council adjourned to Open Session at 7:02 p.m.

ADJOURN: There being no further business to bring before Council, Councilman Reams moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 7:02 p.m.

MARYSVILLE CITY COUNCIL MEETING MINUTES
October 27, 2025 at 7:00 P.M.
Council Chambers - 209 S. Main Street - 2nd Floor

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President Boerger called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by President Boerger.

INVOCATION: The invocation was given by President Boerger.

CITY ADMINISTRATION PRESENT: *Police Chief/ Acting City Manager Tony Brooks, Law Director Tim Aslaner, Assistant Finance Director Sandy Hoover, Fire Chief Nate Burns, City Engineer Kyle Hoyng, Director of Human Resources Tara Maine, Planning and Development Manager Ashley Gaver, Director of Economic Development Eric Phillips and Clerk of Council McKenzie Proudfoot.*

ADDITIONAL PERSONS PRESENT: *Marysville Journal Tribune Mike Williamson, Richard McAllister, Nieca Nowels, Kathy Young, Curt Westfall and Taryn Palesano.*

APPROVAL OF MINUTES: Councilman Bordner moved to approve the October 6, 2025 City Council Work Session Meeting Minutes as presented; voice vote in favor was unanimous. Councilman Wolfe moved to approve the October 13, 2025 City Council Meeting Minutes as presented; voice vote in favor was unanimous.

ADMINISTRATIVE REPORT: Chief Brooks provided the following updates:

- Community Trick-or-Treat will occur on Friday, October 31st from 6:00 p.m. – 8:00 p.m.
- The Reservoir Connector Trail Ribbon Cutting will occur on Monday, November 3rd at 5:00 p.m. The location is 18000 Raymond Road.
- The 2025 Christmas Walk and Tree Lighting presented by Main Street Marysville, along with the City of Marysville, will occur on Saturday, November 22nd from 4:00 p.m. – 8:00 p.m. There will be musical performances, dance troupes, costumed characters, horse-drawn carriage rides, Holly's Jolly Scavenger Hunt, ornament making, and Saint Nick himself will be at Santa's Village.

Engineer Hoyng provided the following updates from Maintenance and Operations:

- Streets: City Crews are assisting with leaf collection, drainage adjustments at the Chestnut trail and compost screening.
- Parks: City Crews are removing hanging baskets Uptown and continuing the winterization of our irrigation systems. Fall tree planting is beginning. Events Staff are beginning to coordinate the upcoming Pumpkin Dash.
- Water: City Crews will continue to work on Connolly Street hooking up service lines. There was another water main break on Wagon Wheel (now a total of four recent breaks). On the operations end, we now have two surface water clarifiers up and running, and the ground water is shut down for the winter. Last week, our Water Treatment Plant produced 3.53 million gallons per day.
- Wastewater: City Crews completed sanitary tap inspections for fats, oils, grease profiles, completed maintenance work on filter two, and repair work on the biosolids conveyor system at the Water Reclamation Facility.

Engineer Hoyng provided the following updates from Engineering regarding Capital Improvement Projects:

- West 5th Street Improvements: W. 5th Street is now open to traffic in both directions. Traffic delays with flaggers can be expected in the next two weeks as the contractor finishes up paving operations, striping, and restoration.
- 2025 Paving Program: Paving is complete. Striping and punch list items remain to be completed by the contractor.
- Carriage Acres and Cherry Street Sanitary Improvements: Construction continues on Phase 1. Phase 2 is tentatively scheduled to begin on Monday, November 3rd. During Phase 2, Cherry Street will be closed to thru traffic between Lakeview Drive and Surry Lane for approximately six weeks.

Councilman Hunter asked when the striping will be complete. Engineer Hoyng said it should be complete by Thanksgiving. Additionally, Councilman Hunter asked when parks restrooms will be closed. Engineer Hoyng said he cannot say with certainty, but he assumes sometime in November. Councilman Reams asked about the annual pumpkin drop. Chief Burns said they are changing the event this year by taking it on the road. The pumpkin drop will occur at three Marysville elementary schools, each school will be competing against each other to raise funds for Blessings in a Backpack. Next, given the Route 33 closure last week after a diesel fuel spill from a tanker truck, Councilman Berbee asked if a southern loop around Marysville would ever be a viable option. Engineer Hoyng said he may be overstating, but a project like that could be in the billions of dollars and therefore, is not a viable option. If Council sees that as a priority it could be reviewed further, however, he sees other items as more important. Councilman Berbee said it is amazing to see how many vehicles travel on Route 33 every day. President Boerger asked if the street striping will be done overnight, Engineer Hoyng said no, that work will be completed by the contractor during the day.

REPORT OF CLERK OF COUNCIL: None.

HEARING OF CITIZENS: None.

PLANNING COMMISSION REPORT: Manager Gaver said all items that were discussed during the October 7th Planning Commission Meeting will be heard for first reading as Ordinances during the meeting, and will be discussed at that time.

DESIGN REVIEW BOARD REPORT: Manager Gaver provided the following summary from the Design Review Board Meeting that occurred on October 15th:

Home Improvement Reimbursement Grant Applications:

- An application for exterior improvements of a porch repair and replacement located at 1129 Bay Laurel Drive. Approved, 5 – Yes and 0 – No.

New Business:

- Exterior Plan/Landscape Plan: An application for an exterior plan for a proposed door replacement with a window located at 602 W. 4th Street in the Village Residential (VRD) zoning district. Tabled, 5 – Yes and 0 – No.
- Certificate of Appropriateness in the Historic Design Review District: An application for exterior improvements located at 517 E. 5th Street. Tabled, 5 – Yes and 0 – No.
- Certificate of Appropriateness in the Historic Design Review District: An application for exterior improvements located at 112 S. Main Street. Tabled, 5 – Yes and 0 – No.
- Certificate of Appropriateness in the Historic Design Review District: An application for exterior improvements associated with a previous demolition approval located at 214 S. Court Street. Approved, 4 – Yes and 0 – No (One recused due to being the contractor for the work.)

Consent Item:

- Certificate of Appropriateness in the Historic Design Review District: An application for exterior improvements located at 404 E. 5th Street in the Uptown Transitional (UT) zoning district. Approved, 5 – Yes and 0 – No.

Old Business:

- Exterior Plan/Landscape Plan: An application for an Exterior Plan and Landscape Plan for a proposed multi-family residential development located at 327 N. Main Street within the Water and Light Planned Unit Development. This item was tabled to a Special Meeting, which will be held October 28th to allow for more Board Members to be present for the hearing of this application.

Councilman Bordner asked what the purpose is for the porch at 214 S. Court Street, formerly the Eufinger Law Office. Manager Gaver said she isn't aware of those details at this time. President Boerger said the door facing the west on the Bradford Insurance home located at 517 E. 5th Street has been replaced. He said he is not sure if that happened before or after the sale of the property, but it doesn't fit the original design of the structure. Manager Gaver said they will look into that further.

ORDINANCES:

Ord. A 3rd Reading TO APPROVE PLANNING COMMISSION'S RECOMENDATION THAT NO AMENDMENT
Vote BE MADE TO SECTION 1141.27 - ACTION BY PLANNING COMMISSION

Administration: None.

Council: President Boerger said he thinks that Conditional Use applications before the Planning Commission should have a higher level of scrutiny and require five votes in favor opposed to only four, doing so will better align with the vision for the community. Councilwoman Kramer said she agrees and is supportive of the higher bar, regardless of what body is making that decision. Councilman Hunter said this was presented to the Public Safety/Service Committee on August 11, 2025 by President Boerger. Multiple options were discussed and the recommended change of requiring five votes in favor, instead of only four votes in favor, for Conditional Use applications before the Planning Commission was agreed upon. City Council then passed Resolution 012-2025 to initiate the process and make the recommendation to Planning Commission. Planning Commission, however, voted the change down on

September 2, 2025, and that recommendation is being presented in this Ordinance. Councilman Hunter said he ran on ensuring integrity in the processes followed, and if City Council amends this Ordinance, it will empower Planning Commission to have an additional level of scrutiny for Conditional Use applications. Director Aslaner explained that if the Ordinance is amended, it requires five votes in favor to make an amendment to a Planning Commission recommendation.

President Boerger moved to amend the Ordinance by adding “In order for the conditional use application to be approved, with or without modification, a super majority vote in the affirmative of two-thirds (2/3) of all Planning Commission members is required,” and the question put, stood:

Mr. Hunter YES;	Mr. Reams YES;	Ms. Kramer YES;	Mr. Bordner YES;
Mr. Wolfe YES;	Mr. Berbee YES;	Mr. Boerger YES.	

Vote 7-0; Motion carried.

President Boerger said the legislation is again at Second Reading, Public Hearing, and asked for citizen comments.

Citizens: Kathy Young asked what the purpose of this is, City Council is now just doing what they originally wanted to do, regardless of the recommendation of Planning Commission. She feels this entire process has been a waste of time.

Councilman Bordner moved to waive the Third Reading and the question put, stood:

Mr. Reams NO;	Ms. Kramer NO;	Mr. Bordner YES;	Mr. Wolfe NO;
Mr. Berbee NO;	Mr. Boerger YES;	Mr. Hunter YES.	

Vote 3-4; Motion failed.

To be back for Third Reading, Vote, on November 10, 2025 as amended.

Ord. B 3 rd Reading Vote	TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTIONS 1107.16 – PUBLIC SITES, OPEN SPACES AND NATURAL FEATURES AND 1135.06 – COMMON OPEN SPACE
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Administration: None.

Council: None.

Councilman Wolfe moved to pass the legislation and the question put, stood:

Ms. Kramer YES;	Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Berbee YES;
Mr. Boerger YES;	Mr. Hunter YES;	Mr. Reams YES.	

Vote 7-0; Motion carried for the passage of Ordinance 036-2025.

Ord. C 3 rd Reading Vote	TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, HMD, UT, USF
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Administration: None.

Council: None.

Councilman Hunter moved to pass the legislation and the question put, stood:

Mr. Bordner YES;	Mr. Wolfe YES;	Mr. Berbee YES;	Mr. Boerger YES;
Mr. Hunter YES;	Mr. Reams YES;	Ms. Kramer YES.	

Vote 7-0; Motion carried for the passage of Ordinance 037-2025.

Ord. D 3rd Reading
Vote

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
APPENDIX – GLOSSARY OF TERMS

Administration: None.

Council: None.

Councilman Hunter moved to pass the legislation and the question put, stood:

Mr. Wolfe YES;	Mr. Berbee YES;	Mr. Boerger YES;	Mr. Hunter YES;
Mr. Reams YES;	Ms. Kramer YES;	Mr. Bordner YES.	

Vote 7-0; Motion carried for the passage of Ordinance 038-2025.

Ord. E 2nd Reading
Public
Hearing

TO AMEND CHAPTER 1320 – VACANT BUILDING REGISTRATION OF THE CITY OF
MARYSVILLE CODIFIED ORDINANCES

Administration: None.

Citizens: None.

Council: President Boerger thanked City Staff for bringing this item forward so that property owners of vacant buildings can be held more accountable than they were in the past.

To be back for Third Reading, Vote, on November 10, 2025.

Ord. F 1st Reading
Introduction

TO APPROVE AN AMENDMENT TO THE AGREEMENT TO CREATE THE MARYSVILLE-
JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE
INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS
THE KIA EXPANSION AMENDMENT AND TO REPEAL ORDINANCE 020-2025

Administration: Director Aslaner stated there was a procedural problem with Ordinance 020-2025 and as a result, this Ordinance repeals that one, and passes the same Ordinance again, now that the proper procedure is being followed. The issue was that the developer must sign their petition and deliver it to the Jerome Township Clerk before City Council can pass an amendment to the Marysville-Jerome Township Joint Economic Development District (JEDD), however, City Council passed Ordinance 020-2025 before it was properly filed with the Township. Therefore, there is a request to repeal Ordinance 020-2025 and pass the JEDD amendment as it is

written in the Ordinance again. There is also a desire to waive the Third Reading in order to begin capturing the construction income tax sooner.

Council: President Boerger asked what happens if City Council votes this Ordinance down. Director Aslaner said that would need to be discussed further. Councilman Hunter said the structure has already begun to be built. Director Phillips said yes, that is correct, which is why we are asking to waive the Third Reading. Director Phillips said we now have monthly meetings to improve the process in the future to ensure this doesn't happen again.

Councilman Berbee moved to waive the Third Reading and the question put, stood:

Mr. Berbee YES; Mr. Boerger YES; Mr. Hunter YES; Mr. Reams YES;
Ms. Kramer YES; Mr. Bordner YES; Mr. Wolfe YES.

Vote 7-0; Motion carried, Third Reading waived.

To be back for Second Reading, Vote, on November 10, 2025.

Ord. G 1st Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
Introduction SECTION 1123.29 – OPEN SPACE REGULATIONS

Administration: Manager Gaver reviewed information regarding the Ordinance as shown in [Exhibit A](#). Ordinances G through S are all a result of work from the Planning and Zoning Working Group meetings that have occurred over the last year. She said they engaged with the consultant Clarion, in September to finish the proposed amendments, which are being presented tonight. She will be presenting on Ordinances G and H, then Geoff Green, from Clarion, will be presenting on Ordinances I through S. Manager Gaver also reviewed a proposed amendment to the Ordinance as reflected in Exhibit A.

Council: Councilman Bordner said he thinks Ordinance G through S tie into the Strategic Plan adopted by City Council, and are reflective of the desires of the broader community. At the next meeting, he would like to see a presentation as to how these ordinances relate back to the goals and objectives of the Strategic Plan. President Boerger showed information from the Comprehensive Plan as shown in [Exhibit B](#), and how the Zoning Code amendments in Ordinances G through S will produce development that aligns with what citizens voted for in the Comprehensive Plan. Councilman Hunter said he sees how the proposed amendments to the Zoning Code in Ordinances G through S relate to the Vision Plan that is being created as well.

Councilman Boerger moved to amend the legislation as outlined in Exhibit A, and the question put, stood:

Mr. Boerger YES; Mr. Hunter YES; Mr. Reams YES; Ms. Kramer YES;
Mr. Bordner YES; Mr. Wolfe YES; Mr. Berbee YES.

Vote 7-0; Motion carried, Ordinance G amended.

To be back for Second Reading, Public Hearing, on November 10, 2025 as amended.

Ord. H 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.18 AND SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF

Administration: Manager Gaver reviewed the Ordinance as shown in Exhibit A.

Council: Councilwoman Kramer said she loves the figures, as they help her to visualize what is being referenced. Additionally, she said the figures reflect straight driveways. With side loaded garages, there generally needs to be more space to turn around, and she asked if that has been taken into consideration. Manager Gaver said that will be the next step to review, looking at set back requirements, which may need to be adjusted based on lot size. Or, on some lots, rear loaded garages may be the only option. Councilwoman Kramer said she would like to see examples of some of the options in the figure of the Ordinance in real life. Manager Gaver said they can do that. Councilman Bordner asked if this will handcuff potential builds in the future. President Boerger said the Board of Zoning Appeals is an option for property owners. Councilman Hunter said that for the zoning districts outlined, some of the examples shown are likely not feasible. Councilman Reams asked how garages that are double deep would apply. Manager Gaver said only the garage bays that are visual from the street count, so someone could have a two bay, double deep garage facing the street and that would be in compliance, counting as a two bay for the purposes of this Ordinance.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. I 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, 1105.09 – RESIDENTIAL SUBDIVISION LOT VARIABILITY

Administration: Mr. Green reviewed the Ordinance as shown in [Exhibit C](#).

Council: President Boerger said 20% was chosen by the Planning and Zoning Working Group because it seemed like a good starting point. Councilman Hunter said the Planning and Zoning Working Group has worked for hundreds of combined hours on the proposed amendments in meetings that have occurred over the last year. Many opinions were considered and brought forward. The goal of these amendments is to ensure that development that occurs fosters pedestrian friendly movement. President Boerger said smart growth is building walkable environments that are detailed and attractive.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. J 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.14 – LOTS, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C.

Council: None.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. K 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF, SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS, SECTION 1125.06 MINIMUM LANDSCAPE STANDARDS, AND SECTION 1125.08 - INSTALLATION AND MAINTENANCE

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C. He explained that there are Ordinances related to basic standards around landscaping to improve the visual and aesthetic quality of landscaping to be planted, and to contribute to the City's tree canopy. The requirements of this Ordinance would need to be followed until a certificate of occupancy is given, and then would not apply. The hope is that after someone buys a new home, they will maintain what they have. Additionally, enforcing these rules after the home is purchased would be difficult for City Staff to monitor and enforce.

Council: Councilman Berbee said what has been observed in some neighborhoods is that owner occupied homes look good, while rented homes do not. He said he is not sold on what is being proposed in this Ordinance. Without inspections or zoning, this will not enhance the City. Manager Gaver clarified that while this update to the Code is only applicable for new builds and until a certificate of occupancy is issued, property maintenance requirements will still apply and Code Enforcement can occur if needed once the certificate of occupancy has been issued. With this Ordinance, we wouldn't be able to tell the property owner to put landscaping back in if it is removed, but we would be able to enforce if the landscaping isn't being maintained. President Boerger said with the Design Review Board process and City Arborist review, the landscaping that will be planted will be suitable for our location on the USDA Plant Hardiness Zone Map, and will hopefully not be landscaping that will quickly become overgrown. These builds will be too expensive for a slum lord to buy. Councilman Reams said he doesn't see how the trees to be planted will be enough to allow the City to reach its tree canopy goal of 40%. Additionally, there is no specification to the type of trees when in reality, what we are looking for is shade trees. Mr. Green said he views this as a step in the right direction, and the requirements could be increased if desired. For now, we are trying to prevent applications to the Board of Zoning and Appeals every month seeking relief from the requirement. Identification of certain species of trees could also be an amendment to be considered. Councilwoman Kramer asked if there can be consideration for a situation where a lot has considerable tree cover already, and if there should be any exceptions. Manager Gaver said she will review the feedback received and more information will be forthcoming.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. L 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 – HOSPITAL MIXED-USE DISTRICT,

SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT AND THE APPENDIX - GLOSSARY OF TERMS

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C.

Council: Councilman Reams asked about the water table not counting as an architectural feature, and asked if having masonry on more than 20% would count. Mr. Green explained that having masonry on at least 20% overall, with a water table would count, but a water table on its own would not count as an architectural feature.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. M 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 – HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C. He said initially there was a desire of the Planning and Zoning Working Group of having different roof pitches, but it was difficult to come up with those pitches in a fair way. The consensus of the group was to at least have this minimum. Having sufficient pitch helps the home to be visually attractive.

Council: Councilman Hunter said this regulation was borrowed from other communities and it is not an uncommon requirement. President Boerger said it will help to break things up as you're driving through.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. N 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1109.12 – RESERVED

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C. He said the standards will help to make sure that when topsoil is laid, then the sod on top will have a fighting chance of survival. While all of the previous Ordinances applied to residential developments only, this applies to residential and commercial.

Council: Councilman Bordner said he appreciates this Ordinance. When he was placing Halloween decor in his yard, he broke a number of stakes because he kept hitting rocks. Councilman Reams said for some developments, it will just be clay, there won't be any topsoil. Manager Gaver said this will require the top soil to be brought in. Councilman Hunter said members of the Working Group have a variety of backgrounds and experiences, such as working in home building and construction. They have a knowledge of the best practices that yield better results.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. O 1st Reading TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,

Introduction SECTION 1123.07 – REQUIRED TRASH AREAS, SECTION 1133.09 - DESIGN REVIEW STANDARDS FOR MULTI-FAMILY AND SINGLE-FAMILY (ATTACHED) BUILDING TYPOLOGIES, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES, AND SECTION 1133.11 - DESIGN REVIEW STANDARDS FOR MANUFACTURING AND OFFICE/WAREHOUSE BUILDING TYPOLOGIES

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C. He said Ordinances O through S apply to commercial sites. While the current standards are quite strong, some challenges have been realized. This Ordinance aims to make the enclosures more attractive and primarily, more durable in the long run.

Council: President Boerger said the idea behind this is to give the trash enclosures a longer life span. Councilman Berbee said the City made improvements to the trash enclosures in the alleyway that were updated along the parking lot at Plum and 6th Streets. They meet the standards in this Ordinance, look nice and are holding up well.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. P 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS AND SECTION 1125.06 MINIMUM LANDSCAPE STANDARDS

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C. He explained that the desire is to allow flexibility for the placement of the landscaping when there is outdoor dining, as an example.

Council: President Boerger said he thinks that shrubbery planted in-between parking lots is still important. Additionally, he said he thinks there should be a requirement to have it shaped into a hedge. If not, it is doing a disservice to the point, which is to have screening from headlights. Manager Gaver said they can review that further. Councilman Berbee asked about river rock planting. Mr. Green said they only require that the type be listed, whether it be mulch or river rock. President Boerger said gravel (essentially river rock), instead of mulch is becoming more popular, but he sees it as a fad. If you drive by Dairy Queen and Sheetz, you can see the difference in how it feels. Sheetz is more welcoming, while the rocks at Dairy Queen look like we are in Arizona. Additionally, typically the plants don't grow as well in rocks.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. Q 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING MULTI-TENANT ENTRANCE FEATURES

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C.

Council: President Boerger said this will elevate commercial sites so that we don't have strip malls where each store front looks the same. He said this is also in the Comprehensive Plan and voted on by residents regarding what is desirable.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. R 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING GLASS

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C.

Council: Councilman Hunter said when they started working on this he didn't know what spirael glass was. This was discussed at length with the Planning and Zoning Working Group. He said this is a good recommendation and he appreciates the work of the Planning Commission members.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. S 1st Reading Introduction TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING PARKING SPACES

Administration: Mr. Green reviewed the Ordinance as shown in Exhibit C.

Council: None.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. T 1st Reading Introduction TO ADOPT A CAPITAL BUDGET FOR 2026

Administration: Chief Brooks said the rest of the Ordinances are related to the 2026 Budget and its four components. City Council has been given their budget books, he encouraged City Council to review them and meet with Manager Emery and Director Lutz should questions arise.

Council: Councilman Bordner said this was reviewed with the Finance Committee on October 20th. He encouraged City Council Members to review the Budget, to become familiar with what is being proposed, and to ask questions of City Staff as needed. President Boerger thanked everyone for their work on the Budget. It is great knowing we work within the Budget, while also reducing debt.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. U 1st Reading Introduction TO ADOPT AN ANNUAL OPERATING BUDGET FOR 2026

Administration: Assistant Director Hoover said Ordinances U and V are similar, the Charter requires the information a certain way and the State requires it a certain way, which is why we have both.

Council: None.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. V 1st Reading TO ADOPT ANNUAL APPROPRIATIONS FOR 2026
Introduction

Administration: None.

Council: None.

To be back for Second Reading, Public Hearing, on November 10, 2025.

Ord. W 1st Reading TO AMEND ORDINANCE 012-2025 ANNUAL COMPENSATION FOR ALL CITY
Introduction EMPLOYEES 2026

Administration: None.

Council: Councilman Bordner said he will be having a meeting with Manager Emery and Director Lutz to discuss this further.

To be back for Second Reading, Public Hearing, on November 10, 2025.

COMMENTS OF THE CITY MANAGER AND COUNCIL PERSONS AND GENERAL DISCUSSION:

Chief Brooks spoke to the hazardous material accident that happened on Route 33 at about 11:30 a.m. on October 23rd, causing the roadway to be closed. It was the worst event he has seen in 25 years with regard to the impact on traffic. While the roadway was closed for eleven hours, that is still shorter than anticipated at one point. He recognized all agencies involved for their superior work, Marysville Police, Fire and Streets Departments, the Union County EMA, the Union County Sheriff's Department, ODOT, the Ohio EPA, the Ohio State Highway Patrol, the Public Utilities Commission of Ohio, and Hogan's Tire Service and Towing. It was great to see the community come together to resolve the issue.

Councilman Bordner reminded everyone to be cautious when driving with trick-or-treat events happening throughout the area. He said that on Sunday we fall back an hour. Additionally, he thanked City Staff and everyone involved for the countless hours that have been spent working on the Zoning Code updates. These updates align with the Strategic Plan and with the Vision Plan, as have been reflected in the surveys conducted in the last 12 to 18 months.

Councilman Wolfe said there are still early voting opportunities, and the election is on November 4th. He wished the Marysville High School football team good luck in their first playoff game in Springfield on Friday.

Councilman Berbee said the accident on Route 33 made for increased awareness as to just how many vehicles travel that stretch of road every day. A job well done for all that participated.

Councilwoman Kramer thanked the Planning and Zoning Working group for all of their work bringing the amendments forward. She said she appreciated Councilman Hunter providing additional background information, it is evident that there was much expertise in the process. She said she is also grateful for the responders on Thursday for their quick thinking. It is important that our Police and Fire Divisions are equipped with proper training, equipment, etc. She said she is proud of everyone's efforts. Students have many activities coming up with playoffs, finals, etc., she said she is also proud of the hard work of our students. She wished them the best of luck as they wrap up their seasons.

Councilman Reams said he has done a lot of walking lately and talking to people. It is interesting to see the passion and creativity people have with decorating their yards and homes this time of year. It is a lot of fun to see.

Councilman Hunter said he appreciates all of the work of the Planning and Zoning Working Group, along with the contributions of Mr. Green. We had many people in the room with different opinions, but the added expertise of Mr. Green allowed us to move things forward. It has been good to see what has been presented after almost a year's worth of meetings.

President Boerger wished everyone a Happy Halloween. He asked everyone to be cautious of the trick-or-treaters, especially as it is getting darker earlier. He is concerned with distracted driving and in today's society, we could all use a little more grace and patience. Members of the Planning and Zoning Working Group heard feedback from voters. These changes will help with rapid unsustainable housing, which is what he ran on. While we have had various plans in place, such as the Comprehensive Plan, etc., we haven't always lived up to our full potential. This Council is not only listening to voters, but we are executing changes and are putting them into the Code. We are going to focus on economic growth, design standards, and housing that builds community, which in turn supports our Schools, parks, etc. to set Marysville up for success, and not have to go back to the taxpayer if we don't have to.

ADJOURN: There being no further business to bring before Council, Councilman Hunter moved to adjourn the meeting. Affirmative voice vote in favor was unanimous. The meeting adjourned at 9:39 p.m.

EXHIBIT A

Proposed Zoning Code Amendments

City Council

October 27, 2025



Section 1123.29 - Generally Applicable Design Standards

Open Space:
Retention/Detention Basins



Zoning Code Amendment: Background

- **Council Work Session: 08/19/24**
 - Research presented for open space requirements in Marysville and other communities
 - Focus on percentage of open space required
- **Planning and Zoning Working Group: 2025**
 - Increase to 20% open space
 - Develop “natural” variation for retention/detention basins
 - Remove retention/detention basins from green space
- **Planning Commission: 10/07/25**
 - Approved (5-yes, 0-no)



Proposed Code: Open Space Designation

(b) **Open-Space Designated for Recreational Activities.** Any open space area intended to be devoted to recreational activities, **including recreational ponds**, shall be of a usable size and shape for the intended purpose as determined by the designated Board or Commission. Recreation areas shall include parking in accordance with the applicable regulations of the zoning district.



Proposed Code: Calculation

(c) **Restrictions on Calculation of Open-Space.** Land area attributable to the following shall not be included as meeting the open space requirements:

(1) Public street rights-of-way, private roads, parking areas, and retention and detention areas.

a. Residential. ~~Retention and detention~~ areas may be calculated as open space, **but shall not account for more than thirty percent (30%) of the required open space**, if it provides landscape areas, excluding natural turf, and ~~usable amenities such as, but not limited, to a walking path around the retention/detention basin, seating areas, or other usable amenities as approved by a Board or Commission.~~ **if all of the following are provided** around or in the basin:

i) Walking path

ii) Seating areas

iii) Wildlife habitat

iv) Fountains

v) Enhanced landscape areas, excluding natural turf, along walking paths and retention basins which shall be 5% greater than the standard set forth in Section 1123.29(d).

~~b. Commercial. Retention and detention areas may be calculated as open space if a minimum of thirty percent (30%) of the basin perimeter includes landscape areas, excluding natural turf. The landscape areas may be constructed within the basin upon approval from the Division of Engineering.~~

New Code Section: Pond Design

(d) Retention/Detention Basin or Pond Design

(i) The following shall apply to retention basins, detention basins, and man-made ponds. Basins or ponds shall be **free form, gently curving with variable contouring, following the natural landforms**. If such forms do not exist, the basin or pond shall be shaped to emulate a naturally formed depression.

(1) Per the Division of Engineering's Stormwater Drainage Manual, basins or ponds shall have **side slopes approved by the Division of Engineering**

(2) Basins or ponds shall be landscaped so as to **naturalize the area**. Basins or ponds shall be **planted with a mixture of wetland-based plantings native to Ohio**, such as trees, native grasses, or wildflowers.

(3) A **minimum of 30% of the basin or pond perimeter must include landscape areas, excluding natural turf and turfs**. Plantings shall be clustered around the basin or pond to achieve a variety of plant material in order to replicate a natural environment. Plants shall not be placed in a manner that interferes with the maintenance and serviceability of the basin or pond or its access.

(4) **Trees shall be planted above the average water level** of the basin or pond. Any plantings proposed below the average water level shall be tolerant of wet or moist soil conditions. The landscape areas may be constructed within the basin upon approval from the Division of Engineering.

(a) All retention areas are to be landscaped with shade tree plantings at three **(3) trees per one hundred (100) linear feet** or fraction thereof and evergreen tree plantings at **one (1) tree per 200 linear feet** or fraction thereof around their **entire perimeter**.

Requested Amendment

- Planning Commission requested additional information regarding the term 'Wildlife Habitat'

Proposed Amendment:

Wildlife habitat - **An environment where an animal or plant lives, providing the specific mix of resources it needs to survive and reproduce.**



Section 1107.19(a)

Residential Architecture

Garage Design Guidelines



Zoning Code Amendment: Background

- **Planning and Zoning Working Group: 2025**
 - Increase baseline architectural standards
- **Planning Commission: 10/07/25**
 - Approved (5-yes, 0-no)



New Code Section: Purpose & Garages

Section 1107.19 - Residential Architecture in SRD, VRD, HMD, ARD, UT, USF

The purpose of this section is to **apply standards that enhance the architectural integrity and exterior appearance of developments** in the City of Marysville, and by doing so, **promote and preserve the aesthetic character and economic vitality of the community.**

Garages (Single Family Detached) in SRD, VRD, HMD, UT, USF

Purpose. The purpose of the following design standards is to **ensure residential garages are integrated and well-designed extensions** of the home as it is **not intended for the garages to be the most dominant feature** of the house when seen from the street. A **mixture of front-loaded, side-loaded, and rear-loaded garage location** throughout a development is encouraged.



New Code Section: Garage Location

Garage Location: Front-Loaded Garages

- A garage with vehicular access doors oriented the same direction as the front facade of the principal structure.
- The garage shall be a **minimum of two (2) feet behind the front edge of the porch**, unless architecturally appropriate as determined by the Board or Commission.
- If no porch exists, the garage shall not be the most forward part of the house.

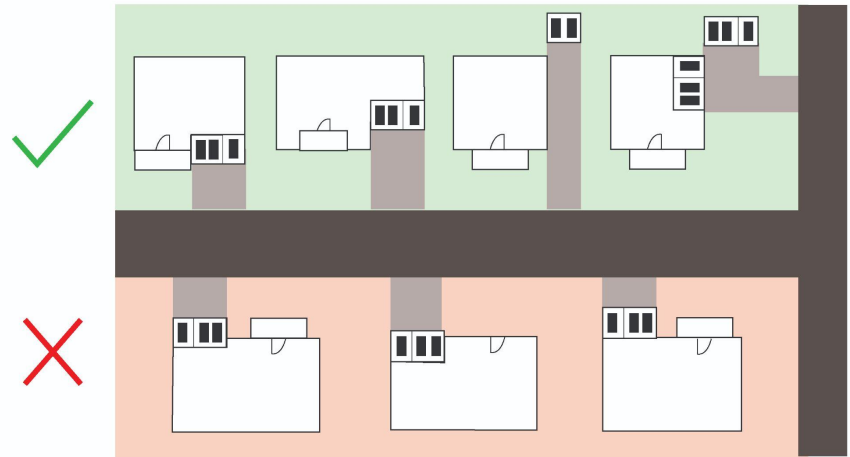


Figure 1107.19-1 Permitted and Prohibited Garage Location Examples - Front Loaded



New Code Section: Garage Location

Garage Location: Side-Loaded Garages

- A garage with vehicular access doors oriented perpendicular to the front facade of the principal structure.
- **The garage structure shall be a minimum of two (2) feet behind the front edge of the porch**, unless architecturally appropriate as determined by the Board or Commission.
- If no porch exists, the garage shall not be the most forward part of the house.

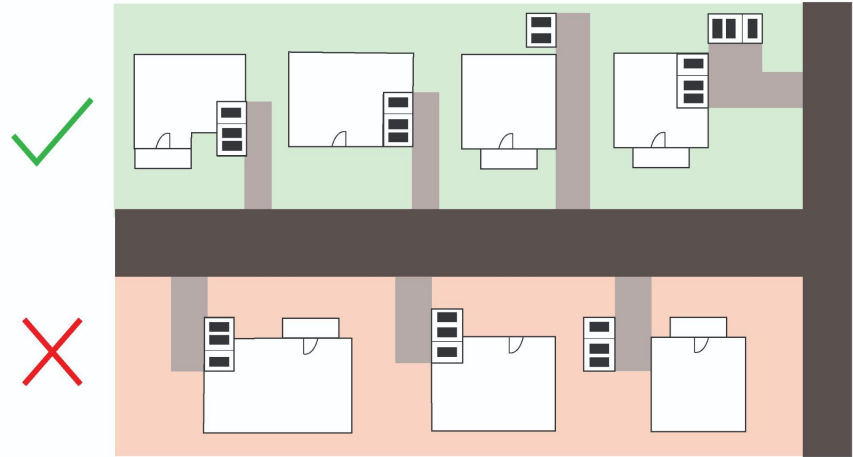


Figure 1107.19-2 Permitted and Prohibited Garage Location Examples - Side-Loaded



New Code Section: Garage Bays

Garage Bay Quantity.

- Each house shall be **designed to emphasize the house mass and entry**, and **garages shall be secondary in character**.
- No more than 3 bays** shall be permitted to face any street, except rear-loaded garages.
- This includes attached or detached garages.

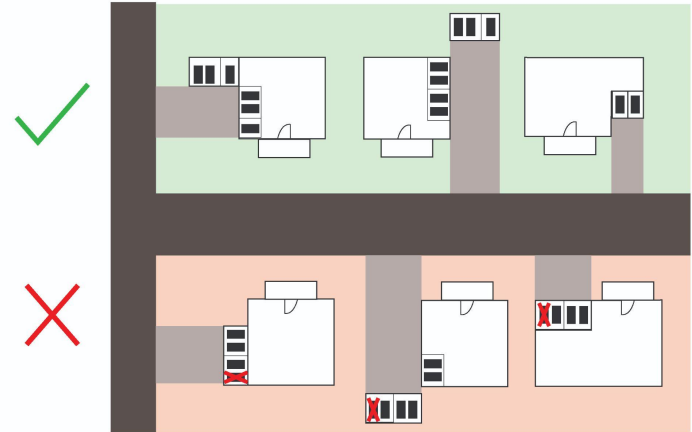


Figure 1107.19-2 for Permitted and Prohibited Garage Quantity Examples



New Code Section: Garage Doors

(4) Garage Door Design: Front-loaded, side-loaded, and rear-loaded garage doors shall have at least **two (2) design features**, unless architecturally appropriate as determined by the Board or Commission. Design features are as follows:

- (A) Raised paneling or architectural relief feature
- (B) Permanent hardware
- (C) Paint color other than white
- (D) One or more panel rows of windows. If desired, vertical window designs will be considered by the Board or Commission.
- (E) Other significant architectural components as determined by the Board or Commission.



Questions?



Residential Development Patterns



Commercial Development Patterns

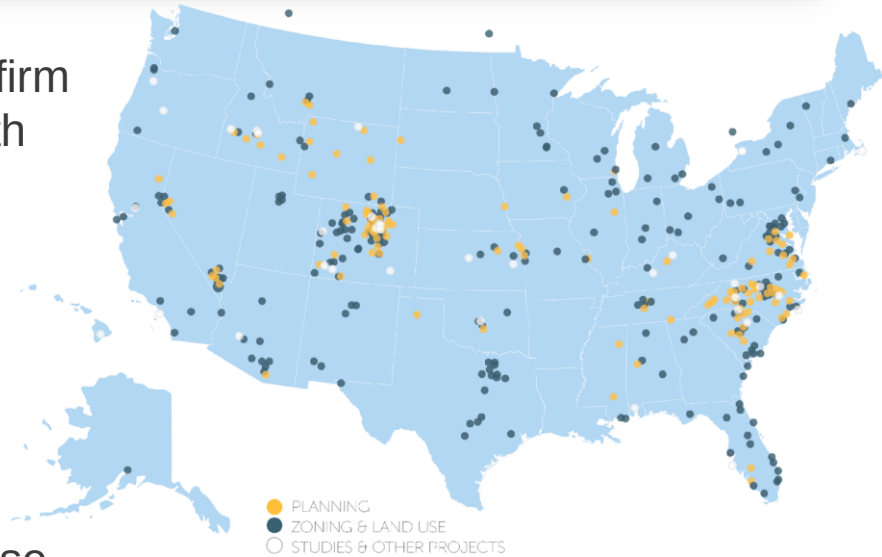


Zoning Code Updates

October 27, 2025

CLARION

- ❖ Mid-sized planning consulting firm with offices in Chapel Hill, North Carolina and Denver
- ❖ Attorneys, planners, graphic designers, and other staff
- ❖ Assisting the city with these updates to its Zoning Code
- ❖ Significant experience helping communities evaluate and revise development ordinances, both comprehensive and targeted updates



33 Years
of effective land use
solutions



250+
adopted
development codes

Code Amendments: Background

- ❖ Planning and Zoning Working Groups (September 9 & 18)
 - Review each priority and the relevant context;
 - Discuss Clarion's research and suggestions; and
 - Reach a consensus on amendments to address the priorities.
- ❖ Planning Commission (October 7)
 - Recommended approval of proposed amendments, with modifications.

Agenda Items

Residential	Commercial
I. Residential Subdivision Lot Variability	O. Trash Enclosures
J. Rear Loading Requirements for Certain Lots	P. Landscaping—Foundation and VUA
K. Residential Architecture—Landscaping	Q. Commercial Architectural Design Features
L. Residential Architecture—Façades	R. Commercial Materials and Glass
M. Residential Architecture—Roof Pitch	S. Parking Lot Design
N. All Development - Topsoil	

Agenda Item I. Residential Subdivision Lot Variability

Applicability

- All new residential subdivisions, **20 acres or greater**.
- All lots with **single-family detached dwellings** where garages are proposed.

Summary

- Require **side or rear loading** for at least 20% of garages on single-family lots.
- Corner lots do not count towards required percentage.

Agenda Item J. Rear Loading Requirement for Certain Lots

Applicability

- SRD, VRD, HMD, UT, and USF zoning districts.
- All lots with single-family detached dwellings.

Summary

- Require **rear loading** for single-family detached dwellings on **lots 60 feet wide or less**.

Includes changes to typology tables in SRD, VRD, UT, and USF, new typology table for single-family detached dwellings in HMD, and additional cross references. Similar revisions are included in many of the other proposed revisions

Agenda Item K. Residential Architecture—Landscaping

Applicability

- SRD, VRD, HMD, ARD, UT, and USF zoning districts.
- All lots with single-family detached dwellings.

Summary

- New **foundation landscaping requirement**:
 - Along **street frontages**, and **side frontages extending 10 feet** from street frontage.
 - **No ongoing maintenance requirements** after development.
- New **tree requirement** based on lot width:
 - 1 tree (less than 60 ft) | 2 trees (60 ft up to 100 ft) | 3 trees (100 ft or greater)

Agenda Item L. Residential Architecture—Facades

Applicability

- SRD, VRD, HMD, ARD, UT, and USF zoning districts.
- All lots with single-family detached dwellings.

Summary

- Dwellings must include **architectural features**, from menu of options.
 - **Front: 3 features | Side: 2 features | Other facades: 1 feature**
 - Definitions of allowed and prohibited features.
- Other conforming changes.

Agenda Item L. Residential Architecture—Facades

Qualifying Architectural Features

Door (min 28 sf area)

Gable vent (min 4 sf area)

Window (min 6 sf area)

Dormer

Decorative shutters on majority of façade windows

Corbels or decorative trim on roofline

Chimney

Deck, balcony, portico, or porch

Masonry (min 20% of facade)

Decorative, permanently installed lighting

Architectural Features That Do Not Qualify

Foundation cladding

Water table

Sides of porches (excluding wraparound porches)

Rooflines

Agenda Item M. Residential Architecture—Roof Pitch

Applicability

- SRD, VRD, HMD, ARD, UT, and USF zoning districts.
- All lots with single-family detached dwellings.

Summary

- Require a **minimum roof pitch** of **6:12** on the **primary roof**.
- Other conforming changes.

Agenda Item N. All Development - Topsoil

Applicability

- All development undergoing subdivision.

Summary

- **New technical standards for topsoil depth and installation.**

Agenda Item O. Trash Enclosures

Applicability

- Development* subject to design review (Section 1133).

**Except for single-family attached developments without central refuse areas.*

Summary

- Enclosure **material standards**: require use of **metal, vinyl, masonry, or other durable materials, wood prohibited**.
- Enclosure **doors**: Require **steel posts** and **steel-frame doors**.
- Enclosure **height**: Increased to **2 feet** (from 1 foot) **above tallest container**.
- Remove duplicate provision.

Agenda Item P. Landscaping— Foundation and VUA

Applicability

- All development except for single-family detached dwellings.

Summary

- Foundation planting beds: Minimum **5 feet wide**, and allow **flexibility in placement** between parking areas and building facades.
- **Parking lot screening** from streets with **evergreen plantings**:
 - **2 feet tall** at installation.
 - **3 feet tall** within **2 years**.
- Require **mulch type** to be listed on plans.

Agenda Item Q. Commercial Architectural Design Features

Applicability

- Office, institutional, mixed-use, and commercial buildings subject to design review under Section 1133.

Summary

- Clarify **single-story** versus **multi-story** design standards.
- Recommend **defined entrances** for commercial buildings serving multiple tenants.

Agenda Item R. Commercial Materials and Glass

Applicability

- Office, institutional, mixed-use, and commercial buildings subject to design review under Section 1133.

Summary

- **Permit spandrel glass** on commercial buildings.
- **Prohibit use of spandrel glass as primary material** or for purposes of **meeting transparency requirements**.

Agenda Item S. Parking Lot Design

Applicability

- Office, institutional, mixed-use, and commercial buildings subject to design review under Section 1133.

Summary

- Change soft cap on maximum parking to **hard cap** (variance required to exceed 125% of minimum)



Terry Emery

RESOLUTION _____

TO ADOPT AN INFORMATION SECURITY POLICY FOR THE CITY OF MARYSVILLE, OHIO

WHEREAS, the City of Marysville ("the City") recognizes that technology and information are critical business assets for achieving the City's strategic goals and committed to safeguarding said assets amid the current and ever-changing threat landscape; and

WHEREAS, information security is a holistic discipline such that its application or lack thereof affects all facets of an organization or enterprise; and

WHEREAS, the ability to manage, control, and protect this information will have a direct and significant impact on the City's future success; and

WHEREAS, in order to effectuate this security, the City wishes to adopt a formal Information Security Policy; and

WHEREAS, the purpose of the Information Security Policy is to outline the actions and behavior necessary to mitigate inappropriate risks; and

WHEREAS, this Policy establishes City Council's commitment to the protection and responsible use of technology and information collected from and about its residents, staff, business partners, and others who have entrusted their information to the City; and

WHEREAS, City Council will provide ongoing support for the City's information security program through strategic oversight and appropriate budget allocations; and

WHEREAS, this Policy establishes the need to develop and maintain an Information Security Program and serves as the framework from which other information security administrative policies and procedures may be developed, ensuring that the City can efficiently and effectively manage, control, and protect its business information assets and technologies; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. Council hereby adopts the Information Security Policy attached hereto and incorporated herein as Exhibit A.

Section II. Council further hereby authorizes and directs the City Manager, the Law Director, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to take any other actions as may be appropriate to implement this Policy without further legislation being required.

One Reading Only: _____

PRESIDENT OF COUNCIL

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

City of Marysville, Ohio

Information Security Policy

Background

The City of Marysville recognizes that technology and information are critical business assets for achieving the City's strategic goals and is committed to safeguarding these assets amid the current and ever-changing threat landscape. Information security is a holistic discipline, meaning that its application, or lack thereof, affects all facets of an organization or enterprise. The ability to manage, control and protect this information will have a direct and significant impact on its future success.

Purpose

The purpose of the Information Security Policy is to outline the actions and behaviors necessary to ensure that due care is taken to mitigate inappropriate risks. This policy establishes City Council's commitment to the protection and responsible use of technology and information collected from and about its residents, staff, business partners and others who have entrusted their information to the City of Marysville. City Council will provide ongoing support for the City's information security program through strategic oversight and appropriate budget allocations.

This document establishes the need to develop and maintain an Information Security Program and serves as the framework from which other information security policies and procedures may be developed, ensuring that the city can efficiently and effectively manage, control and protect its business information assets and technologies.

Scope

This policy applies to all technology and information resources of the City of Marysville, including those used by employees, City Council, Board and Commission members, third-party partners, contractors and service providers. It aims to ensure that information and data are protected during storage, use, and transmission. Additionally, it seeks to defend all technology assets, including hardware, software, infrastructure, communications, and data storage systems.

Information Security Program

The City has established and will maintain an Information Security Program grounded in the most current NIST (National Institute of Standards & Technology) Framework via a hierarchical set of policies, standards, guidelines, procedures and plans to manage and mitigate risks. These documents shall be developed to maintain the required level of security as established by NIST, CISA (Cybersecurity & Infrastructure Security Agency), the State of Ohio, the City Manager, or the Information Technology Director.

The goal of the Information Security Program is to protect the Confidentiality, Integrity and Availability of the data and systems employed within the organization while providing value to the way we conduct business. These security fundamentals are defined as:

Confidentiality – Ensuring that information is accessible only to authenticated and authorized entities, often enforced by the classic “need-to-know” principle.

Integrity – Safeguarding the accuracy and completeness of information, along with the methods employed to process and manage it.

Availability – Ensuring that information assets (including information, systems, facilities, networks, and computers) are accessible and usable when needed by authorized entities.

Information security policies are high-level documents that define the objectives and principles for information security. Topic-specific policies will be developed to address specific security needs. The supporting documents including standards, guidelines, procedures and plans are often confidential and more technical in nature and serve to implement policy objectives in a measurable and repeatable manner.

Standards establish mandatory guidelines and boundaries for policy compliance. Guidelines/Best Practices provide directions for complying with non-mandatory policies. Plans outline the activities that will follow a specific incident or business interruption. Procedures provide step-by-step directions to complete specific tasks.

The Information Security Program shall be designed and operated to allow the City to maintain cybersecurity insurance, contingent upon its ability to purchase it.

In addition to policies, standards, guidelines, plans and procedures, key components of the Information Security Program are:

Risk, Classification and Assessment

City staff will evaluate and address risks to reduce exposure or accept risk according to the assessment of the identified risk owner. Risk management and mitigation are achieved through the use of administrative, physical, and technical controls.

Information assets are to be classified according to their sensitivity and criticality. The collection of information assets shall adhere to a stringent “need-to-know” principle throughout the entire data lifecycle, ensuring that only the information required to accomplish the task or request is collected and stored.

Critical functions, systems and data essential to the City’s operations will be subject to annual third-party risk assessments. All risk assessments are based on the NIST Cybersecurity Framework. Risk assessments must produce reporting that is consistent and usable for all stakeholders.

Third-party partners and service providers will be assessed, and subsequently audited, for compliance with the City’s policies, standards and guidelines.

Annual Reporting

Annual reporting to the City Manager will occur prior to the annual budgeting process or per the City Manager’s request. The information report will include the following, but will not be limited to:

- Updates on security initiatives.
- High-level risk assessment results.
- Annual security policy review and updates.
- Significant threats to the City's information as identified by the Information Technology Director.
- Testing results from third-party vendors, i.e., external penetration test.
- Any security incidents and follow-up actions.
- Annual Cybersecurity financial review and budget execution.
- Cybersecurity Insurance Policy

Incident Reporting

The Information Technology Security Incident Response Plan will outline the severity of cybersecurity incidents. This plan requires the Information Technology Director to report any significant cybersecurity incident to the City Manager, Law Director, City Council, and relevant partners. Notification should occur, within a reasonable timeframe, if the incident has a high severity level or significant impact on the organization's operations, reputation or financial standing. Additionally, incidents that involve breaches of regulatory requirements, attract public attention, require strategic decisions or policy changes, necessitate significant resource allocation, demand coordinated response efforts or impact the organization's reputation or public trust should be reported.

The City will adhere to Ohio Revised Code § 1347.12, reporting any data breaches in accordance with municipal cybersecurity guidelines and the direction of the Law Director.

Per contract requirements, third-party partners and service providers will be required to notify the City's Information Technology Team, within a reasonable timeframe, of any security incident.

Education and Testing

The City will provide annual education, training and awareness programs to ensure City Council members, Board and Commission members and staff are informed of security threats and equipped to follow security protocols.

In alignment with the City's Emergency Operations Plan, incident response, disaster recovery and business continuity plans will be developed, tested as required and continually improved.

Roles and Responsibilities

City Council members will support the City's Information Security Program and promote information security education and training. City Council members, Board and

Exhibit A

Commission members and staff are responsible for adhering to security protocols, reporting suspicious activities and completing cybersecurity training.

The City's Information Technology team is responsible for developing and reviewing information security policies, standards, guidelines, procedures and plans. They also review the effectiveness of policy implementation and ensure that security activities are carried out in compliance with these policies. Additionally, the team enforces security measures defined in the policies, conducts and leads internal and third-party risk assessments, develops and provides training for City employees and reports on security initiatives and defined metrics to City Council.

Per contract requirements, third-party partners and service providers must review, acknowledge and comply with the City's security policies and standards. They are required to use information resources solely for their designated purposes and report any security incidents to the designated personnel.



ORDINANCE _____

**TO APPROVE CITY COUNCIL'S AMENDMENT TO PLANNING COMMISSION'S
RECOMMENDATION THAT NO MODIFICATION BE MADE TO SECTION 1141.27 -
ACTION BY PLANNING COMMISSION**

WHEREAS, on August 25, 2025 City Council in Resolution 012-2025 requested Planning Commission consider amending Section 1141.27 – Action by Planning Commission – of the City Zoning Code as set forth in the aforementioned Resolution; attached and incorporated as Exhibit A; and

WHEREAS, on September 2, 2025 the City Planning Commission, in a public hearing, discussed and considered City Council's requested change to Section 1141.27; and

WHEREAS, Planning Commission voted against making any amendment or changes to the aforementioned section of the Codified Ordinances, leaving intact Section 1141.27 – Action by Planning Commission; and

WHEREAS, Planning Commission recommended to City Council that Section 1141.27 – Action by Planning Commission, remain unmodified and that this recommendation of the Planning Commission be approved by City Council as set forth in the Planning Commission Resolution attached and incorporated as Exhibit B; and

WHEREAS, upon receiving this recommendation from Planning Commission, City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council hereby amends the recommendation from Planning Commission and therefore agrees that section 1141.27 of the Codified Ordinances shall be amended as outlined in Appendix A.

1st Reading September 22, 2025

PRESIDENT OF COUNCIL

2nd Reading October 13, 2025

3rd Reading October 27, 2025

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

Note: Amended October 27, 2025



Steven Wolfe

Scott Hunter

RESOLUTION 012-25

TO INITIATE A ZONING CODE AMENDMENT ON BEHALF OF CITY COUNCIL IN ACCORDANCE WITH CITY CODE SECTION 1141.30(a)(2), RELATED TO SECTION 1141.27, ACTION BY PLANNING COMMISSION (THE APPROVAL OF CONDITIONAL USE APPLICATIONS)

WHEREAS, Section 1141.30(a)(2) provides City Council with the authority to initiate by Resolution an amendment to the text of the Marysville Planning and Zoning Ordinances; and

WHEREAS, on August 11, 2025 the City Council Public Safety/Service Committee held a public hearing to discuss the Planning Commission's approval process of conditional use applications; and

WHEREAS, the Committee agreed that a stricter review process by Planning Commission for the approval of conditional use applications is necessary and that a broader consensus should be required to allow a conditional use; and

WHEREAS, the Committee agreed that Section 1141.27 of the Marysville Codified Ordinances should therefore be amended to require a two-thirds (2/3) super majority vote in the affirmative of all Planning Commission members in order to approve a conditional use.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. In accordance with Section 1141.30(a)(2) of the Marysville Codified Ordinances, City Council is hereby initiating an amendment to Section 1141.27 of the Marysville Planning and Zoning Code to add the provision that approval of a conditional use application require two-thirds (2/3) super majority vote of all Planning Commission members.

SECTION II. City Council is therefore requesting Planning Commission consider that Section 1141.27 of the Marysville Codified Ordinances be amended as follows:

The public hearing may be extended to another date by mutual agreement of the Planning Commission and the applicant. Within thirty- five (35) days after the conclusion of the public hearing required in Section 1141.26 of the Planning Commission shall either approve, approve with supplementary conditions as specified in Section 1141.25, or disapprove the application as presented. If the application is approved, or approved with modification, the Planning Commission shall direct the Zoning Administrator to issue a conditional use permit listing the specific conditions specified by the Planning Commission for approval. If the application is disapproved by the Planning Commission the applicant may appeal the decision through the BZA in accordance with the procedures set forth in Section 1141.13. ***In order for a conditional use application to be approved, with or without modification, a super majority vote in the affirmative of two-thirds (2/3) of all Planning Commission members is required.***

One Reading Only: August 25, 2025

Passed: August 25, 2025

APPROVED AS TO FORM:

LAW DIRECTOR

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

PLANNING COMMISSION'S RESOLUTION _____

TO RECOMMEND THAT NO AMENDMENT BE MADE TO SECTION 1141.27 - ACTION BY
PLANNING COMMISSION

WHEREAS, on August 25, 2025 City Council in Resolution 012-2025 requested
Planning Commission amend Section 1141.27 – Action by Planning Commission of the City
Zoning Code as set forth and attached herein as Appendix A; and

WHEREAS, on September 2, 2025 the City Planning Commission, in a public hearing,
discussed and considered City Council's requested change to Section 1141.27; and

WHEREAS, Planning Commission voted unanimously against making any amendment
or changes to the aforementioned section of the Codified Ordinances, leaving Section 1141.27 –
Action by Planning Commission intact; now, therefore

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE,
OHIO,

That:

SECTION I. The City Planning Commission hereby recommends to City
Council that Section 1141.27 – Action by Planning Commission, remain intact without any
amendment and that this recommendation of the Planning Commission be **APPROVED** in
accordance with this Resolution.

Passed 09-02-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1141.27 - Action by Planning Commission

The public hearing may be extended to another date by mutual agreement of the Planning Commission and the applicant. Within thirty- five (35) days after the conclusion of the public hearing required in Section [1141.26](#), the Planning Commission shall either approve, approve with supplementary conditions as specified in Section [1141.25](#), or disapprove the application as presented. If the application is approved, or approved with modification, the Planning Commission shall direct the Zoning Administrator to issue a conditional use permit listing the specific conditions specified by the Planning Commission for approval. If the application is disapproved by the Planning Commission the applicant may appeal the decision through the BZA in accordance with the procedures set forth in Section [1141.13](#). In order for the conditional use application to be approved, with or without modification, a super majority vote in the affirmative of two-thirds ($\frac{2}{3}$) of all Planning Commission members is required.



Scott Hunter
Steven Wolfe
Julie Kramer

ORDINANCE _____

**TO AMEND CHAPTER 1320 – VACANT BUILDING REGISTRATION OF THE CITY OF MARYSVILLE
CODIFIED ORDINANCES**

WHEREAS, it is the purpose of Chapter 1320 – Vacant Building Registration, of the City of Marysville Codified Ordinances to establish a program for identifying and registering vacant buildings as a tool to protect and preserve neighborhoods from becoming blighted, through a lack of adequate maintenance, and to address the potential security concerns of vacant structures; and

WHEREAS, the current fee schedule no longer covers the costs associated with administering the vacant building registration; and

WHEREAS, the longer a property remains vacant, the more oversight that is required by the City, thus increasing administrative time; and

WHEREAS, the Chapter has not been amended since Ordinance 34-2016 was passed by City Council in 2016; and

WHEREAS, potential changes to Chapter 1320 – Vacant Building Registration were reviewed during the September 8, 2025 Public Safety/Service Committee meeting, and were supported by the committee; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. Chapter 1320 – Vacant Building Registration, shall be amended as attached and incorporated herein as Exhibit A.

SECTION II. The remainder of Chapter 1320 – Vacant Building Registration, shall remain intact.

1st Reading: October 13, 2025

PRESIDENT OF COUNCIL

2nd Reading: October 27, 2025

3rd Reading: _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

Amended 10/13/25

CHAPTER 1320. - VACANT BUILDING REGISTRATION^[9]

Footnotes:

--- (9) ---

~~Cross reference — Exterior Property Maintenance Code, Ch. 1319.~~

Cross reference - Article II. - PROPERTY MAINTENANCE CODE

Sec. 1320.01. - Purpose.

The purpose of this Chapter is to establish a program for identifying and registering vacant buildings. This regulation is to be used as a tool to protect and preserve our neighborhoods from becoming blighted through the lack of adequate maintenance and security concerns at vacant structures. The City of Marysville believes the presence of vacant buildings can lead to neighborhood decline, create public nuisances, contribute to lower property values, and discourage potential buyers from purchasing a home or business in neighborhoods with vacant properties.

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.02. - Definitions.

For the purpose of this Chapter, certain words and phrases used in this Chapter are defined as follows:

- (A) **Accessible property** means a property that is accessible through a compromised or breached gate, fence, wall, or other opening providing access.
- (B) **Accessible structure** means a house, building or other structure that is unsecured or breached in such a way as to allow access to the interior space by unauthorized persons.
- (C) **Buyer** means any person, partnership, co-partnership, association and corporation, fiduciary or other entity that agrees to transfer anything of value in consideration for property.
- (D) **Deed in lieu of foreclosure** means a recorded document that transfers ownership from a property from the mortgagor to the mortgagee.
- (E) **Default** means the failure to fulfill a contractual obligation, whether monetary or conditional.
- (F) **Distressed** means a property that is the subject of a pending foreclosure suit, has been foreclosed upon by the foreclosing entity, is set for sheriff's sale, has been sold at sheriff's sale or has been conveyed to the mortgagee via a deed in lieu of foreclosure.
- (G) **Foreclosing entity** means an entity holding a note secured by a mortgage, an entity holding a lien recorded with Union County Recorder's Office a non-government entity that holds an interest in delinquent property taxes, an entity that takes property via a deed in lieu of foreclosure, an entity that has purchased a property from a sheriff's sale, a government entity that accepts property as a result of a government insured mortgage or loan.

- (H) **Foreclosure** means the process by which a foreclosing entity seeks a decree of foreclosure from the Union County Common Pleas Court.
- (I) **Mortgage** means an agreement between a mortgagor and a mortgagee by which a mortgagee retains an interest in real estate title as collateral for a loan. This definition applies to any and all subsequent mortgages, (i.e., second mortgage, third mortgage, etc.)
- (J) **Mortgagee** means the person, partnership, co-partnership, association, corporation, lender, fiduciary or any other entity holding a mortgage on a property.
- (K) **Mortgagor** means a borrower under a mortgage.
- (L) **Owner** means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- (M) **Property** means any unimproved or improved real property or portion thereof, situated in the City including any house, building or other structures that may be located on the property regardless of condition.
- (N) **Securing** means such measures as may be directed by the ~~Code Enforcement Officer~~ **Division of Engineering** that assists in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining or padlocking of gates, the repair or replacement of doors, windows or other openings.
- (O) **Vacant** means a house, building or other structure shall be deemed to be vacant if no person or persons actually or currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupant(s) or tenant(s).
- (1) A building shall be deemed vacant if it is:
- (a) Unoccupied and unsecured;
 - (b) Unoccupied and secured by other than normal means;
 - (c) Unoccupied and an unsafe building as determined by the Code Enforcement Officer;
 - (d) Unoccupied and having utilities disconnected;
 - (e) Unoccupied and has property maintenance violations;
 - (f) Illegally occupied which shall include loitering and vagrancy;
 - (g) Unoccupied for a period of time over ninety (90) days and having an existing code violation issued by the ~~Code Enforcement Officer~~ **Division of Engineering**;
 - (h) Unoccupied with a mortgage status of abandonment (i.e., deceased or foreclosed);
 - (i) Unoccupied and abandoned by the property owner; or
 - (j) Has not been used for its intended purpose for more than 180 days.
- (P) **Secured by other than normal means.** A building secured by means other than those used in the design of a building.
- (Q) **Unoccupied.** A building which is not being used for the occupancy authorized by the owner. ~~The term unoccupied shall only be applicable to multi-unit structures when~~

~~—more than half (1/2) of the units and/or more than half (1/2) of the available space are not
—currently occupied by a tenant or tenants.~~

A multi-tenant building shall be deemed unoccupied if more than fifty percent (50%) of the total available floor space is not currently occupied by a tenant or tenants.

(R) **Unsecured.** A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(S) **Evidence of vacancy** means any condition that on its own or combined with other conditions present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to; significantly below standard utility usage, overgrown and/or dead vegetation, graffiti or other defacement of buildings or structures, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded up windows, abandoned vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, statement(s) by governmental employee(s) that the property is vacant.

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.03. - Registration requirements.

(A) The owner **of a vacant building** shall register **such building** with the City of Marysville ~~Code Enforcement Officer~~ **Division of Engineering** not later than ninety (90) days after any **such** building ~~is located in an area zoned for, or abutting an area zoned for, residential or commercial use in~~ **within** the City becomes ~~a vacant building~~, or not later than thirty (30) days of being notified by the ~~Code Enforcement Officer~~ **Division of Engineering** of the requirement to register **such buildings** based on evidence of vacancy, whichever event first occurs. The registration shall be submitted on forms provided by the City ~~Code Enforcement Officer~~ **Division of Engineering** and shall include the following information supplied by the owner:

- (1) The name(s) and address(es) of the owner or owners;
 - (2) If the owner does not reside in Union County or any contiguous county, the name and address of any third party with whom the owner has entered into a contract or agreement with for property management. By designating an authorized agent under the provisions of this section, the owner is consenting that the third party is authorized to receive any and all notices relating to the property and conformance with any and all ordinances;
 - (3) The names and addresses of all known lien holders and all other parties with an ownership interest in the building.
 - (4) A telephone number where a responsible party can be reached at all times during business and non-business hours; and
 - (5) A vacant building plan as described in subsection (C).
- (B) For any abandoned real property located within the City of Marysville, any foreclosing entity that files a foreclosure action, accepts a deed in lieu of foreclosure, buys real property at a Sheriff's Sale, or accepts property as a result of a government insured mortgage or loan, within thirty (30) days after the property becoming vacant, the foreclosing entity shall register the abandoned property with the City of Marysville Engineering Department.

- (1) It is the responsibility of the foreclosing entity making the initial application for registration and any subsequent applications for registration to provide the following required information:
 - (a) The contact information of foreclosing entity including; company name, address, telephone number and e-mail address.
 - (b) The contact information of property preservation company including; name, address, telephone number and e-mail address.
 - (2) Registration shall remain valid for twelve months from the approved registration date. Should the property remain vacant upon expiration of the initial registration, the foreclosing entity shall complete another application to re-register the property and pay an escalating fee schedule as outlined in ~~Section 1320.04~~ **Section 1320.07**
 - (3) Any person, firm, partnership, co-partnership, association, fiduciary, beneficiary, lender, corporation or any legal entity that has registered a property under this **C**hapter must report any change in registration information required by this **C**hapter.
 - (4) If an abandoned property is identified and found not to be registered with the City of Marysville, a notice will be issued to the foreclosing entity or the property preservation company posted as responsible to register the property within thirty (30) days of notice date.
 - (5) Once a registered property is sold and the deed is transferred into the new owner's name, the foreclosing entity or property preservation company must submit in writing to have the property removed from the registry.
- (C) Upon registration of a vacant building, the owner, pursuant to [Section 1320.03\(A\)\(5\)](#), shall also file a vacant building plan which must be approved by the City Engineer or designee and which must comply with the following:
- (1) If the building is to be demolished, a demolition plan that complies with Chapter 1303 as well as the Ohio Building Code.
 - (a) If the building is located in ~~the~~ **a Historic Design Review** District, a certificate of appropriateness shall be obtained prior to demolition as outlined in ~~Section 1136.07~~ **Chapter 1131**.
 - (2) If the building is to remain vacant, an explanation detailing how the building will remain secure, along with the procedure that will be used to maintain the property, and reasons why the building will be left vacant (e.g., building is for sale, ~~etc.~~ **or in the process of being renovated**); or
 - (3) If the building is to be returned to the appropriate occupancy or use, a rehabilitation plan for the building and grounds. The rehabilitation shall be completed not longer than twelve months from the time permits are obtained, unless the City Engineer or designee grants an extension upon receipt of a written request from the owner detailing the reasons for the extension. Any repairs, improvements or alteration to the property must comply with any applicable zoning, housing, historic preservation, or building codes and the property must be secured during the rehabilitation.
- (D) The owner shall comply with all laws and codes. The owner shall notify the Code Enforcement Officer of any changes in the information of the vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, it is the duty of the registrant to update in writing to the Code Enforcement Officer registration information as well as its vacant building plan

- immediately upon any changes being made. The revision(s) must meet the approval of the ~~City Engineer or designee~~ **Division of Engineering**.
- (E) The owner and subsequent owners shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable Property Maintenance Codes set forth in ~~Chapter 1319~~ **Article II** of the Codified Ordinances - **Property Maintenance Code**.
- (F) Any subsequent owner shall register or re-register the vacant building with the Code Enforcement Officer within thirty (30) days of any transfer of an ownership interest in the vacant building if the building continues to remain vacant after the transfer. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the ~~City Engineer or designee~~ **Division of Engineering**.
- (G) The failure of the owner of the vacant building to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the property owner from registering the property.
- (H) Failure of the owner or any subsequent owner(s) to maintain the building and premises that result in remedial action taken by the City shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law.
- (I) The ~~Code Enforcement Officer~~ **Division of Engineering** shall include in the file any property specific written statements from community organizations, other interested parties, or citizens regarding the history, problems, status or blighting influence of a vacant building.
- (J) The registration and all associate processes must be completed in its entirety annually for as long as the property remains vacant.
- (Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.04. - Inspection requirements.

Following the registration of the vacant property, the ~~Code Enforcement Officer~~ **Division of Engineering** shall conduct a complete exterior property inspection of the property and premises.

- (A) A status report will be provided with the findings and current condition of the property. It will include any found violations.

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.05. - Maintenance requirements.

While vacant properties are required to be registered with the City of Marysville pursuant to this **Chapter**, such properties are required to be maintained in accordance with ~~Chapter 1319 and Section 1319.03~~ **Article II** of the City of Marysville Codified Ordinances - **Property Maintenance Code**.

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.06. - Security requirements.

Any structure on the premises of a registered vacant property is required to be maintained in a secure manner, so as not to be accessible to any unauthorized persons. Secure manner includes, but is not limited to:

- (A) Closure and locking of all windows, doors and other openings that may allow access to the interior of a structure.
 - (B) In the case of damaged or broken doors, windows or other openings, they must be repaired properly within thirty (30) days of notification.
 - (C) Boarding up a damaged or unsecure door, window or other opening may be permitted only to eliminate an immediate hazard, but not to exceed thirty (30) days.
 - (D) Any property found to be unsecured must be secured within forty-eight (48) hours of notification.
- (Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.07. - Vacant building fees.

The fees described in this section are established in order to defray the cost to the City related to the health, safety and the economic impact of structures which remain vacant for long periods of time, including but not limited to administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the City in monitoring the vacant building site. The annually increased fee amounts are reasonably related to the costs incurred by the City and, in coordination with ~~the Union County Building Department~~ **other agencies and departments within the jurisdiction**, for demolition and hazard abatement of or repairs to vacant buildings, as well as the continued administrative costs stated above.

(A)

The owner of a vacant building shall pay an annual fee ~~of two hundred dollars (\$200.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual registration fee shall be increased by two hundred dollars (\$200.00) over the previous year to a five (5) year maximum of one thousand dollars (\$1,000.00) to be used for the fifth and for all consecutive, subsequent years of vacancy.~~ **based on the land use/building typology and subsequent years of vacancy in accordance with the following:**

Vacant Building Fees			
Years of Vacancy	Residential	Commercial	Industrial
1st Year	\$600	\$800	\$0.05 per square foot
2nd Year	\$900	\$1100	\$0.075 per square foot
3rd Year	\$1200	\$1400	\$0.10 per square foot
4th and all consecutive subsequent years of vacancy	\$1500	\$1700	\$0.125 per square foot

(B)

The first annual fee shall be paid at the time the building is registered. If the fee is not paid, the amount owed shall be assessed against the owner and certified to the Union County Auditor as a lien against the property.

(C)

The fee shall be paid in full prior to the issuance of any **building** permits unless the property is granted an exemption. ~~The fee shall be prorated and a refund may be issued if the building is no longer deemed vacant under the provisions of this article within one hundred eighty (180) days of its registry.~~

(D)

All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.

(E)

The owner of a vacant building may submit a written request for an exemption to the registration fees. Such request for an exemption shall be in accordance with the provisions of Section 1320.08. The Division of Engineering shall determine whether any of the provisions of Section 1320.08 has been met and approve or disapprove such request within ten (10) business days of its receipt.

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.08. - Exemptions.

(A)

A building under active construction/renovation and having a valid building permit(s) **and/or plan approval from the local Building Authority** at the time of initial inspection shall be exempt from the registration until the expiration of the longest running, currently active building permit **and/or plan approval**.

(B)

A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of ~~ninety (90) days~~ **one hundred and eighty (180) days** after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the ~~Code Enforcement Officer~~ **Division of Engineering**. This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

(C)

A building that is for sale and listed with a licensed State of Ohio realtor shall be exempted for a period of ~~twelve (12) months~~ **nine (9) months** from the start of vacancy, provided that the owner submits proof to the ~~Code Enforcement Officer~~ **Division of Engineering** of such listing and for sale status.

~~—(D)~~

~~Any owner of a vacant building may request an exemption from the provisions of this Chapter by filing a written application with the City who shall timely consider same. In determining whether a request for exemption should be granted, the City Engineer or designee shall consider the following: the applicant's prior record as it pertains to Property Maintenance Code Violations; the amount of vacant property the applicant~~

~~currently has within the City; and the length of time that the building for which the exemption is sought has been vacant. The City Engineer or designee shall approve; approve with conditions or reject the completed application for exemption within thirty (30) days of receiving it.~~

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.09. - Appeals.

Any owner who is served a notice of vacant property registration may, within ten (10) calendar days of receipt of such notice, apply for an exemption, in accordance with [Section 1320.02](#)(D), or file an appeal to the ~~Exterior Property Maintenance Commission~~ **Board of Zoning Appeals**. Said appeal shall be made ~~in writing to the Clerk of Council on forms provided by the City, in accordance with Section 1331.111 - Means of Appeal~~ .

(Ord. 34-16. Passed 9-26-2016.)

Sec. 1320.99. - Penalty.

~~—Whoever violates any provisions of this code shall be guilty of an unclassified misdemeanor and shall be fined pursuant to the City of Marysville Codified Ordinance 1319.99.~~

—Any owner(s) of a property who fails to comply with any provision(s) of this Chapter shall be guilty of an unclassified misdemeanor and fined as follows:

1. Not more than five hundred dollars (\$500.00) or less than fifty dollars (\$50.00)

(Ord. 34-16. Passed 9-26-2016.)



ORDINANCE _____

TO APPROVE AN AMENDMENT TO THE AGREEMENT TO CREATE THE MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT, AUTHORIZING THE INCLUSION OF CERTAIN ADDITIONAL PROPERTY WITHIN SAID DISTRICT, KNOWN AS THE KIA EXPANSION AMENDMENT AND TO REPEAL ORDINANCE 020-2025

WHEREAS, Ohio Revised Code Chapter 715 (the “Act”) empowers certain political subdivisions to form joint economic development districts to share in the costs of improvements for economic development purposes; and

WHEREAS, pursuant to the Act and Ordinance No. 035-2022, passed by the City Council (the “Council”) on June 13, 2022, the City of Marysville, Union County, Ohio (the “City”) is party to the Marysville-Jerome Township Joint Economic Development District Agreement dated August 8, 2022 (the “Agreement”) by and between the City and Jerome Township, Union County, Ohio (the “Township”), which Agreement creates and provides for the operation of a joint economic development district (the “District”) known as the Marysville-Jerome Township Joint Economic Development District which is attached and incorporated herein as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Section 715.72(L), the Township and the City now desire to amend the Agreement to add certain additional real property, Coughlin Investments, LTD / Coughlin Kia & Commercial Outlots Expansion, identified by the County Auditor of Union County, Ohio, by Permanent Parcel Number 1700310390030 (“the Kia Amendment”) to the territory of the District, a form of which is attached hereto as Exhibit B; and

WHEREAS, the City and the Township now desire to amend the Agreement to add the Kia Amendment to the territory of the District by approving the Kia Amendment (the “Kia Amendment”); and

WHEREAS, Kia desires to develop the Kia Amendment (Exhibit B), as the case may be, for commercial purposes (the “Project”) at sites within the boundaries of the Township, provided that the appropriate economic development incentives are available to support the economic viability of such Projects; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the City conducted a public hearing regarding the JEDD Amendments on November 10, 2025, with appropriate public notice, and made available for public examination all documents required by law for review as shown in Attachment A; and

WHEREAS, on June 9, 2025 City Council prematurely approved the Amendment to the JEDD, as the developer’s signed petition to join the JEDD had not yet been filed with the Township in

accordance with Section 715.72, ORC, and as a result, Ordinance 020-2025 should be repealed upon the passage of this Ordinance; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The Council approves the JEDD Amendments in substantially the forms attached to this Ordinance as Exhibits B and C, and authorizes the City Manager to sign the JEDD Amendments. The City Manager and the Clerk of Council are jointly authorized to execute and deliver any other agreements, documents or certificates, and take all other actions, necessary to accomplish the purposes of this Ordinance.

SECTION II. Ordinance 020-2025 is hereby repealed.

SECTION III. The Clerk of Council shall retain on file a copy of the JEDD Amendments and their exhibits, including (i) the depictions and identification of the parcel(s) constituting the Kia Additional Property; and (ii) Ohio Revised Code Section 715.72 as effective on the date of the executed JEDD Amendments.

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

1st Reading: October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading: _____

3rd Reading: Waived October 27, 2025

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

**AMENDMENT TO CITY OF MARYSVILLE-JEROME TOWNSHIP
JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT**

(Coughlin Investments, LTD / Coughlin Kia & Commercial Outlots Expansion)

This Amendment to City of Marysville-Jerome Township Joint Economic Development District Agreement (the “Amendment”) is executed [____], 2025 (the “Effective Date”) by and between the City of Marysville, Ohio (the “City”), and Jerome Township, Union County, Ohio, a township formed and existing under the laws of the State of Ohio, through its Board of Township Trustees (the “Township”).

RECITALS:

A. Pursuant to Ohio Revised Code (“R.C.”) Chapter 715, including particularly R.C. 715.72 of current law (the “JEDD Act”), the City and Township executed the City of Marysville-Jerome Township Joint Economic Development District Agreement (the “Original JEDD Contract”) effective August 8, 2022. A copy of the Original JEDD Contract is attached hereto as Exhibit A and incorporated herein by this reference. The Original JEDD Contract established the City of Marysville-Jerome Township Joint Economic Development District, as amended and expanded to date (referred to herein as “JEDD,” or the “District”).

B. The JEDD originally encompassed a portion of the Township (as the same has been amended and expanded from time to time, the “Original JEDD Area”).

C. Pursuant to the Original JEDD Contract, the Board of Directors for the JEDD (the “JEDD Board”) currently imposes a 1.50% tax on income withheld from employees working within the Original JEDD Area and on net business profits from operations within the Original JEDD Area.

D. Coughlin Investments, LTD has acquired or plans to acquire and desires to develop real property for commercial purposes (the “Project” or “Project Area”) at a site within the boundaries of the Township (the “Coughlin Investments, LTD Additional Property,” which is further described on the attached Exhibit B and incorporated herein by this reference), provided that the appropriate economic development incentives are available to support the economic viability of the Project. The Coughlin Investments, LTD Additional Property is located outside of the Original JEDD Area. The Original JEDD Area and the Coughlin Investments, LTD Additional Property are referred to collectively herein as the “Expanded JEDD Area.”

E. The City, Township, and Coughlin Investments, LTD desire to facilitate the addition of the Coughlin Investments, LTD Additional Property to the Original JEDD Area.

F. Ohio Revised Code Section 715.72(L) and Section 5 of the Original JEDD Contract authorize the amendment of the Original JEDD Contract upon certain conditions stated therein for the purposes of adding territory to the Original JEDD Area.

G. The City and Township have complied with all procedures of the JEDD Act related to the addition of the Coughlin Investments, LTD Additional Property to the Original JEDD Area, including the public hearing and notice requirements of R.C. Section 715.72(L)(2).

H. As required by R.C. Sections 715.72(L)(3), Coughlin Investments, LTD has submitted or caused to be submitted, and the Township and the City have received the required property owner and business owner petitions (if any) (the “Petitions”) necessary to add the Coughlin Investments, LTD Additional Property to the Original JEDD Area.

I. Attached as Exhibit C pursuant to R.C. Section 715.72(F)(3) is an updated economic development plan for the JEDD, which includes the requisite information relating to infrastructure and services for the Expanded JEDD Area under R.C. Section 715(F)(8).

J. Pursuant to Ordinance No. _____, passed _____, 2025, the City Council of the City has approved the execution of this Amendment. Pursuant to Resolution No. _____, passed _____, 2025, the Board of Township Trustees of the Township has approved the execution of this Amendment.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the receipt and sufficiency of which is hereby acknowledged, the parties herein agree as follows:

Section 1. Adding the Coughlin Investments, LTD Additional Property to the JEDD.

Pursuant to Section 5 of the Original JEDD Contract and Ohio Revised Code Section 715.72, and effective on the Effective Date hereof, the Original JEDD Contract is hereby amended to include the Coughlin Investments, LTD Additional Property within the Expanded JEDD Area. The territorial boundaries of the Coughlin Investments, LTD Additional Property are depicted and identified in Exhibit C attached hereto and incorporated by reference into this Amendment. The territory of the Original JEDD Contract, as amended, is otherwise unchanged.

The Coughlin Investments, LTD Additional Property is located entirely within the territorial boundaries of the Township. In accordance with Ohio Revised Code Section 715.72(E), no electors reside within the Coughlin Investments, LTD Additional Property as of the date hereof.

Pursuant to the Township Resolution and the City Ordinance, the owners of the Coughlin Investments, LTD Additional Property each have given their respective consent to the inclusion within the Expanded JEDD Area of certain real properties depicted and identified in Exhibit B hereto, which also identifies the applicable zoning restrictions with respect to the Coughlin Investments, LTD Additional Property.

Section 2. Public Utilities Infrastructure. Pursuant to Ohio Revised Code Section 715.72(F)(8), the Township and City estimate the total cost of providing public utility services and improvements to the Coughlin Investments, LTD Additional Property to be approximately \$635,149 as further described in the estimate prepared by a professional engineer that is attached hereto as Exhibit D and incorporated herein by this reference (the “Public Utilities Infrastructure”). The costs associated with the Public Utilities Infrastructure are anticipated to be paid from lawfully available sources, which may include developer and/or Township funds. A portion of the Public Utilities Infrastructure is expected to be completed within 5 years of the Effective Date of this amendment in order to meet the development needs of the District.

Section 3. Remainder Unaffected. Notwithstanding anything to the contrary in the Original JEDD Contract or this Amendment, the remaining provisions of the Original JEDD Contract not expressly amended or modified by this Amendment shall remain in full force and effect.

Section 4. Counterparts. This Amendment may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Amendment may execute this Amendment by signing any such counterpart.

Section 5. Captions. Captions have been provided herein for the convenience of the reader and shall not affect the construction of this Amendment.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the City and Township have caused this Amendment to be executed in their respective names by their duly authorized officers or representatives, as of the date hereinabove written.

CITY OF MARYSVILLE, OHIO

By: _____

Its: _____

Approved as to form:

City Law Director

BOARD OF TRUSTEES OF JEROME TOWNSHIP, UNION COUNTY, OHIO

By: _____
Trustee

By: _____
Trustee

By: _____
Trustee

Approved as to form:

Township Legal Counsel

EXHIBIT A

ORIGINAL JEDD CONTRACT
(attached hereto)

CITY OF MARYSVILLE-JEROME TOWNSHIP JOINT ECONOMIC
DEVELOPMENT DISTRICT AGREEMENT

This City of Marysville-Jerome Township Joint Economic Development District Agreement (the "Agreement") is made and entered into this 6th day of August, 2022, by and between the CITY OF MARYSVILLE, OHIO (the "City"), a municipal corporation duly organized and validly existing under the laws of, and a political subdivision of, the State of Ohio (the "State") and having an address for purposes hereof at 209 South Main Street, Marysville, Ohio 43040 and JEROME TOWNSHIP, UNION COUNTY, OHIO (the "Township" and, together with the "City", the "Contracting Parties" and each a "Contracting Party"), a political subdivision of the State and having an address for the purposes hereof at 9777 Industrial Parkway, Plain City, Ohio 43064, in accordance with the terms and provisions set forth herein.

WHEREAS, the City and the Township desire to promote cooperative economic development efforts by means of creating a joint economic development district (the "District" or the "JEDD") pursuant to Ohio Revised Code ("ORC") Sections 715.72 through 715.81 (the "Act"), which District shall facilitate economic development to create or preserve jobs and employment opportunities within the meaning of ORC Section 725.72(C), thereby improving the economic welfare of residents of the City, the Township, and the State of Ohio (the "State") generally; and

WHEREAS, pursuant to a Cooperative Development Agreement, dated 5-26, 2022 (the "Cooperative Development Agreement"), between the City and the Township, the Contracting Parties agreed to negotiate and execute a joint economic development district agreement to promote and support economic development within certain defined territory of the Township; and

WHEREAS, the City and the Township are located entirely within Union County, Ohio ("Union County") and share contiguous territorial boundaries; and

WHEREAS, the legislative authorities of the City and the Township have each approved, authorized and directed the City and the Township, respectively, to make and enter into this Agreement, by and through their respective officers in accordance with Ordinance No. 031,- 2022 enacted by the City on 6-13, 2022, and Resolution No. 22-, adopted by the Township on 8-1, 2022. 072

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Agreement, the Contracting Parties agree and bind themselves, their agents, employees and successors as follows:

Section 1. Creation of District and Purpose.

The City and the Township, as contracting parties within the meaning of ORC Section 715.72(A)(1), by their combined action evidenced by the adoption of legislation identified above and by the duly authorized execution of this Agreement, hereby create the District, which shall be known as the "City of Marysville-Jerome Township Joint Economic Development District." The District shall be a joint economic development district under, operating pursuant to, the Act.

Each Contracting Party hereby acknowledges and agrees as follows with respect to this Agreement and the District:

- A. that it is entering into this Agreement freely and without duress or coercion;
- B. that the creation of the District and the levy of an income tax within the District as provided herein will enable the City, the Township, and the District to more efficiently provide governmental services to the area within the District and to more effectively promote economic development within the District, the City, and the Township;
- C. that the District shall, and it is the purpose of the District to, facilitate economic development to create or preserve jobs and employment opportunities and to improve public infrastructure (defined in Exhibit A) and the economic welfare of the people in the State, Union County, the City, and the Township; and
- D. that consideration exists to support this Agreement.

Section 2. Territory of the District.

The territorial boundaries of the District are described in Exhibit B attached hereto and incorporated by reference into this Agreement. The territory of the District is located entirely within the territorial boundaries of the Township. The territory to be included in the District is currently zoned as a planned development district, which zoning designation is appropriate to the function of the District.

Section 3. Formation of the District.

It is the intent of the Contracting Parties that this Agreement be approved without an election by complying with the requirements of ORC Section 715.72(M). The Contracting Parties represent and warrant as follows:

- A. The resolution approving this Agreement has been approved by a unanimous vote of the Township Trustees;
- B. Owners of a majority of the properties and businesses located within the proposed District have requested by means of petition, as contemplated under the Act, that the District be formed; and
- C. The territory to be included in the District is zoned in a manner appropriate to the proposed function of the District. The territory to be included does not include any residential properties except within a "mixed-use development," as that term is defined in ORC Section 715.72(A)(9).

The Township shall be responsible for filing with the Director of Development of the State the documents required by ORC Section 715.72(O). Each Contracting Party shall separately bear its own costs related to the establishment of the District, including professional engineering (including, for example, the costs of any maps that may be necessary in connection with establishing the District), legal counsel, or other services that may be necessary.

Section 4. Term.

The initial term of this Agreement shall commence on the date that the Agreement is first effective, being the date that is thirty-one (31) days after the Agreement is approved in accordance with ORC Section 715.72(M)(3), and shall be for a period of fifty (50) years. This Agreement shall automatically extend for two renewal terms of twenty-five (25) years each in duration unless (i) either the Township or City notifies the other Contracting Party in writing at least one year prior to the expiration of the original term that it does not intend to renew this Agreement, or (ii) either the Township or the City notifies the other Contracting Party in writing at least one year prior to the expiration of the original term or any renewal term that it is requesting to extend this Agreement beyond the originally contemplated term of fifty (50) years or the originally contemplated renewal term of twenty-five (25) years, as applicable, in which case this Agreement shall extend in accordance with such written request if such written request is accepted by the other Contracting Party. In the event of any expansion of the District pursuant to Section 6 herein, the Agreement shall begin a new Initial Term, followed by up to two Renewal Terms pursuant to the terms herein.

The Agreement shall continue in existence throughout its term and shall be binding on the Contracting Parties and on either Contracting Party's succeeding entities, whether such entities succeed by annexation, merger, or otherwise.

The provision herein for the initial term and any extension of this Agreement recognizes that the accrual of benefits to the Contracting Parties resulting from this Agreement may take decades.

Section 5. Amendments to the Agreement Other than to Amend to Add Property;
Termination.

The Contracting Parties may amend or modify the terms of this Agreement or terminate this Agreement at any time by mutual agreement. An amendment or modification to this Agreement shall not be effective or binding on the Contracting Parties unless the legislative authorities of both Contracting Parties pass the appropriate legislation agreeing to and authorizing the amendment to this Agreement within ninety (90) days of each other.

This Agreement may only be terminated pursuant to its terms in accordance with this Section. If the Contracting Parties mutually agree to terminate this Agreement, such agreement to terminate must provide for the unwinding of this Agreement and must be approved by the legislative authorities of both Contracting Parties within ninety (90) days of each other. Upon termination of this Agreement, the City shall keep and maintain the records of the District in accordance with the City's records retention policy.

If any portion of this Agreement becomes null and void or illegal, or the performance of any provision of this Agreement becomes impossible, through any subsequent change, amendment or enactment of state law or through a ruling of any court that has jurisdiction over the Contracting Parties, the Contracting Parties agree to negotiate in good faith to reach mutual agreement regarding the manner and method of amending this Agreement to bring the Agreement into compliance with then applicable statutory provisions or case law and to maintain the intent of the Contracting Parties under this Agreement and/or to rebalance the equities between the Contracting Parties consistent with the intent of this Agreement.

In the event that the Contracting Parties are unable to reach a new agreement that is authorized and approved by the legislative authorities of both Contracting Parties, then the Contracting Parties may either mutually agree to terminate this Agreement in accordance with the provisions of the next paragraph, or either Contracting Party may apply to a court of competent jurisdiction to interpret the contract consistent with then applicable statutes or case law, and if necessary modify or terminate this Agreement in order to comply with then applicable statutes or case law and to preserve the equities of the Contracting Parties as set forth in this Agreement.

Section 6. Addition of Property to the District.

Subject to any applicable provisions of the ORC now existing or hereafter adopted, this Agreement, including exhibits hereto, may be amended from time to time to add property to the District. Property may be added to the District upon the filing with either Contracting Party of a request by the majority of the owners of the property to be added to the District and a majority of the owners of the businesses to be added to the District. Upon agreement of both Contracting Parties, the Agreement, including Exhibits A, B, and C hereto, shall be amended to add such property to the territory of the District pursuant to the request of the majority of the owners of that property and a majority of the owners of those businesses. Property added to the District shall meet all of the requirements of Section 3 herein and ORC Section 715.72(E), and all procedures of ORC Section 715.72(L) shall be followed in connection with any such addition of property to the District. Property shall not be removed from the District without the agreement of both Contracting Parties.

Section 7. Contributions and Covenants of the Contracting Parties.

A. The City shall:

- i. Provide municipal water and sewer service to the District in accordance with all City policies, rules, and regulations.
- ii. Collect, administer, enforce, and audit the JEDD income tax applicable in the District in accordance with this Agreement.
- iii. Through its Finance Director, provide service as fiscal officer to the District, including administration and management of JEDD Board accounts.
- iv. As provided in ORC Section 715.72(R), the City hereby agrees that, for so long as this Agreement is in effect, it shall not annex any real property within the District. To the extent not prohibited by law, the City shall not accept any such annexation within the District for so long as this Agreement is in effect.

B. The Township shall:

- i. Provide the following services to the District: all usual and customary governmental services furnished by the Township to other unincorporated portions of the Township, including but not limited to maintenance and repair of dedicated and accepted Township roads, police and fire protection, and zoning.
- ii. To the extent required by applicable law, be responsible for cooperating with the County with respect to the acceptance, dedication, and maintenance of all existing or future Township roads located within the District.
- iii. Have the right to issue and reissue levies in all areas of the Township, including within the District.

C. The Contracting Parties shall:

- i. promptly after the first meeting of the JEDD Board, contribute Two Thousand Dollars (\$2,000), each, to the JEDD for the purposes of establishing an operating reserve account; and, in each subsequent year thereafter until the first year after Total Revenues in one year equals or exceeds Ten Thousand Dollars (\$10,000), contribute One Thousand Dollars (\$1,000), each, to the JEDD; provided that, the Contracting Parties shall be required to make the One Thousand Dollar (\$1,000) contribution in any year following a year in which Total Revenues do not equal or exceed Ten Thousand Dollars (\$10,000).
- ii. jointly cooperate in carrying out the economic development plan for the District attached hereto as Exhibit A.
- iii. collaborate through the District with respect to capital improvements in the event that the Contracting Parties determine that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District including, but not limited to, and solely upon written joint agreement of both Contracting Parties, paying costs of infrastructure improvements within or otherwise benefitting the District; which infrastructure improvements may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting non-residential development within the District, the Cooperative District, as defined in the Cooperative Development Agreement or, upon the written joint agreement of both Contracting Parties, otherwise benefitting the District, but which infrastructure improvements, except as explicitly provided in the immediately following sentence herein, shall not include ordinary maintenance or repairs (collectively, the "Infrastructure Improvements"). During any fiscal year of the JEDD beginning on or after the twentieth

anniversary of the effective date of the JEDD Agreement, the Board may determine through its annual budget to reallocate up to twenty (20) percent of income tax revenue assigned to costs of Infrastructure Improvements for costs of resurfacing or otherwise maintaining roadways within the JEDD District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate.

- iv. upon approval of the Contracting Parties, pay equal shares of any District administrative costs in excess of income tax revenue received by the JEDD Board each year.
- v. take all steps reasonably necessary to secure any amendments to the Union County-Marysville Water/Sewer Service Agreement as may be necessary to support the District.
- vi. comply with the Union County Economic Development Incentive Policy (the "EDIP") to the extent adopted by the Township and, pursuant to ORC Section 715.72(U), obtain the express written consent of the other Contracting Party prior to granting any tax exemption for any real property located in the District. The foregoing limitation shall apply solely to tax exemptions set forth in ORC Section 715.72(U), which include exemptions established pursuant to ORC Chapter 1728 and ORC Sections 3735.67, 5709.62, 5709.63, and 5709.632, as applicable.

Section 8. Board of Directors of the District.

The Board is hereby established to govern the District. The Board shall consist of five members appointed as set forth in ORC Section 715.72(P).

- A. The initial City member of the Board shall be the City Manager of the City, or a designee of the City Manager.
- B. The initial Township member of the Board shall be a member of the Board of Township Trustees. Subject to any applicable restrictions in ORC Section 715.72(P), all future Township members of the Board shall be appointed by a majority vote of the Board of Township Trustees and shall serve at the pleasure of the Board of Township Trustees.
- C. One member of the Board shall be a business owner or represent the business owners operating in the JEDD District, when applicable, and shall be appointed by the Township member described in Section 3(b)(ii).
- D. One member of the Board shall be a representative of employees working in the JEDD District, when applicable, and shall be appointed by the City member described in Section 3(b)(i).
- E. The fifth member of the Board shall be the Union County Engineer.

The members of the Board shall serve without compensation. Necessary and authorized expenses incurred by members on behalf of the District shall be reimbursed from District funds in accordance with procedures established by the Board.

The Board shall have the following officers (hereinafter, the "Officers"): a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. The Chairperson shall be the Board Member specified in ORC Section 715.72(P)(1)(e). The Board shall elect the Vice-Chairperson, who shall be a Board Member. The Treasurer of the Board shall be the Finance Director of the City. The Board shall elect the Secretary, provided that the Secretary is not required to be a Board Member. The Officers shall be elected at the first meeting of the Board and thereafter every other year for two-year terms and shall serve until their respective successors take office. The Board shall establish a procedure for conducting those elections. The Officers shall perform such duties as provided herein and such additional duties as may be provided from time to time by the Board. The Board may employ such additional personnel or professional services as may be necessary to assist the Board or the Officers in the performance of their duties.

Section 9. Power, Duties, and Functions of Board.

The Board shall meet at least once each calendar year on a date determined by the Board. The Board shall adopt procedures for holding and conducting regular and special meetings. The Parties shall provide the Board with necessary meeting space. The City shall also provide any necessary clerical and administrative assistance that the Board may need from time to time, including telephone services and a mailing address.

If the Board consists of five members, a minimum of three members shall constitute a quorum for Board meeting purposes. If the Board consists of three members, a minimum of two members shall constitute a quorum for Board meeting purposes. The Board shall act through resolutions adopted by the Board. A resolution must receive the affirmative vote of at least a majority of members present and constituting a quorum to be adopted. A resolution adopted by the Board shall be immediately effective unless otherwise provided in that resolution.

The Board may adopt by-laws for the regulation of its affairs and the conduct of its business consistent with this Agreement. The Chairperson shall preside over and conduct the meetings of the Board in accordance with its by-laws or other procedures adopted by the Board. Pursuant to ORC Section 715.72(P)(5), the Board is a public body for the purposes of ORC Section 121.22, the Ohio Public Meetings Act. All meetings of the Board, whether regularly scheduled or special meetings, must comply with the provisions of ORC Section 121.22 as amended from time to time.

The Vice-Chairperson shall act as Chairperson in the temporary absence of the Chairperson. The Secretary shall be responsible for the records of the Board including, but not limited to, correspondence and minutes of the meetings of the Board. The Finance Director of the City, as Treasurer of the Board, shall be the fiscal officer of the Board and shall be responsible for all fiscal matters of the Board including, but not limited to, the preparation of the budget and the appropriations resolution, paying or providing for the payment of expenses of operation of the Board, receiving, safekeeping, and investing, or providing for the receipt, safekeeping, and investment of, funds of the Board and maintaining, and providing for the maintenance of, accurate

accounts of all receipts and expenditures. The Board shall designate by resolution, or in its by-laws, those Officers who may sign documents on behalf of the Board.

All books, records, documentation and financial information belonging to the Board shall, upon request, be made available to the City and the Township and their agents for review and/or audit. The Board and the JEDD shall, to the extent permitted by law, fully cooperative with the City or the Township in fulfilling any such request.

The Board, upon the recommendation of the Finance Director of the City, shall adopt an annual budget for the District. The fiscal year of the District shall be the same as the fiscal year of the City. The budget shall estimate the revenues of the District and the expenses of the operation of the District. The Board shall establish an appropriations procedure to provide for payment of the long-term maintenance of the District and the distribution of income tax revenues in accordance with Section 10 herein.

The Board, on behalf of the District, shall:

- A. establish and maintain such funds or accounts as it deems necessary, either of its own, or in conjunction with or through the Parties to this Agreement, which accounts shall be managed by the Finance Director of the City;
- B. authorize one or more Officers to sign all instruments necessary or incidental to the performance of its duties and the execution of its powers under this Agreement;
- C. adopt a resolution to levy an income tax within the District in accordance with ORC Section 715.72(F) and Section 10 herein;
- D. apply the JEDD Board Revenue, as defined in Section 10(D) herein, which equals sixty percent (60%) of Total Revenues, as follows: fifty-five percent (55%) of Total Revenues for costs of Infrastructure Improvements to be constructed or improved within the District or, upon joint determination by the City and the Township, otherwise directly benefitting the District; and (B) five percent (5%) of Total Revenues for (i) Board administrative expenses, according to the annual budget approved under Section 9 of this Agreement, including costs of marketing the District if so determined by the Board, and (ii) the balance after taking into account Board administrative expenses, for costs of Infrastructure Improvements.
- E. use any other revenues of the District available to the Board to carry out the economic development plan for the District as the same may be modified from time to time by the Contracting Parties under Section 9 of this Agreement;
- F. apply for, receive and accept from any federal agency, state agency or other person or entity grants for or in aid of the construction or operation of any District facility, or for programs or other projects of the District, and receive and accept aid or contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the benefit of the District and the purposes for which such grants, aid or contributions are made;

- G. purchase liability insurance protecting the District, its Board or Officers against any liability and/or to purchase any necessary bonds to insure any Officer;
- H. be authorized to execute any agreement, cooperative agreement, financing agreement, or other arrangement with any private entity and with any other political subdivision or governmental entity as may be permitted by law, including but not limited to Union County, the Township, and the City, to provide or facilitate the provision of public infrastructure improvements that benefit of the District or whenever otherwise necessary or convenient to carry out the powers granted in this Agreement, including, without limitation, any agreement related to any economic development program, tax increment financing program, special assessment program, or bond financing undertaking by any Contracting Party or political subdivision in cooperation with any Contracting Party;
- I. be authorized to do all acts and things necessary or convenient to carry out the powers granted in ORC Section 715.72 or any successor provisions thereto; and
- J. be authorized to do all acts and things necessary or convenient to carry out the powers granted in this Agreement.

The City and the Township agree that the JEDD Board may use any available revenues of the District to carry out the economic development plan for the District. The City and the Township may, from time to time, modify the economic development plan to better accomplish the public purposes of the District. Notwithstanding anything to the contrary herein, the City and the Township agree that the Board may determine to execute any agreement, cooperative agreement, financing agreement, or other arrangement with any private entity and with any other political subdivision, including but not limited to the City, the Township, and Union County, to provide or facilitate the provision of public infrastructure improvements to benefit the District or whenever otherwise necessary or convenient to carry out the powers granted in this Agreement, including, without limitation, any agreement related to any tax increment financing program, special assessment program, or bond financing undertaking by any Contracting Party or political subdivision in cooperation with any Contracting Party.

Section 10. Income Tax to be Levied in the District.

- A. The Board at its initial meeting, which shall occur no later than 90 days after the effective date of this Agreement, shall adopt a resolution to levy a tax on income earned by persons working or residing within the District and based on net profits of businesses located in the District in accordance with ORC Section 715.72(F) (the "Income Tax Resolution"). The Board shall adopt subsequent Income Tax Resolutions as may be necessary to adjust the Employee/Resident Rate and the Business Rate, as defined herein, to equal the rate levied by the City from time to time. The Income Tax Resolution and any replacement thereof shall be effective until it is replaced by a subsequent Income Tax Resolution. Pursuant to ORC Section 715.72(F), all income tax collected from any business or entity within the District or any person working or residing within the District shall be subject to this Agreement and included in the total income tax revenue collected within the

District (collectively, the "Total Revenues"). The income tax shall go into effect as soon as legally permissible.

- B. The Income Tax Resolution shall establish the income tax rate for employees working or residing in the District (the "Employee/Resident Rate"), which Employee/Resident Rate shall at all times during the term of this Agreement equal the rate levied in the City. As of the date of execution of this Agreement by the Contracting Parties, the City income tax rate is one and one half percent (1.5%). In each annual Income Tax Resolution, the Board shall adjust the Employee/Resident Rate as necessary so that it matches the rate of income taxation in the City.
- C. The Income Tax Resolution also shall establish the income tax rate applicable to net profits of businesses located in the District (the "Business Rate"), which Business Rate shall at all times during the term of this Agreement equal the rate levied in the City. In each annual Income Tax Resolution, the Board shall adjust the Business Rate as necessary so that it matches the rate of income taxation in the City.
- D. The Income Tax Resolution shall designate that: (i) sixty percent (60%) of the Total Revenues collected each year (the "JEDD Board Revenue") shall be paid to the JEDD Board pursuant to the terms hereof; (ii) twenty percent (20.0%) of Total Revenues collected each year shall be paid to the City pursuant to the terms hereof, which amount includes payment equal to three percent (3.0%) of Total Revenues to the City for its services administering the JEDD income tax, and which amount may be used by the City for any lawful purpose, including but not limited to expenses related to the District and its purposes; and (iii) twenty percent (20.0%) of Total Revenues collected each year shall be paid to the Township pursuant to the terms hereof to be used by the Township for any lawful purpose, including but not limited to expenses related to the District and its purposes.
- E. The Board shall resolve that, pursuant to this Agreement, the City will collect, administer, and enforce the income tax within the District in accordance with this Agreement and the City's rules and regulations currently in effect and as may be amended from time to time regarding the collection, administration, and enforcement of income tax.
- F. Pursuant to ORC Section 715.72(F)(5)(C), the Board shall enter into an agreement with the City (the "District Income Tax Collection and Distribution Agreement") as expeditiously as possible upon the District's creation to administer, collect and enforce the income tax on behalf of the District in accordance with this Agreement. The District Income Tax Collection and Distribution Agreement shall provide that the City is responsible for the receipt, safeguarding, and investment of the income tax revenues collected within the District and that the City shall make an annual written report to be mailed to the Board and the Township within sixty (60) days of the end of the fiscal year detailing the receipt and distribution of the income tax of the District during the previous fiscal year.

- G. The Board may establish procedures by which the income tax levied on employee wages earned within the District is to be collected from employees employed within the District or withheld by businesses located in the District, and the Board shall establish procedures by which the income tax on net profits of businesses located in the District is to be collected from one or more businesses located in the District. Such procedures may provide for the payment of withholding or estimated taxes by those employees or businesses and the reconciliation of income taxes paid on net profits of businesses between fiscal years.

Section 11. Defaults and Remedies.

A failure to comply with the terms of this Agreement shall constitute a default hereunder. The Contracting Party in default shall have sixty (60) days after receiving written notice from the other Contracting Party of the event of default and demand to cure the default. If the default is not cured within that time period, the non-defaulting Contracting Party may sue the defaulting Contracting Party for specific performance under this Agreement or for damages or both. This Agreement may not be terminated because of default under the Agreement by either Contracting Party unless termination occurs as provided for in Section 5 of this Agreement.

The Contracting Parties agree that the nature of the Agreement is unique and monetary damages are inadequate to fully compensate a non-defaulting Contracting Party. Accordingly, the Contracting Parties agree that specific performance is an appropriate and available remedy for a breach of contract action brought pursuant to this Agreement in addition to any other remedy available at law and equity. Both Contracting Parties also agree that because monetary damages are inadequate to fully compensate a non-defaulting Contracting Party, a non-defaulting Contracting Party has the right to seek an injunction or other equitable relief to prevent the continued breach of this Agreement by a defaulting Contracting Party.

Section 12. Support of Contract.

This Agreement shall be binding upon the Contracting Parties and their lawful successors and assigns. The Contracting Parties agree to cooperate with each other and to use their best efforts to do all things necessary for the creation and continued operation of the District. In the event that this Agreement, or any of its terms, conditions, or provisions is challenged by any third party or parties in a court of law, the Contracting Parties agree to cooperate with one another and to use their best efforts in defending this Agreement with the object of upholding this Agreement. Each Contracting Party shall bear its own costs in any such proceeding challenging this Agreement or any term or provision herein.

Section 13. Severability.

With the exception of Section 7 or Section 10 of this Agreement, if any other paragraph, provision or section of this Agreement is held to be illegal or invalid for any reason, then:

- (i) that illegality or invalidity shall not affect the remainder of any other paragraph, provision or section, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein;
- (ii) the illegality or invalidity of any paragraph, provision or section shall not affect any legality or applicability of any other paragraph, provision, or section of this Agreement; and
- (iii) each paragraph, provision, or section of this Agreement shall be deemed to be effective, operative, made, assumed, entered into, or taken in the manner and to the full extent permitted by law.

If any paragraph, provision, or part thereof of Section 7 or Section 10 of this Agreement is held to be illegal or invalid for any reason, then provisions of Section 5 shall be applicable.

Section 14. Appropriation.

The financial obligations of the City and the Township, as applicable, under this Agreement are expressly subject to future ordinances or resolutions of the City Council or the Township Trustees, respectively, appropriating and authorizing the expenditure of such funds as are necessary to meet their respective financial obligations occurring after the current fiscal year. Those obligations, as applicable, of the City are also subject to the certification of the Director of Finance of the City or the Township Fiscal Officer under ORC Sections 5705.41 and 5705.44. Notwithstanding anything to the contrary contained in this Agreement, however, the financial obligations of the City and Township, respectively, under this Agreement shall, to the extent funds are then available, be under the continuing obligation to appropriate the amount necessary to pay such obligations as they become due.

Section 15. Governing Law.

This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio, and in particular, ORC Section 715.72 in effect as of the date when the owners of property in the District and the owners of business in the District filed their respective petitions consenting to the formation of the District. A copy of ORC Section 715.72 in effect as of the date when the owners of property in the District and the owners of business in the District filed their respective petitions consenting to the formation of the District is attached hereto as Exhibit C. In the event that any of ORC Section 715.72 is amended or is supplemented by the enactment of one or more new sections of the ORC relating to joint economic development districts, the Contracting Parties shall follow the provisions of ORC Section 715.72 when the owners of property in the District and the owners of business filed their respective petitions consenting to the formation of the District, unless the Contracting Parties agree to amend this Agreement in accordance with Section 5 herein. If any amendment or subsequent enactment of one or more new sections of the ORC relating to joint economic development districts renders any

existing sections of ORC Sections 715.72 illegal or impossible, then the provisions of Section 6 of this Agreement shall apply.

Section 16. Miscellaneous.

Any notice or consent required or permitted to be given by or on behalf of either party to the other shall be given by mailing such notice or consent by United States certified or registered mail, postage prepaid and return receipt requested, or via a reputable express overnight mail service which provides proof of delivery addressed to the parties as set forth below or at such other address as may be specified from time to time in writing delivered to the other party. Notices shall be effective upon receipt or refusal, as the case may be.

If to the City: 209 South Main Street
Marysville, Ohio 43040
Attn: Law Director

If to the Township: 9777 Industrial Parkway
Plain City, Ohio 43064
Attn: Fiscal Officer

With copy simultaneously sent or delivered to:
Peter N. Griggs
Brosius, Johnson & Griggs, LLC
1600 Dublin Road, Suite 100
Columbus, Ohio 43215

The captions and headings herein are for convenience only and in no way define, limit, or describe the scope or intent of any provisions or sections herein.

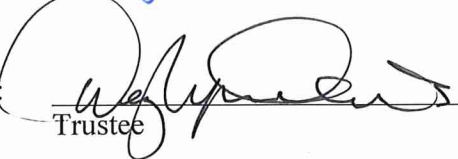
This Agreement may be executed in one or more counterparts, each of which shall be regarded as an original and all of which together shall constitute but one and the same instrument.

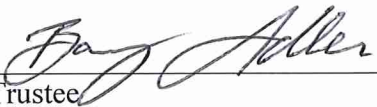
[Signature Page Follows]

IN WITNESS WHEREOF, the Contracting Parties have caused this Agreement to be duly signed in their respective names by their duly authorized officers, all as of the date first hereinbefore written.

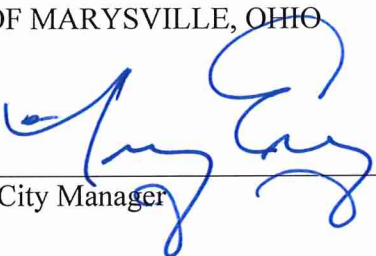
TOWNSHIP OF JEROME,
UNION COUNTY, OHIO

By: 
Trustee

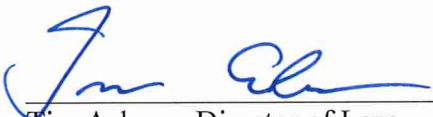
By: 
Trustee

By: 
Trustee

CITY OF MARYSVILLE, OHIO

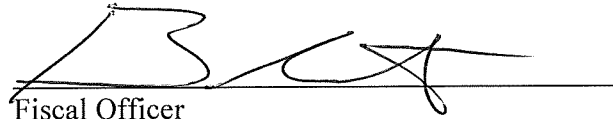
By: 
City Manager

Approved as to form and correctness:


Tim Aslaner, Director of Law

CITY'S FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of the City of Marysville, Ohio, hereby certifies that the moneys required to meet the obligations of the City during the year 2022 under the foregoing Agreement have been lawfully appropriated by the City Council of the City of Marysville, Ohio for such purpose and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.



Fiscal Officer
City of Marysville, Ohio

Dated: 8-6, 2022

TOWNSHIP'S FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of Jerome Township, Union County Ohio, hereby certifies that the moneys required to meet the obligations of the Township during the year 2022 under the foregoing Agreement have been lawfully appropriated by the Board of Trustees of Jerome Township, Union County, Ohio for such purpose and are in the treasury of the Township or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.



Fiscal Officer

Jerome Township, Union County, Ohio

Dated: August 01,
2022

EXHIBIT A

ECONOMIC DEVELOPMENT PLAN

ECONOMIC DEVELOPMENT PLAN AND SCHEDULE FOR THE COLLECTION OF INCOME TAX

Introduction

The purpose of this plan, established pursuant to Section 715.72 of the Ohio Revised Code, is to set forth the economic development objectives of the City of Marysville-Jerome Township Joint Economic Development District (the “District”). This plan serves as a framework for the District’s efforts to guide income and education attainment, prioritize talent retention, development, and attraction, attract employers, retain and grow the economic base, create more high-growth enterprises, and improve the civic infrastructure in Jerome Township (the “Township”) and the City of Marysville (the “City”) as well as throughout the region as a whole.

The District is comprised of unincorporated developable land located in growth priority development areas in the southeastern portion of Union County, Ohio, within Jerome Township, along US-33 (Ohio’s 33 Smart Mobility Corridor), south of the City of Marysville. Land comprising the District is appropriately zoned for commercial, industrial, manufacturing, business, and similar uses, with the City providing municipal water and sewer services. The District is a collaborative approach between the Township and the City to support and implement the Southern Jerome Innovation area and the US 42 Growth area, each as identified and more fully described in the Union County Economic Development Strategy (2014).

The District is located along the northwestern outer-ring of the Columbus Region, at or near the border of Delaware, Franklin, Madison, and Union Counties. The District is an approximate 30-minute drive from downtown Columbus and has access to major metropolitan amenities. The Township was organized in 1821 and the City was platted in 1819. But most significant growth in the vicinity of the District has occurred during the last 40 years, led by the Honda Marysville Auto Plant’s first manufactured Honda Accord in 1982. Union County has experienced rapid growth as a location of choice for new residents and businesses in the rapidly growing Columbus Region; during the period 2018 – 2019, Union County became the fastest growing county in Ohio. According to the Mid-Ohio Regional Planning Commission’s insight2050 study (published in 2015 and regularly updated), Union County is expected to grow from approximately 58,000 population (2018) to more than 84,000 by 2050.

Goals

The District represents a collaborative approach to create and preserve jobs and employment opportunities throughout Union County, thereby improving the economic welfare of the residents of the Township, the City, and the State of Ohio. The District will foster and support business growth, particularly growth that is anticipated to occur on developable land within the Township’s boundaries.

Schedule of New, Expanded, or Additional Services, Facilities or Improvements

EXHIBIT A

In the event that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District, the District will facilitate the provision of the following new, expanded, or additional services, facilities, or improvements:

- Roads, including in certain circumstances resurfacing and maintaining;
- Water and sewer;
- Electric;
- Natural gas;
- Fiber;
- Cable; or,
- Any other improvements directly supporting non-residential development within the District or otherwise benefitting the District.

Use of Total Revenues to Fund New, Expanded, or Additional Services, Facilities or Improvements

All income tax collected from any business or entity within the District or any person working or residing within the District will be included in the total income tax revenue collected within the District (collectively, the "Total Revenues"). Of such Total Revenues, the Board of Directors of the District (the "Board") will receive sixty percent (60%) each year (with such portion referred to as "JEDD Board Revenue"), the Township shall receive twenty percent (20%) each year, and the City shall receive twenty percent (20% each year). The Board will apply the JEDD Board Revenue to pay for new, expanded, or additional services, facilities, or improvements:

- Fifty-five percent (55%) for costs of public infrastructure improvements, which may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting development within the District or otherwise benefitting the District. At certain times during the life of the District and up to certain threshold amounts, such infrastructure improvements include resurfacing or otherwise maintaining roadways within the District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate
- Five (5%) for the Board's administrative expenses, including any marketing of the District as may be determined necessary by the Board, and any remaining balance to be directed to the costs of infrastructure improvements.

Schedule for the Collection of the Income Tax within the District

The District to be created pursuant to the provisions of the Agreement by and between the City and Township authorizes and anticipates the levy by the Board of a tax on the income of persons working or residing in the District and the net profits of businesses located in the District at the same rate levied by the City, as that rate may be adjusted from time to time, for distribution as set forth within Section 10 of the Agreement.

EXHIBIT B

MAP OF TERRITORY TO BE INCLUDED IN
CITY OF MARYSVILLE-JEROME TOWNSHIP
JOINT ECONOMIC DEVELOPMENT DISTRICT

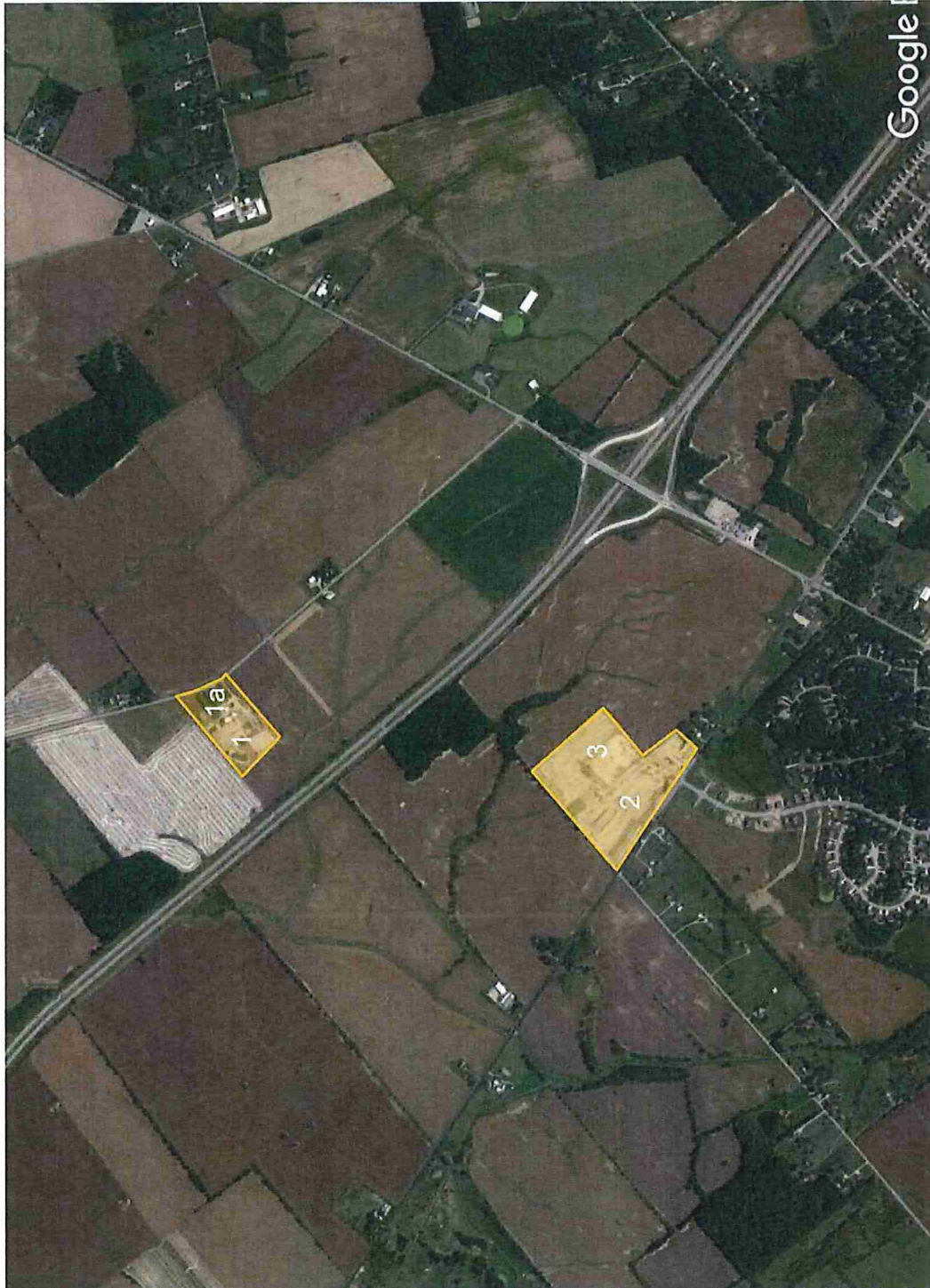


EXHIBIT B

The City of Marysville-Jerome Township Joint Economic Development District shall include the following parcels, as identified in the records of the County Auditor of Union County, Ohio as of [____], 2022:

Parcel Number
1400060110000
1400070610000
1400060190000

EXHIBIT C

OHIO REVISED CODE SECTION 715.72 EFFECTIVE AS OF DATE OF PETITION

(A) As used in this section:

(1) "Contracting parties" means one or more municipal corporations, one or more townships, and, under division (D) of this section, one or more counties that have entered into a contract under this section to create a joint economic development district.

(2) "District" means a joint economic development district created under this section.

(3) "Contract for utility services" means a contract under which a municipal corporation agrees to provide to a township or another municipal corporation water, sewer, electric, or other utility services necessary to the public health, safety, and welfare.

(4) "Business" means a sole proprietorship, a corporation for profit, a pass-through entity as defined in section 5733.04 of the Revised Code, the federal government, the state, the state's political subdivisions, a nonprofit organization, or a school district.

(5) "Owner" means a partner of a partnership, a member of a limited liability company, a majority shareholder of an S corporation, a person with a majority ownership interest in a pass-through entity, or any officer, employee, or agent with authority to make decisions legally binding upon a business.

(6) "Record owner" means the person or persons in whose name a parcel is listed on the tax list or exempt list compiled by the county auditor under section 319.28 or 5713.08 of the Revised Code.

(7) A business "operates within" a district if the net profits of the business or the income of employees of the business would be subject to an income tax levied within the district.

(8) An employee is "employed within" a district if any portion of the employee's income would be subject to an income tax levied within the district.

(9) "Mixed-use development" means a real estate project that tends to mitigate traffic and sprawl by integrating some combination of retail, office, residential, hotel, recreation, and other functions in a pedestrian-oriented environment that maximizes the use of available space by allowing members of the community to live, work, and play in one architecturally expressive area with multiple amenities.

(10) "Water or sewer service plan or agreement" means either of the following:

(a) A state water quality management plan adopted by the Ohio environmental protection agency or another authorized planning agency pursuant to 33 U.S.C. 1288 and 1313 that contemplates that a non-contracting municipal corporation will provide sanitary sewer disposal services to an area within a proposed joint economic development district;

EXHIBIT C

(b) A binding agreement between a municipal corporation and a third-party water or sanitary sewer services provider, including another municipal corporation or other public or private provider, that provides that a non-contracting municipal corporation or another provider that is not a contracting party will provide water or sanitary sewer services to an area within a proposed joint economic development district.

(11) "Non-contracting municipal corporation" means a municipal corporation that is not a contracting party.

(B) This section provides alternative procedures and requirements to those set forth in sections 715.70 and 715.71 of the Revised Code for creating and operating a joint economic development district. This section applies to municipal corporations and townships that are located in the same county or in adjacent counties.

(C) One or more municipal corporations, one or more townships, and, under division (D) of this section, one or more counties may enter into a contract pursuant to which they designate one or more areas as a joint economic development district for the purpose of facilitating economic development and redevelopment, to create or preserve jobs and employment opportunities, and to improve the economic welfare of the people in this state and in the area of the contracting parties.

(1) Except as otherwise provided in division (C)(2) of this section, the territory of each of the contracting parties shall be contiguous to the territory of at least one other contracting party, or contiguous to the territory of a township, municipal corporation, or county that is contiguous to another contracting party, even if the intervening township or municipal corporation is not a contracting party.

(2) Contracting parties that have entered into a contract under section 715.70 or 715.71 of the Revised Code creating a joint economic development district prior to November 15, 1995, may enter into a contract under this section even if the territory of each of the contracting parties is not contiguous to the territory of at least one other contracting party, or contiguous to the territory of a township or municipal corporation that is contiguous to another contracting party as otherwise required under division (C)(1) of this section. The contract and district shall meet the requirements of this section.

(D) If, on or after December 30, 2008, but on or before June 30, 2009, one or more municipal corporations and one or more townships enter into a contract or amend an existing contract under this section, one or more counties in which all of those municipal corporations or townships are located also may enter into the contract as a contracting party or parties.

(E)(1) The area or areas to be included in a joint economic development district shall meet all of the following criteria:

(a) The area or areas shall be located within the territory of one or more of the contracting parties and may consist of all of the territory of any or all of the contracting parties.

EXHIBIT C

(b) No electors, except those residing in a mixed-use development, shall reside within the area or areas on the effective date of the contract creating the district.

(c) The area or areas shall not include any parcel of land owned in fee by or leased to a municipal corporation or township, unless the municipal corporation or township is a contracting party or has given its consent to have the parcel of land included in the district by the adoption of an ordinance or resolution.

(d) The area or areas shall not include any parcel of land excluded pursuant to division (J)(2) of this section.

(2) The contracting parties may designate excluded parcels within the boundaries of the joint economic development district. Excluded parcels are not part of the district and persons employed or residing on such parcels shall not be subject to any income tax imposed within the district under division (F)(5) of this section.

(F)(1) The contract creating a joint economic development district shall provide for the amount or nature of the contribution of each contracting party to the development and operation of the district and may provide for the sharing of the costs of the operation of and improvements for the district. The contributions may be in any form to which the contracting parties agree and may include, but are not limited to, the provision of services, money, real or personal property, facilities, or equipment.

(2) The contract may provide for the contracting parties to share revenue from taxes levied by one or more of the contracting parties if those revenues may lawfully be applied to that purpose under the legislation by which those taxes are levied.

(3) The contract shall include an economic development plan for the district that consists of a schedule for the provision of new, expanded, or additional services, facilities, or improvements. The contract may provide for expanded or additional capacity for or other enhancement of existing services, facilities, or improvements.

(4) The contract shall enumerate the specific powers, duties, and functions of the board of directors of the district described under division (P) of this section and shall designate procedures consistent with that division for appointing members to the board. The contract shall enumerate rules to govern the board in carrying out its business under this section.

(5)(a) The contract may grant to the board the power to adopt a resolution to levy an income tax within the entire district or within portions of the district designated by the contract. The income tax shall be used to carry out the economic development plan for the district or the portion of the district in which the tax is levied and for any other lawful purpose of the contracting parties pursuant to the contract, including the provision of utility services by one or more of the contracting parties.

EXHIBIT C

(b) An income tax levied under this section shall be based on both the income earned by persons employed or residing within the district and the net profit of businesses operating within the district.

Except as provided in this section, the income tax levied within the district is subject to Chapter 718. of the Revised Code, except that no vote shall be required. The rate of the income tax shall be no higher than the highest rate being levied by a municipal corporation that is a contracting party.

(c) If the board adopts a resolution to levy an income tax, it shall enter into an agreement with a municipal corporation that is a contracting party to administer, collect, and enforce the income tax on behalf of the district.

(d) A resolution levying an income tax under this section shall require the contracting parties to annually set aside a percentage, to be stated in the resolution, of the amount of the income tax collected for the long-term maintenance of the district.

(e) An income tax levied under this section shall apply in the district or the portion of the district in which the contract authorizes an income tax throughout the term of the contract creating the district. The tax shall not apply to any persons employed or residing on a parcel excluded from the district under division (E)(2) of this section.

(6) If there is unincorporated territory in the district, the contract shall specify that restrictions on annexation proceedings under division (R) of this section apply to such unincorporated territory. The contract may prohibit proceedings under Chapter 709. of the Revised Code proposing the annexation to, merger of, or consolidation with a municipal corporation that is a contracting party of any unincorporated territory within a township that is a contracting party during the term of the contract regardless of whether that territory is located within the district.

(7) The contract may designate property as a community entertainment district, or may be amended to designate property as a community entertainment district, as prescribed in division (D) of section 4301.80 of the Revised Code. A contract or amendment designating a community entertainment district shall include all information and documentation described in divisions (B)(1) to (6) of section 4301.80 of the Revised Code. The public notice required under division (I) of this section shall specify that the contract designates a community entertainment district and describe the location of that district. Except as provided in division (F) of section 4301.80 of the Revised Code, an area designated as a community entertainment district under a joint economic development district contract shall not lose its designation even if the contract is canceled or terminated.

(8) If any part of the district is located either within one-half of one mile of a non-contracting municipal corporation or within an area covered by or subject to a water or sewer service plan or agreement, the contract shall include all of the following:

(a) A preliminary estimate of the costs of providing public utility services, facilities, and improvements to the district, prepared by a professional engineer;

EXHIBIT C

(b) An analysis of the anticipated sources for funding the costs of the public utilities infrastructure needed to serve the district and a projection of when such funds will be available and when such costs are likely to be incurred;

(c) Evidence or estimates indicating that the construction of the public utility infrastructure needed to serve at least some portion of the district will be completed within five years after the creation of the district.

(G) The contract creating a joint economic development district shall continue in existence throughout its term and shall be binding on the contracting parties and on any parties succeeding to the contracting parties, whether by annexation, merger, or consolidation. Except as provided in division (H) of this section, the contract may be amended, renewed, or terminated with the approval of the contracting parties or any parties succeeding to the contracting parties. If the contract is amended to add or remove an area to or from an existing district, the amendment shall be adopted in the manner prescribed under division (L) of this section.

(H) If two or more contracting parties previously have entered into a separate contract for utility services, then amendment, renewal, or termination of the separate contract for utility services shall not constitute any part of the consideration for the contract creating a joint economic development district. A contract creating a joint economic development district shall be rebuttably presumed to violate this division if it is entered into within two years prior or five years subsequent to the amendment, renewal, or termination of a separate contract for utility services that two or more contracting parties previously have entered into. The presumption stated in this division may be rebutted by clear and convincing evidence of both of the following:

(1) That other substantial consideration existed to support the contract creating a joint economic development district;

(2) That the contracting parties entered into the contract creating a joint economic development district freely and without duress or coercion related to the amendment, renewal, or termination of the separate contract for utility services.

A contract creating a joint economic development district that violates this division is void and unenforceable.

(I)(1) Before the legislative authority of any of the contracting parties adopts an ordinance or resolution approving a contract to create a district, the legislative authority of each of the contracting parties shall hold a public hearing concerning the contract and district. Each legislative authority shall provide at least thirty days' public notice of the time and place of the public hearing in a newspaper of general circulation in the municipal corporation, township, or county, as applicable. During the thirty-day period prior to the public hearing and until the date that an ordinance or resolution is adopted under division (K) of this section to approve the joint economic development district contract, all of the following documents shall be available for public inspection in the office of the clerk of the legislative authority of a municipal corporation

EXHIBIT C

and county that is a contracting party and in the office of the fiscal officer of a township that is a contracting party:

(a) A copy of the contract creating the district, including the economic development plan for the district and the schedule for the provision of new, expanded, or additional services, facilities, or improvements described in division (F)(3) of this section;

(b) A description of the area or areas to be included in the district, including a map in sufficient detail to denote the specific boundaries of the area or areas and to indicate any zoning restrictions applicable to the area or areas, and the parcel number, provided for under section 319.28 of the Revised Code, of any parcel located within the boundaries of the joint economic development district and excluded from the district under division (E)(2) of this section;

(c) If the contract authorizes the board of directors of the district to adopt a resolution to levy an income tax within the district or within portions of the district, a schedule for the collection of the tax.

(2) At least thirty days before the first public hearing is to be held by one or more legislative authorities on a proposed district, notice shall be sent in writing to each non-contracting municipal corporation that is located within one-half of one mile of the proposed district or that is identified in a water or sewer service plan or agreement as a future provider of water or sewer services to all or part of the proposed district.

(3) A public hearing held under this division shall allow for public comment and recommendations on the contract and district. The contracting parties may include in the contract any of those recommendations prior to approval of the contract.

(J)(1) Before any of the contracting parties approves a contract under division (K) of this section, the contracting parties shall circulate one or more petitions to record owners of real property located within the proposed joint economic development district and owners of businesses operating within the proposed district. The petitions shall state that all of the documents described in divisions (I)(1)(a) to (c) of this section are available for public inspection in the office of the clerk of the legislative authority of each municipal corporation and county that is a contracting party or the office of the fiscal officer of each township that is a contracting party. The petitions shall clearly indicate that, by signing the petition, the record owner or owner consents to the proposed joint economic development district.

A contracting party may send written notice of the petitions by certified mail with return receipt requested to the last known mailing addresses of any or all of the record owners of real property located within the proposed district or the owners of businesses operating within the proposed district. The contracting parties shall equally share the costs of complying with this division.

(2) If any portion of property located within the proposed joint economic development district is also either located within one-half of one mile of a non-contracting municipal corporation or covered by or subject to a water or sewer service plan or agreement under which a non-contracting municipal corporation is identified as a future provider of water or sewer services to

EXHIBIT C

all or part of the proposed district, then that property and any property contiguous to that property if owned by the same person shall be excluded from the joint economic development district unless the owner of the property signs the petition.

(K)(1) After the public hearings required under division (I) of this section have been held and the petitions described in division (J) of this section have been signed by the majority of the record owners of real property located within the proposed joint economic development district and by a majority of the owners of businesses, if any, operating within the proposed district, each contracting party may adopt an ordinance or resolution approving the contract to create a joint economic development district. Not later than ten days after all of the contracting parties have adopted ordinances or resolutions approving the district contract, each contracting party shall give notice of the proposed district to all of the following:

(a) Each record owner of real property to be included in the district and in the territory of that contracting party who did not sign the petitions described in division (J) of this section;

(b) An owner of each business operating within the district and in the territory of that contracting party no owner of which signed the petitions described in division (J) of this section.

(2) Such notices shall be given by certified mail and shall specify that the property or business is located within an area to be included in the district and that all of the documents described in divisions (I)(1)(a) to (c) of this section are available for public inspection in the office of the clerk of the legislative authority of each municipal corporation and county that is a contracting party or the office of the fiscal officer of each township that is a contracting party. The contracting parties shall equally share the costs of complying with division (K) of this section.

(L)(1) The contracting parties may amend the joint economic development district contract to add any area that was not originally included in the district if the area satisfies the criteria prescribed under division (E) of this section. The contracting parties may also amend the district contract to remove any area originally included in the district or exclude one or more parcels located within the district pursuant to division (E)(2) of this section.

(2) An amendment adding an area to a district, removing an area from the district, or excluding one or more parcels from the district may be approved only by a resolution or ordinance adopted by each of the contracting parties. The contracting parties shall conduct public hearings on the amendment and provide notice in the manner required under division (I) of this section for original contracts. The contracting parties shall make available for public inspection a copy of the amendment, a description of the area to be added, removed, or excluded to or from the district, and a map of that area in sufficient detail to denote the specific boundaries of the area and to indicate any zoning restrictions applicable to the area.

(3) Before adopting a resolution or ordinance approving the addition of an area to the district, the contracting parties shall circulate petitions to the record owners of real property located within the proposed addition to the district and owners of businesses operating within the proposed addition to the district in the same manner required under division (J) of this section for original contracts. The contracting parties may notify such record owners of real property and owners of

EXHIBIT C

businesses that the petitions are available for signing in the same manner provided by that division. The contracting parties shall equally share the costs of complying with this division.

(4) The contracting parties to a joint economic development district may vote to approve an amendment to the district contract under this division after the public hearings required under division (L)(2) of this section are completed and, if the amendment adds an area or areas to the district, the petitions required under division (L)(3) of this section have been signed by the majority of record owners of real property located within the area or areas added to the district and by a majority of the owners of businesses, if any, operating within the proposed addition to the district.

(5) Not later than ten days after all of the contracting parties have adopted ordinances or resolutions approving an amendment adding one or more areas to the district, each contracting party shall give notice of the addition to all of the following:

(a) Each record owner of real property to be included in the addition to the district and in the territory of that contracting party who did not sign the petitions described in division (L)(3) of this section;

(b) An owner of each business operating within the addition to the district and in the territory of that contracting party no owner of which signed the petitions described in division (L)(3) of this section.

The contracting parties shall equally share the costs of complying with division (L)(5) of this section.

(M)(1) A board of township trustees that is a party to a contract creating a joint economic development district may choose not to submit its resolution approving the contract to the electors of the township if all of the following conditions are satisfied:

(a) The resolution has been approved by a unanimous vote of the members of the board of township trustees or, if a county is one of the contracting parties under division (D) of this section, the resolution has been approved by a majority vote of the members of the board of township trustees;

(b) The contracting parties have circulated petitions as required under division (J) of this section and obtained the signatures required under division (L) of this section;

(c) The territory to be included in the proposed district is zoned in a manner appropriate to the function of the district.

(2) If the board of township trustees has not invoked its authority under division (M)(1) of this section, the board, at least ninety days before the date of the election, shall file its resolution approving the district contract with the board of elections for submission to the electors of the township for approval at the next succeeding general, primary, or special election.

EXHIBIT C

(3) Any contract creating a district in which a board of township trustees is a party shall provide that the contract is not effective before the thirty-first day after its approval, including approval by the electors of the township if required by this section.

(4) If the board of township trustees invokes its authority under division (M)(1) of this section and does not submit the district contract to the electors for approval, the resolution of the board of township trustees approving the contract is subject to a referendum of the electors of the township when requested through a petition. When signed by ten per cent of the number of electors in the township who voted for the office of governor at the most recent general election, a referendum petition asking that the resolution be submitted to the electors of the township may be presented to the board of township trustees. Such a petition shall be presented within thirty days after the board of township trustees adopts the resolution approving the district contract. The board of township trustees shall, not later than four p.m. of the tenth day after receipt of the petition, certify the text of the resolution to the board of elections. The board of elections shall submit the resolution to the electors of the township for their approval or rejection at the next general, primary, or special election occurring at least ninety days after certification of the resolution.

(N) The ballot respecting a resolution to create a district or a referendum of such a resolution shall be in the following form:

"Shall the resolution of the board of township trustees approving the contract with
(here insert name of every other contracting party) for the creation of a joint economic
development district be approved?"

FOR THE RESOLUTION AND CONTRACT

AGAINST THE RESOLUTION AND CONTRACT"

If a majority of the electors of the township voting on the issue vote for the resolution and contract, the resolution shall become effective immediately and the contract shall go into effect on the thirty-first day after the election or thereafter in accordance with terms of the contract.

(O) Upon the creation of a district under this section, one of the contracting parties shall file a copy of each of the following documents with the director of development:

- (1) All of the documents described in divisions (I)(1)(a) to (c) of this section;
- (2) Certified copies of the ordinances and resolutions of the contracting parties relating to the contract and district;
- (3) Documentation from each contracting party that the public hearings required by division (I) of this section have been held, the date of the hearings, and evidence that notice of the hearings was published as required by that division;
- (4) A copy of the signed petitions required under divisions (J) and (K) of this section.

EXHIBIT C

(P) A board of directors shall govern each district created under this section.

(1) If there are businesses operating and persons employed within the district, the board shall be composed of the following members:

- (a) One member representing the municipal corporations that are contracting parties;
- (b) One member representing the townships that are contracting parties;
- (c) One member representing the owners of businesses operating within the district;
- (d) One member representing the persons employed within the district;
- (e) One member representing the counties that are contracting parties, or, if no contracting party is a county, one member selected by the members described in divisions (P)(1)(a) to (d) of this section.

The members of the board shall be appointed as provided in the district contract. Of the members initially appointed to the board, the member described in division (P)(1)(a) of this section shall serve a term of one year; the member described in division (P)(1)(b) of this section shall serve a term of two years; the member described in division (P)(1)(c) of this section shall serve a term of three years; and the members described in divisions (P)(1)(d) and (e) of this section shall serve terms of four years. Thereafter, terms for each member shall be for four years, each term ending on the same day of the same month of the year as did the term that it succeeds. A member may be reappointed to the board, but no member shall serve more than two consecutive terms on the board.

The member described in division (P)(1)(e) of this section shall serve as chairperson of the board described under division (P)(1) of this section.

(2) If there are no businesses operating or persons employed within the district, the board shall be composed of the following members:

- (a) One member representing the municipal corporations that are contracting parties;
- (b) One member representing the townships that are contracting parties;
- (c) One member representing the counties that are contracting parties, or if no contracting party is a county, one member selected by the members described in divisions (P)(2)(a) and (b) of this section.

The members of the board shall be appointed as provided in the district contract. Of the members initially appointed to the board, the member described in division (P)(2)(a) of this section shall serve a term of one year; the member described in division (P)(2)(b) of this section shall serve a term of two years; and the member described in division (P)(2)(c) of this section shall serve a

EXHIBIT C

term of three years. Thereafter, terms for each member shall be for four years, each term ending on the same day of the same month of the year as did the term that it succeeds. A member may be reappointed to the board, but no member shall serve more than two consecutive terms on the board.

The member described in division (P)(2)(c) of this section shall serve as chairperson of a board described under division (P)(2) of this section.

(3) A board described under division (P)(1) or (2) of this section has no powers except as described in this section and in the contract creating the district.

(4) Membership on the board of directors of a joint economic development district created under this section is not the holding of a public office or employment within the meaning of any section of the Revised Code prohibiting the holding of other public office or employment. Membership on such a board is not a direct or indirect interest in a contract or expenditure of money by a municipal corporation, township, county, or other political subdivision with which a member may be affiliated. Notwithstanding any provision of law to the contrary, no member of a board of directors of a joint economic development district shall forfeit or be disqualified from holding any public office or employment by reason of membership on the board.

(5) The board of directors of a joint economic development district is a public body for the purposes of section 121.22 of the Revised Code. Chapter 2744. of the Revised Code applies to such a board and the district.

(Q)(1) On or before the date occurring six months after the effective date of the district contract, an owner of a business operating within the district may, on behalf of the business and its employees, file a complaint with the court of common pleas of the county in which the majority of the territory of the district is located requesting exemption from any income tax imposed by the board of directors of the district under division (F)(5) of this section if all of the following apply:

(a) The business operated within an unincorporated area of the district before the effective date of the district contract;

(b) No owner of the business signed a petition described in division (J) of this section;

(c) Neither the business nor its employees has derived or will derive any material benefit from the new, expanded, or additional services, facilities, or improvements described in the economic development plan for the district, or the material benefit that has, or will be, derived is negligible in comparison to the income tax revenue generated from the net profits of the business and the income of employees of the business.

The legislative authority of each contracting party shall be made a party to the proceedings and the business owner filing the complaint shall serve notice of the complaint by certified mail to each such contracting party. The court shall not accept any complaint filed more than six months after the effective date of the district contract.

EXHIBIT C

(2) Any or all of the contracting parties may submit a written answer to the complaint submitted under division (Q)(1) of this section to the court within thirty days after notice of the complaint was served upon them. Such a contracting party shall submit to the court, along with the answer, documentation sufficient to prove that the contracting party sent copies of the answer to the owner of the business who filed the complaint.

(3) The court shall review each complaint submitted by a business owner under division (Q)(1) of this section and each answer submitted by a contracting party under division (Q)(2) of this section. The court may make a determination on the record and the evidence thus submitted, or it may conduct a hearing and request the presence of the business owner and the contracting parties to present evidence relevant to the complaint. The court shall make a determination on the complaint not sooner than thirty days but not later than sixty days after the complaint is filed by the business owner. The court may make a determination more than sixty days after the complaint is filed if the business owner and all contracting parties to the district consent.

(4) The court shall grant the exemption requested in the complaint if all of the criteria described in divisions (Q)(1)(a) to (c) of this section are met.

(5) If all the criteria described in divisions (Q)(1)(a) to (c) of this section are not met, the court shall deny the complaint and the exemption.

(6) The court shall send notice of the determination with respect to the complaint to the owner of the business and each contracting party. If the court grants the exemption, the net profits of the business from operations within the district and the income of its employees from employment within the district are exempt from any income tax imposed by the board of directors of the district. If the court denies the exemption, the net profits of the business and the income of its employees shall be taxed according to the terms of the district contract and any taxes, penalties, and interest accrued before the date of the court's determination shall be paid in full. In addition, no owner of the business may submit another complaint under division (Q)(1) of this section for the same district contract. The court's determination on a complaint filed under division (Q) of this section is final.

(7) Chapter 2506. of the Revised Code does not apply to the proceedings described in division (Q) of this section.

(R)(1) No proceeding pursuant to Chapter 709. of the Revised Code that proposes the annexation to, merger of, or consolidation with a municipal corporation of any unincorporated territory within a joint economic development district may be commenced at any time between the effective date of the contract creating the district and the date the contract expires, terminates, or is otherwise rendered unenforceable. This division does not apply if each board of township trustees whose territory is included within the district and whose territory is proposed to be annexed, merged, or consolidated adopts a resolution consenting to the commencement of the proceeding. Each such board of township trustees shall file a copy of the resolution with the clerk of the legislative authority of each county within which a contracting party is located.

EXHIBIT C

(2) The contract creating a joint economic development district may prohibit any annexation proceeding by a contracting municipal corporation of any unincorporated territory within the district or zone beyond the period described in division (R)(1) of this section.

(3) No contracting party is divested or relieved of its rights or obligations under the contract creating a joint economic development district because of annexation, merger, or consolidation.

(S) Contracting parties may enter into agreements pursuant to the contract creating a joint economic development district with respect to the substance and administration of zoning and other land use regulations, building codes, permanent public improvements, and other regulatory and proprietary matters determined to be for a public purpose. No contract, however, shall exempt the territory within the district from the procedures of land use regulation applicable pursuant to municipal corporation, township, and county regulations, including, but not limited to, zoning procedures.

(T) The powers granted under this section are in addition to and not in the derogation of all other powers possessed by or granted to municipal corporations, townships, and counties pursuant to law.

(1) When exercising a power or performing a function or duty under a contract entered into under this section, a municipal corporation may exercise all the powers of a municipal corporation, and may perform all the functions and duties of a municipal corporation, within the district, pursuant to and to the extent consistent with the contract.

(2) When exercising a power or performing a function or duty under a contract entered into under division (D) of this section, a county may exercise all of the powers of a county, and may perform all the functions and duties of a county, within the district pursuant to and to the extent consistent with the contract.

(3) When exercising a power or performing a function or duty under a contract entered into under this section, a township may exercise all the powers of a township, and may perform all the functions and duties of a township, within the district, pursuant to and to the extent consistent with the contract.

(U) No political subdivision shall grant any tax exemption under Chapter 1728. or section 3735.67, 5709.62, 5709.63, or 5709.632 of the Revised Code on any property located within the district without the consent of all the contracting parties. The prohibition against granting a tax exemption under this section does not apply to any exemption filed, pending, or approved before the effective date of the contract entered into under this section.

Last updated July 14, 2021 at 4:12 PM

Available Versions of this Section

December 30, 2008 – Senate Bill 129 - 127th General Assembly [View December 30, 2008 Version]

EXHIBIT C

September 13, 2016 – Amended by House Bill 182 - 131st General Assembly [View September 13, 2016 Version]

September 30, 2021 – Amended by House Bill 110 - 134th General Assembly [View September 30, 2021 Version]

EXHIBIT B

DEPICTION OF JEDD EXPANSION
(attached hereto)

Union County, Ohio Parcel Number 1700310390030, zoned Planned Development District (PD)
(including any subsequent combinations and/or subdivision of such current parcel).

[To add parcel number and legal description of property to be added]

[To be attached]

Parcel Description
21.008 Acres
East of Hyland-Croy Road
South of Weldon Road

Situated in the State of Ohio, County of Union, Township of Jerome, and being part of Virginia Military Survey No. 6420 and containing 21.008 acres, said 21.008 acres being part of that original 21.887 acre tract of land conveyed to John L. Wirchanski (a.k.a. John L. Wirchainski) in Deed Book 298, Page 339 as Tract I, said 21.008 acres more particularly described as follows;

Beginning for Reference, at a mag nail set on the northeasterly corner of a 2.173 acre tract of land conveyed to Union County Board of Commissioners in I.N. 202311160008425 as Parcel 14-WD, and being on the centerline intersection of Weldon Road (T.R. 4)(R/W Varies) and Hyland-Croy Road (C.R. 2)(R/W Varies);

Thence **S 84° 54' 56" W**, with the north line of said Parcel 14-WD, the centerline of said Weldon Road (T.R. 4)(R/W Varies) and across the right-of-way of said Hyland-Croy Road (C.R. 2)(R/W Varies), **50.01 feet** to a mag nail set on the northeast corner of the residual of said Tract I, the northwesterly corner of said Parcel 14-WD, being on the centerline of said Weldon Road (T.R. 4)(R/W Varies), and being the **True Point of Beginning**;

Thence **S 04° 14' 47" E**, with the east line of the residual of said Tract I, the west line of said Parcel 14-WD, and the westerly right-of-way line of Hyland-Croy Road (C.R. 2)(R/W Varies), **631.55 feet** to an iron pin set on the southeast corner of the residual of said Tract I, the northeast corner of the residual of a 32.623 acre tract of land also conveyed to John L. Wirchanski (a.k.a. John L. Wirchainski) in Deed Book 298, Page 339 as Tract II, being in the Gordon Tri-Valley Ditch, and being on the west line of said Parcel 14-WD and said westerly right-of-way line of Hyland-Croy Road (C.R. 2)(R/W Varies);

Thence with the common line of said Tract I and Tract II, and meandering along said ditch, the following five (5) courses and distances:

1. **S 80° 41' 58" W, 225.51 feet** to an iron pin set;
2. **S 61° 19' 28" W, 163.82 feet** to an iron pin set;
3. **S 85° 11' 34" W, 277.80 feet** to an iron pin set;
4. **N 85° 18' 57" W, 555.85 feet** to an iron pin set;
5. **N 61° 59' 04" W, 103.57 feet** to an iron pin set on the southwest corner of said Tract I, the northwest corner of said Tract II, and being on the east line of a 1.745 acre tract of land conveyed to the City of Dublin in O.R. 951, Pg. 470 as Tract 92-WL and the easterly right-of-way line of U.S. Route 33 (UNI-33-20.23/FRA-33-0.00);

Thence with the west line of said Tract I, the east line of said Tract 92-WL, and the easterly right-of-way line of said U.S. Route 33 (UNI-33-20.23/FRA-33-0.00), the following three (3) courses and distances:

1. **N 21° 43' 24" W, 55.13 feet** to a point (witness a 5/8" iron pin with a cap inscribed "Zande ODOT ROW", N=0.65', E=0.20');
2. **N 37° 32' 16" W, 52.19 feet** to a point (witness a 5/8" iron pin with an illegible cap, N=0.57', E=0.24');
3. **N 20° 50' 09" W, 482.67 feet** to a point (witness a 5/8" iron pin with an illegible cap, W=0.13') on the northwest corner of said Tract I, the northeast corner of said Tract 92-WL, and being on the centerline of said Weldon Road (T.R. 4)(Varies);

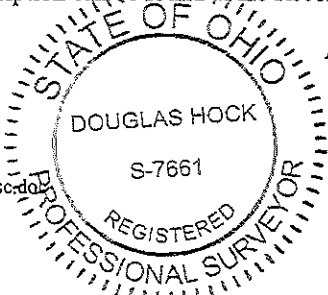
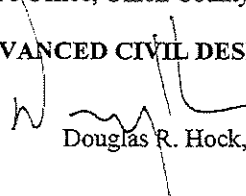
Thence **N 84° 54' 56" E**, with the north line of said Tract I and the centerline of said Weldon Road (T.R. 4)(Varies), **1471.44 feet** to the **True Point of Beginning**, containing 21.008 acres more or less and inclusive of the present right-of-way which occupies 0.674 acres more or less. Subject to all legal restrictions, easements and/or rights-of-way.

This description is based on existing records from the Union County Recorder's and Auditor's Office and an actual field survey by Advanced Civil Design, Inc. on March 25, 2024. A drawing of the above description is attached hereto and made a part thereof.

The basis of bearings is based on the Ohio State Coordinate System, North Zone, NAD83, NSRS 2011 as derived from GPS observation. A bearing of S 4°14'47" E was held for a portion of the westerly right-of-way line of Hyland-Croy Road.

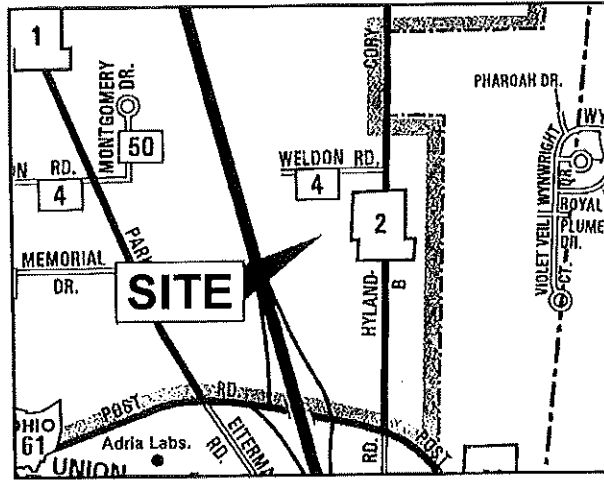
All iron pins set are 5/8" diameter, 30" long rebar with a plastic cap in top inscribed "Advanced".

All references used in this description can be found at the Recorder's Office, Union County, Ohio.

 **ADVANCED CIVIL DESIGN, INC.**

Douglas R. Hock, P.S. 7661

Z:\23-0001-1408 21.008 ac lot split desc.docx

3/25/24
Date



LOCATION MAP

NO SCALE

Parcel Exhibit 21.008 Acres

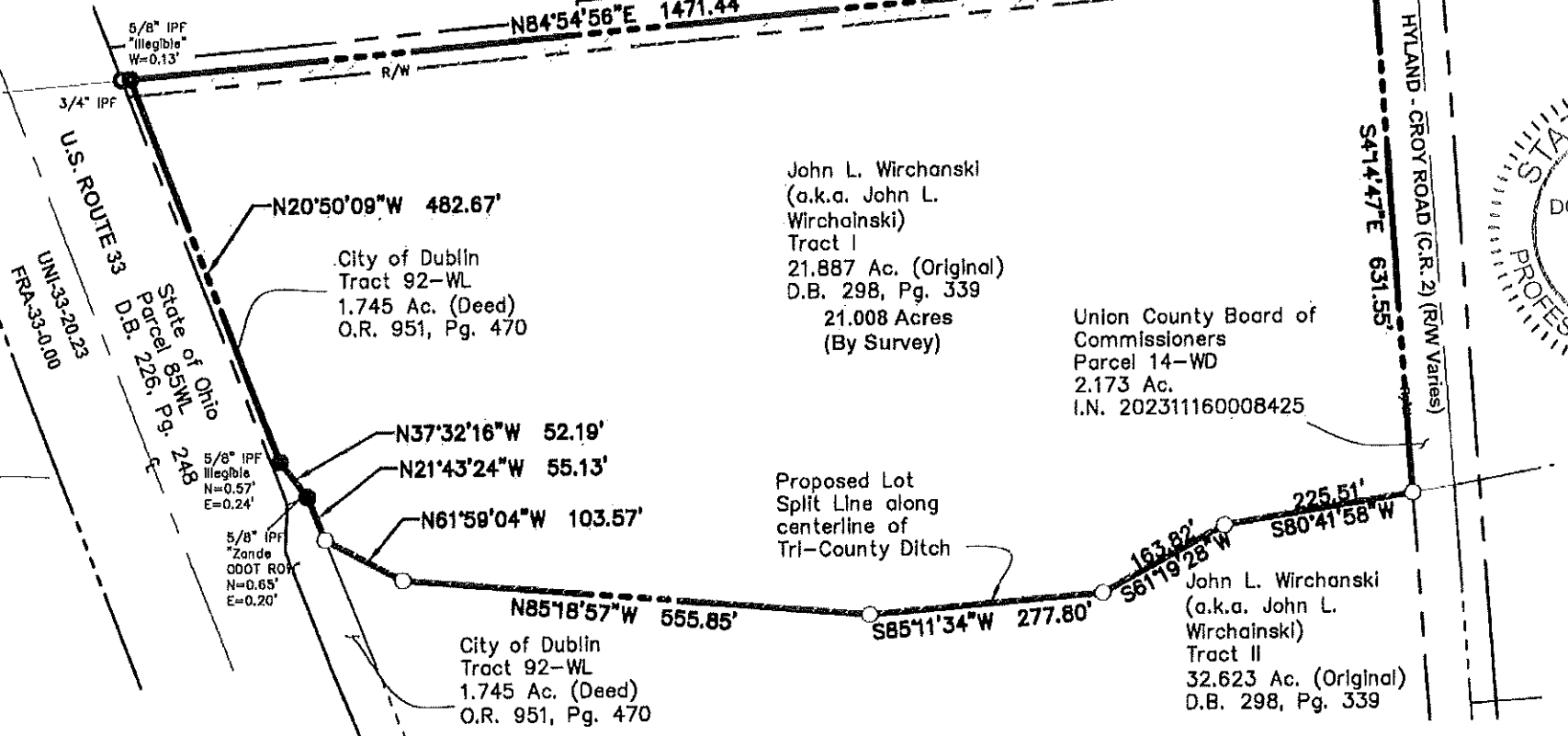
Jerome Township, Union County, Ohio
Virginia Military Survey No. 6420

Jerome Township
Zoning Inspector

APR 24 2024

APPROVED

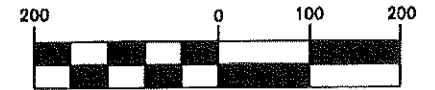
Jerome Grand at
Jacquemin Farms
P.B. 6, Pages 31A - 31D



LEGEND

- Iron Pin Found
- Iron Pipe Found
- [M] Monument Found
- ✕ P.K. Nail Set
- Iron Pin Set

GRAPHIC SCALE



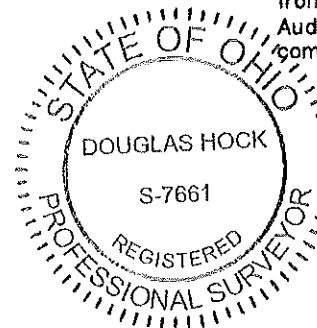
(IN FEET)

1 inch = 200 ft.

The basis of bearings is based on the Ohio State Coordinate System, North Zone, NAD83, NSRS 2011 as derived from GPS observation. A bearing of S 4°14'47" E was held for a portion of the westerly right-of-way line of Hyland-Croy Road.

All iron pins set are 5/8" diameter, 30" long rebar with plastic cap inscribed "Advanced".

This exhibit is based on existing records from the Union County Recorder's and Auditor's office and from a field survey completed in September 2023.



ADVANCED CIVIL DESIGN, INC.

Douglas R. Hock
Reg. No. 7661

Date

DRAWN BY: JRM	JOB NO.: 23-0001-1408
DATE: 3/25/2024	CHECKED BY: DRB

ADVANCED
CIVIL DESIGN
ENGINEERS

781 Science Boulevard ~ Suite 100
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

John L. Wirchanski
(a.k.a. John L.
Wirchanski)
Tract II
32.623 Ac. (Original)
D.B. 298, Pg. 339

John L. Wirchanski
(a.k.a. John L.
Wirchanski)
Tract I
21.887 Ac. (Original)
D.B. 298, Pg. 339
21.008 Acres
(By Survey)

Union County Board of
Commissioners
Parcel 14-WD
2.173 Ac.
I.N. 202311160008425

Proposed Lot
Split Line along
centerline of
Tri-County Ditch

City of Dublin
Tract 92-WL
1.745 Ac. (Deed)
O.R. 951, Pg. 470

City of Dublin
Tract 92-WL
1.745 Ac. (Deed)
O.R. 951, Pg. 470

EXHIBIT C ECONOMIC DEVELOPMENT PLAN

ECONOMIC DEVELOPMENT PLAN AND SCHEDULE FOR THE COLLECTION OF INCOME TAX

Introduction

The purpose of this plan, established pursuant to Section 715.72 of the Ohio Revised Code, is to set forth the economic development objectives of the City of Marysville-Jerome Township Joint Economic Development District (the “District”). This plan serves as a framework for the District’s efforts to guide income and education attainment, prioritize talent retention, development, and attraction, attract employers, retain and grow the economic base, create more high-growth enterprises, and improve the civic infrastructure in Jerome Township (the “Township”) and the City of Marysville (the “City”) as well as throughout the region as a whole.

The District is comprised of unincorporated developable land located in growth priority development areas in the southeastern portion of Union County, Ohio, within Jerome Township, along US-33 (Ohio’s 33 Smart Mobility Corridor), south of the City of Marysville. Land comprising the District is appropriately zoned for commercial, industrial, manufacturing, business, and similar uses, with the City providing municipal water and sewer services. The District is a collaborative approach between the Township and the City to support and implement the Southern Jerome Innovation area and the US 42 Growth area, each as identified and more fully described in the Union County Economic Development Strategy (2014).

The District is located along the northwestern outer-ring of the Columbus Region, at or near the border of Delaware, Franklin, Madison, and Union Counties. The District is an approximate 30-minute drive from downtown Columbus and has access to major metropolitan amenities. The Township was organized in 1821 and the City was platted in 1819. But most significant growth in the vicinity of the District has occurred during the last 40 years, led by the Honda Marysville Auto Plant’s first manufactured Honda Accord in 1982. Union County has experienced rapid growth as a location of choice for new residents and businesses in the rapidly growing Columbus Region; during the period 2018 – 2019, Union County became the fastest growing county in Ohio. According to the Mid-Ohio Regional Planning Commission’s insight2050 study (published in 2015 and regularly updated), Union County is expected to grow from approximately 58,000 population (2018) to more than 84,000 by 2050.

Goals

The District represents a collaborative approach to create and preserve jobs and employment opportunities throughout Union County, thereby improving the economic welfare of the residents of the Township, the City, and the State of Ohio. The District will foster and support business growth, particularly growth that is anticipated to occur on developable land within the Township’s boundaries.

Schedule of New, Expanded, or Additional Services, Facilities or Improvements

In the event that economic development in the District creates a demand for public infrastructure improvements serving the District or the area surrounding the District, the District will facilitate the provision of the following new, expanded, or additional services, facilities, or improvements:

- Roads, including in certain circumstances resurfacing and maintaining;
- Water and sewer;
- Electric;
- Natural gas;
- Fiber;
- Cable; or,
- Any other improvements directly supporting non-residential development within the District or otherwise benefitting the District.

Use of Total Revenues to Fund New, Expanded, or Additional Services, Facilities or Improvements

All income tax collected from any business or entity within the District or any person working or residing within the District will be included in the total income tax revenue collected within the District (collectively, the “Total Revenues”). Of such Total Revenues, the Board of Directors of the District (the “Board”) will receive sixty percent (60%) each year (with such portion referred to as “JEDD Board Revenue”), the Township shall receive twenty percent (20%) each year, and the City shall receive twenty percent (20%) each year. The Board will apply the JEDD Board Revenue to pay for new, expanded, or additional services, facilities, or improvements:

- Fifty-five percent (55%) for costs of public infrastructure improvements, which may include improvements relating to roads, water and sewer, electric, natural gas, fiber, cable, or any other capital improvements directly supporting development within the District or otherwise benefitting the District. At certain times during the life of the District and up to certain threshold amounts, such infrastructure improvements include resurfacing or otherwise maintaining roadways within the District with asphalt, concrete, chip and seal, or such other materials or measures as may be deemed appropriate.
- Five (5%) for the Board’s administrative expenses, including any marketing of the District as may be determined necessary by the Board, and any remaining balance to be directed to the costs of infrastructure improvements.

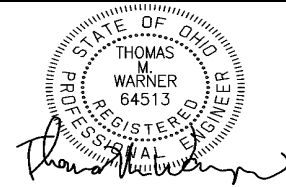
Schedule for the Collection of the Income Tax within the District

The District to be created pursuant to the provisions of the Agreement by and between the City and Township authorizes and anticipates the levy by the Board of a tax on the income of persons working or residing in the District and the net profits of businesses located in the District

at the same rate levied by the City, as that rate may be adjusted from time to time, for distribution as set forth within Section 10 of the Agreement.

EXHIBIT D
MARYSVILLE-JEROME JEDD
KIA AMENDMENT

ADVANCED CIVIL DESIGN, INC.
ENGINEER'S COST ESTIMATE
HYLAND CROY COMMERCIAL
SITE CONSTRUCTION
JEROME TOWNSHIP, UNION COUNTY, OHIO
August 29, 2024



ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT COST	EXTENSION
SANITARY SEWER:					
PHASE 1					
611	LUMP	SUM	EXISTING 12" SANITARY SEWER PIPE STUB TO BE REMOVED	\$750.00	\$750.00
611	1	EACH	CONNECTION TO EXISTING MANHOLE	\$750.00	\$750.00
611	9	EACH	SANITARY MANHOLE, TYPE "A" (STD DWG SAS-07)	\$7,500.00	\$67,500.00
611	706	LIN. FT.	10" SANITARY SEWER PIPE - SDR26 (8'-12')	\$130.00	\$91,780.00
611	446	LIN. FT.	10" SANITARY SEWER PIPE - SDR26 (12'-16')	\$135.00	\$60,210.00
611	300	LIN. FT.	10" SANITARY SEWER PIPE - SDR26 (16'-20')	\$145.00	\$43,500.00
611	273	LIN. FT.	12" SANITARY SEWER PIPE - SDR26 (12'-16')	\$150.00	\$40,950.00
611	395	LIN. FT.	12" SANITARY SEWER PIPE - SDR26 (16'-20')	\$155.00	\$61,225.00
611	5	EACH	10"x6" WYE FITTING	\$310.00	\$1,550.00
611	1	EACH	12"x6" WYE FITTING	\$380.00	\$380.00
611	258	LIN. FT.	6" SANITARY SERVICE LINE	\$90.00	\$23,220.00
611	6	LIN. FT.	6" SANITARY RISER	\$24.00	\$144.00
SUB-TOTAL - SANITARY SEWER - PHASE 1 =					\$391,959.00
PHASE 2					
611	1	EACH	SANITARY MANHOLE, TYPE "A" (STD DWG SAS-07)	\$7,500.00	\$7,500.00
611	94	LIN. FT.	12" SANITARY SEWER PIPE - SDR26 (8'-12')	\$145.00	\$13,630.00
611	48	LIN. FT.	12" SANITARY SEWER PIPE - SDR26 (12'-16')	\$150.00	\$7,200.00
SUB-TOTAL - SANITARY SEWER - PHASE 2 =					\$28,330.00
PUBLIC WATER MAIN:					
638	1,177	LIN. FT.	12" WATER PIPE & APPURTENANCES (AWWA C909)	\$110.00	\$129,470.00
638	4	EACH	12" M.J. GATE VALVE WITH HEAVY DUTY BOX	\$3,700.00	\$14,800.00
638	2	EACH	12" M.J. GATE VALVE WITH STANDARD BOX	\$3,600.00	\$7,200.00
638	17	LIN. FT.	8" WATER PIPE & APPURTENANCES (AWWA C909)	\$95.00	\$1,615.00
638	1	EACH	8" M.J. GATE VALVE WITH STANDARD BOX	\$1,800.00	\$1,800.00
638	34	LIN. FT.	6" WATER PIPE & APPURTENANCES (AWWA C909) (HYDRANT LEADS)	\$60.00	\$2,040.00
638	5	EACH	6" M.J. GATE VALVE WITH STANDARD BOX	\$1,600.00	\$8,000.00
638	5	EACH	FIRE HYDRANT	\$3,700.00	\$18,500.00
SUB-TOTAL - PUBLIC WATER MAIN =					\$183,425.00
PRIVATE WATER SERVICE TO THE METER:					
638	1	EACH	CONNECTION TO SERVICE STUB	\$650.00	\$650.00
638	320	LIN. FT.	8" WATER PIPE & APPURTENANCES (AWWA C909)	\$95.00	\$30,400.00
638	11	LIN. FT.	3" WATER PIPE & APPURTENANCES (AWWA C909)	\$35.00	\$385.00
SUBTOTAL PRIVATE WATER SERVICE TO THE METER=					\$31,435.00
SUB-TOTALS:					
SUB-TOTAL - SANITARY SEWER - PHASE 1 =					\$391,959.00
SUB-TOTAL - SANITARY SEWER - PHASE 2 =					\$28,330.00
SUB-TOTAL - PUBLIC WATER MAIN =					\$183,425.00
SUBTOTAL PRIVATE WATER SERVICE TO THE METER=					\$31,435.00
TOTAL =					\$635,149.00
Exclusions: - MUNICIPAL REVIEW FEES					
- ROCK EXCAVATION					
- DEWATERING					
- PRIVATE UTILITY EXTENSIONS					
- INSPECTION FEES					
- CONSTRUCTION STAKING					



ORDINANCE _____

**TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION
1123.29 – OPEN SPACE REGULATIONS**

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1123.29 – Open Space Regulations as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission’s recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1123.29 – Open Space Regulations.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

Note: Amended on October 27, 2025

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1123.29 – OPEN SPACE REGULATIONS

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1123.29 – Open Space Regulations as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendment, which is set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1123.29 – Open Space Regulations be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:


Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1123.29 - Open Space Regulations

- (a) **Open-Space Requirements.** The required open space set forth under the applicable zoning regulations in Chapter 1121 shall comply with the following terms and conditions:
- (i) The open space shall comprise an area or areas large enough to allow for the effective utilization of such space.
 - (ii) To the greatest extent possible, the design of the open space area or areas shall incorporate natural features pre-existing on the subject property.
 - (iii) The open space shall be easily accessible, and, as applicable, provide access to other open space areas in the vicinity of the development as well as the City's trail network.
 - (iv) The calculation of the open space requirement may include areas preserved as wetlands, woodlands, natural lakes or ponds, historic or archaeological sites, environmentally sensitive areas, or similar conservation-oriented areas.
- (b) **Open-Space Designated for Recreational Activities.** Any open space area intended to be devoted to recreational activities, including recreational ponds, shall be of a usable size and shape for the intended purpose as determined by the designated Board or Commission. Recreation areas shall include parking in accordance with the applicable regulations of the zoning district.
- (c) **Restrictions on Calculation of Open-Space.** Land area attributable to the following shall not be included as meeting the open space requirements:
- (i) Public street rights-of-way, private roads, parking areas, and retention and detention areas.
 - a. Residential. Retention areas may be calculated as open space, but shall not account for more than thirty percent (30%) of the required open space, if all of the following are provided around or in the basin:
 - i) Walking path
 - ii) Seating areas
 - iii) Wildlife habitat: An environment where an animal or plant lives, providing the specific mix of resources it needs to survive and reproduce.
 - iv) Fountain
 - v) Enhanced landscape areas, excluding natural turf, along walking paths and retention basins which shall be 5% greater than the standard set forth in Section 1123.29(d).
 - (ii) Required setbacks or spacing whether between buildings, parking areas, different land uses or public and private streets, unless such required setback is contiguous to and incorporated in the proposed open space area.
 - (iii) Private yards within subdivided lots.
 - (iv) The land area within fifteen (15) feet of all dwelling units, whether included in a mandatory setback or not.

(d) **Retention/Detention Basin or Pond Design**

- (i) The following shall apply to retention basins, detention basins, and ponds. Basins or ponds shall be free form, gently curving with variable contouring, following the natural landforms. If such forms do not exist, the basin or pond shall be shaped to emulate a naturally formed depression.

- (1) Per the Division of Engineering's Stormwater Drainage Manual, basins or ponds shall have side slopes approved by the Division of Engineering
- (2) Basins or ponds shall be landscaped so as to naturalize the area. Basins or ponds shall be planted with a mixture of wetland-based plantings native to Ohio, such as trees, native grasses, or wildflowers.
- (3) A minimum of 30% of the basin or pond perimeter must include landscape areas, excluding natural turf and trees. Plantings shall be clustered around the basin or pond to achieve a variety of plant material in order to replicate a natural environment. Plants shall not be placed in a manner that interferes with the maintenance and serviceability of the basin or pond or its access.
- (4) Trees shall be planted above the average water level of the basin or pond. Any plantings proposed below the average water level shall be tolerant of wet or moist soil conditions. The landscape areas may be constructed within the basin upon approval from the Division of Engineering.
 - a) All basin areas are to be landscaped with shade tree plantings at three (3) trees per one hundred (100) linear feet or fraction thereof and evergreen tree plantings at one (1) tree per 200 linear feet or fraction thereof around their entire perimeter.

- (e) **Ownership and Ongoing Maintenance.** The ownership and maintenance obligations with respect to any open space area shall be established in a legal instrument or instruments reviewed and approved by the City Attorney and executed by the applicant, a homeowner's association or similar entity with authority.
- (f) **Prohibition on further subdivision.** All required open space shall be prohibited from further subdivision, sale or development by a placement in a reserve and notation on the final plat and/or development agreement or similar agreement in a form acceptable to the City Attorney.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.18 AND SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1107.18 – Reserved and Section 1107.19 Flood Area as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission’s recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1107.18 – Reserved and Section 1107.19 Flood Area.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1107.18 AND SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD,
ARD, HMD, UT, USF

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendments to Section 1107.18 – Reserved and Section 1107.19 Flood Areas as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendments to Part Eleven - Zoning Code, Section 1107.18 – Reserved and Section 1107.19 Flood Area be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:


Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1107.18 - Flood Areas

In order to protect the health, safety and general welfare of the people, the City Planning Commission shall reject any proposed subdivision located in an area subject to periodic flooding, as determined and illustrated in the current effective flood insurance rate maps (FIRM) as published by the Federal Emergency Management Agency, or other recognized documents or authorities. If the subdivision in whole or a portion thereof is located in flood area, the Commission may approve the subdivision provided the subdivider agrees to perform such improvements as required by Chapter 1113.

Section 1107.19 - Residential Architecture in SRD, VRD, HMD, UT, USF

The purpose of this section is to apply standards that enhance the architectural integrity and exterior appearance of developments in the City of Marysville, and by doing so, promote and preserve the aesthetic character and economic vitality of the community.

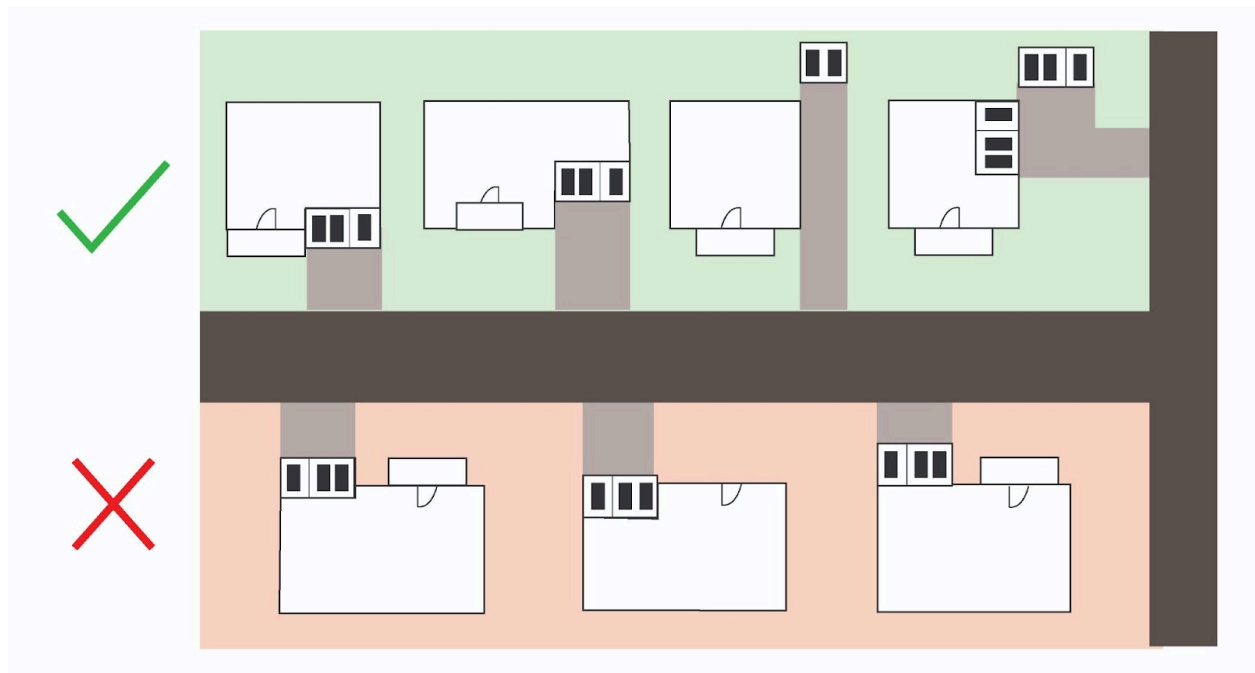
(a) Garages (Single Family Detached)

(1) **Purpose.** The purpose of the following design standards is to ensure residential garages are integrated and well-designed extensions of the home as it is not intended for the garages to be the most dominant feature of the house when seen from the street. Each house shall be designed to emphasize the house mass and entry, and garages shall be secondary in character. A mixture of front-loaded, side-loaded, and rear-loaded garage locations throughout a development is encouraged.

(2) Garage Location.

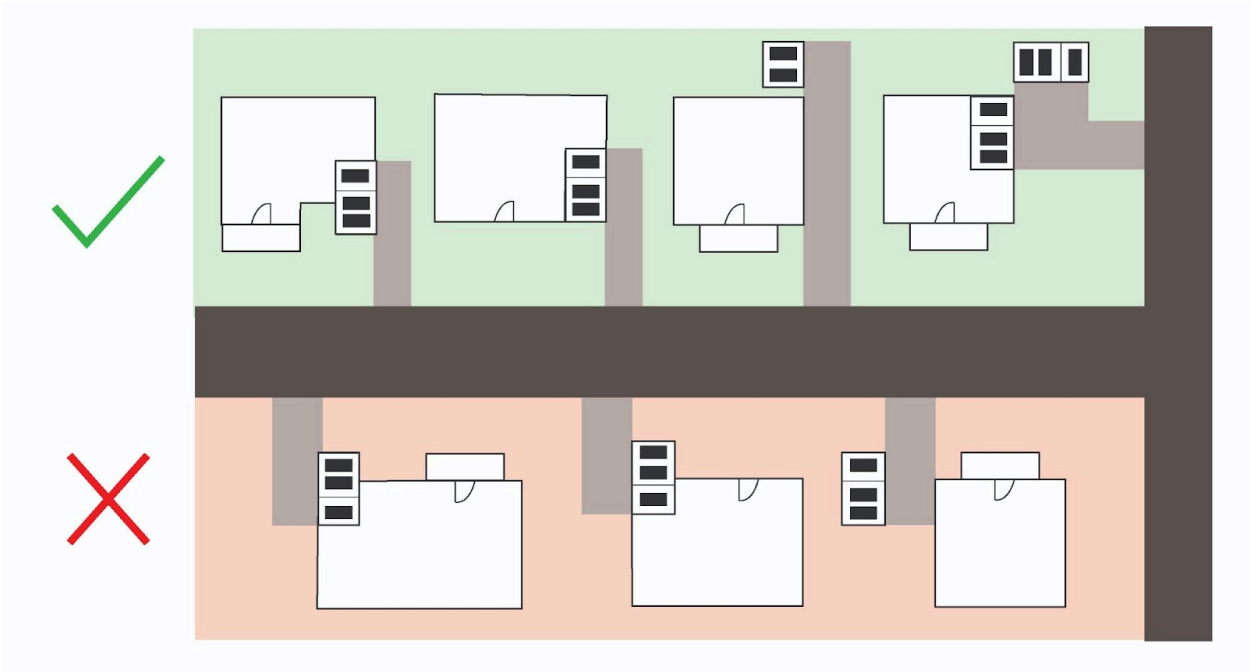
(A) **Front-Loaded Garages:** A garage with vehicular access doors oriented the same direction as the front facade of the principal structure. The garage shall be a minimum of two (2) feet behind the front edge of the porch, unless architecturally appropriate as determined by the Board or Commission. If no porch exists, the garage shall not be the most forward part of the house. See Figure 1107.19-1 Permitted and Prohibited Garage Location Examples - Front Loaded.

Figure 1107.19-1 - Permitted and Prohibited Garage Location Examples - Front Loaded



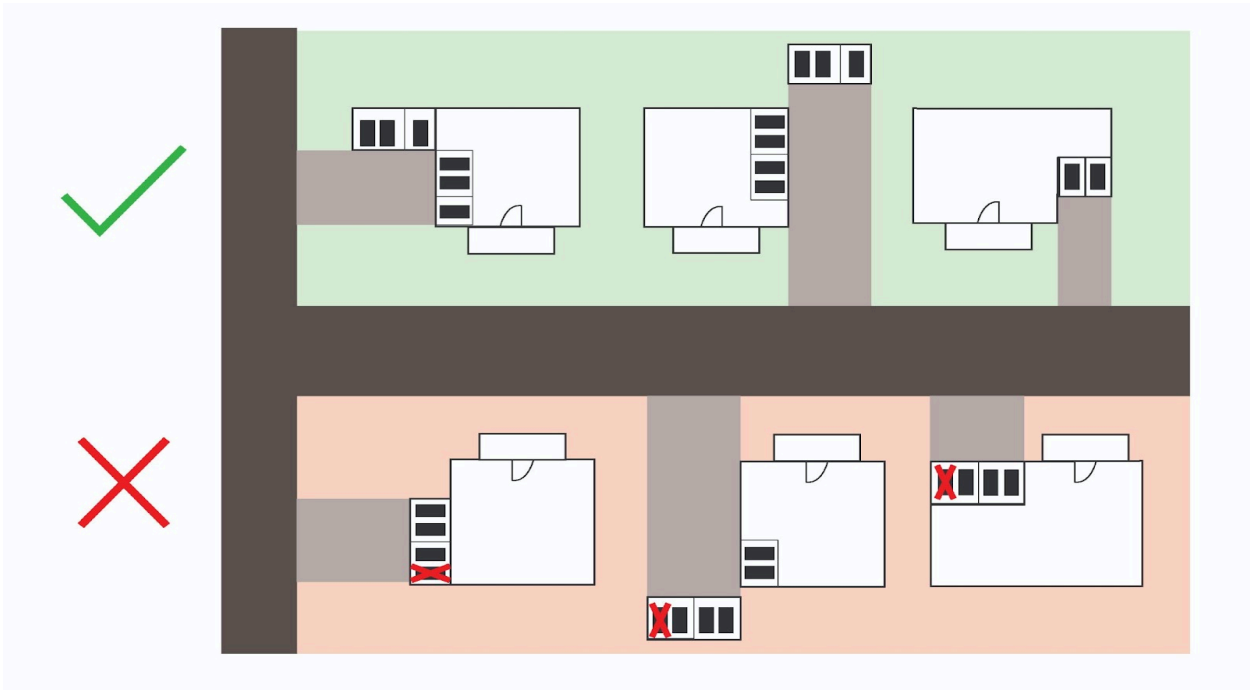
- (B) Side-Loaded Garages: A garage with vehicular access doors oriented perpendicular to the front facade of the principal structure. The garage structure shall be a minimum of two (2) feet behind the front edge of the porch, unless architecturally appropriate as determined by the Board or Commission. If no porch exists, the garage shall not be the most forward part of the house. See Figure 1107.19-2 Permitted and Prohibited Garage Location Examples - Side Loaded.

Figure 1107.19-2 - Permitted and Prohibited Garage Location Examples - Side Loaded



(3) **Garage Bay Quantity.** No more than three (3) bays shall be permitted to face any street, except rear-loaded garages. This includes attached or detached garages. See Figure 1107.19-3 for Permitted and Prohibited Garage Quantity Examples.

Figure 1107.19 -3 - Permitted and Prohibited Garage Bay Quantity Examples



- (4) **Garage Door Design:** Front-loaded, side-loaded, and rear-loaded garage doors shall have at least two (2) design features, unless architecturally appropriate as determined by the Board or Commission. Design features are as follows:
- (A) Raised paneling or architectural relief feature
 - (B) Permanent hardware
 - (C) Paint color other than white
 - (D) One or more panel rows of windows. If desired, vertical window designs will be considered by the Board or Commission.
 - (E) Other significant architectural components as determined by the Board or Commission.



ORDINANCE _____

**TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION
1105.09 – RESIDENTIAL SUBDIVISION LOT VARIABILITY**

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1105.09 – Residential Subdivision Lot Variability as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1105.09 – Residential Subdivision Lot Variability.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1105.09 – RESIDENTIAL SUBDIVISION LOT VARIABILITY

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1105.09 – Residential Subdivision Lot Variability as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendment, which is set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1105.09 - Residential Lot Variability Regulations be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1105.09 - Residential Subdivision Variability

For residential subdivisions of 20 acres or more, the following shall apply:

- (a) **Lot Variation.** The plat shall include for a minimum of 30% of lots in the residential subdivision: (i) a minimum lot area variation of at least 20% from the smallest to the largest lot, exclusive of corner lots, and (ii) a minimum frontage variation of at least 20% above the minimum frontage for the base zoning district, exclusive of corner lots.
- (b) **Garage Loading Variation.** Of the lots for which single-family detached dwellings are proposed to be constructed, a minimum of 20% of the lots, exclusive of corner lots, shall be designated as lots for which any garage on the lot shall be side- or rear-loaded. Front loaded garages shall be prohibited on these lots (See Section 1107.19(a)(2)).



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.14 – LOTS, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.14 – LOTS, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:


Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1107.14 - Lots

The following regulations shall govern the design and layout of lots:

- (a) The lot arrangement and design shall be such that all lots shall provide satisfactory building sites, properly related to topography and the character of surrounding development.
- (b) All lots shall conform to or exceed the requirements of these regulations or the zoning district in which they are located.
- (c) All side lot lines should be at right angles to street lines and radial to curved street lines, except where the Commission determines that a variation to this rule would provide a better layout.
- (d) Through lots shall be avoided except where the Commission determines that it is essential to provide separation of residential development from arterial streets.
- (e) A lot shall only have vehicular access through a rear yard, abutting public or private vehicular infrastructure, if required for the building typology per Chapter 1121.
- (f) Every lot shall abut on a public street, and narrow reserve strips of land which are intended by the owner of a plat to prevent access to streets or the extension of sewer, water or storm drain lines from one plat to another are prohibited.
- (g) No lots shall be formed or building permitted at the closed end of a temporary or stub-end street which would tend to prevent the appropriate extension of such road or street into an adjoining territory.

Section 1121.07 - The Suburban Residential District (SRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the traditional suburban single-family typology within the SRD. This building typology features off-street parking in a side-loading or front-loading garage with a driveway entry.

LOT DIMENSIONS	MIN. LOT SIZE	5,500 sq. feet
	MIN. LOT WIDTH	55 feet
	FRONT SETBACK	30 feet from lot line, easement line or Right-of-Way*
	SIDE SETBACK	7.5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX. LOT COVERAGE	55%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	>35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	1,200 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Cul-de-sac Dead-end street Loop Street
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Swimming Pool (See 1123.03) Shed, Pool House (See 1123.19) Pergola, Patio, Fire Pit
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	15 feet max.

FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl-Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), Rear Yards (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard or Front Yard (attached Garage, only), or Rear
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Section 1121.10 - Village Residential District (VRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the predominant development typology in the VRD. The lot size and building placement requirements for this building typology reflect the historic lot sizes and dimensions in the district.

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	ADDITIONAL STANDARDS	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola

	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Design Review, Chapter 1133.12

Section 1121.12 - Hospital Mixed-Use District (HMD)

IV. Development Typologies

A. Buildings in the Hospital Mixed-Use District shall be developed in accordance with the following development typologies:

- » **Single-Family (Attached) Building Typology**
- » **Single-Family (Detached) Building Typology**
- » **Mixed-Use Building Typology**
- » **Multi-Family Typology**
- » **Office Building Typology**

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	RESIDENTIAL ARCHITECTURE	See Section 1107.19

ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.20 - Uptown Single-Family District (USF)

UPTOWN SINGLE-FAMILY DEVELOPMENT STANDARDS

LOT DIMENSIONS	MIN. LOT SIZE	None
	MIN. LOT WIDTH	None
	MAX LOT WIDTH	The maximum lot width shall be no wider than the greater of (i) the average lot width of the first two existing buildings on each side of the subject property or (ii) ten (10) percent wider than an immediately adjacent parcel on the same side of the street. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the maximum lot width shall be 55 feet.
	FRONT SETBACK	The build-to line shall be calculated as the distance from the right-of-way equal to the average setback from the right-of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet min. from each side lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet min. from rear lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	None; provided however, all setbacks must be satisfied.
PRINCIPAL STRUCTURE REGULATIONS	DENSITY REGULATIONS	None
	PRINCIPAL STRUCTURE HEIGHT	35 feet
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	900 sq. feet (Single-Family (attached))/(detached); 500 sq. ft. Multi-Family

	PERMITTED FRONTAGES	Residential collector street, Dead-end street, Trail, Local street, Loop street, Cul-de-sac
	RESIDENTIAL ARCHITECTURE	Single-Family (detached) (See Section 1107.19)
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, or Garage (detached) (See 1131) Pool (See 1123.03) Kennel, Pergola, or Patio
	ACCESSORY STRUCTURE LOCATION	Rear Yard
	ACCESSORY STRUCTURE HEIGHT	15 feet max.
FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), and Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Rear Yard, Front Yard (attached Garage, only) or Side Yard
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less(Single-Family (detached)
SUPPLEMENTAL REGULATIONS	REQUIREMENT	10% of lot to be dedicated to open space (See 1123.06(h))* *Not applicable to single-family detached
DEVELOPMENT REVIEW	REQUIREMENT	Design Review/Certificate of Appropriateness 1131; Zoning Permit/ Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.21 - Uptown Transitional District (UT)**UPTOWN TRANSITIONAL DEVELOPMENT STANDARDS**

LOT DIMENSIONS	MIN. LOT SIZE	None; provided however, all lots must abut a public right-of-way.
	MIN. LOT WIDTH	None
	MAX. LOT WIDTH	The maximum lot width shall be no wider than the greater of (i) the average lot width of the of the first two existing buildings on each side of the subject property or (ii) ten (10) percent wider than an immediately adjacent parcel on the same side of the street. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the maximum lot width shall be 55 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet min. from each side lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet min. from rear lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	None; provided however, all setbacks must be satisfied.
PRINCIPAL STRUCTURE REGULATIONS	DENSITY	None
	PRINCIPAL STRUCTURE HEIGHT	The greater of (i) 36 feet or (ii) 10 percent higher than the immediately adjacent structure on the same side of the street.
	MIN. FLOOR AREA PER UNIT	900 sq. ft. (Single-Family (attached))/Single-Family (detached); 500 sq. ft. (Multi-Family)

	MAX. FLOOR AREA	The maximum floor area shall be no larger than the average floor area of the adjacent structures on the same block of the subject property or ten (10) percent larger than the immediately adjacent structure on the adjacent parcel on the same side of the street
	RESIDENTIAL ARCHITECTURE	Single-Family (detached) (See Section 1107.19)
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed or Garage (detached) (See 1131) Pergola or Patio
	LOCATION	Rear Yard
	SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear line or easement line
	ACCESSORY STRUCTURE HEIGHT	15 feet max.
FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal (not-chain-link), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Rear Yard, Side Yard or Interior
	PARKING TYPE	Garage (detached), Surface Parking Lot or Structured Parking Facility
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less (Single-Family (detached))
DEVELOPMENT REVIEW	REQUIREMENT	Design Review/Certificate of Appropriateness, 1131 Zoning Permit/Certificate
SUPPLEMENTAL REGULATIONS	REQUIREMENT	Dwelling conversion permitted subject to regulations set forth in Chapter 1123 10% of lot to be dedicated to open space

		(See 1123.06(h))* *Not applicable to single-family detached
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Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,VRD, ARD, HMD, UT, USF, SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS, SECTION 1125.06 MINIMUM LANDSCAPE STANDARDS, AND SECTION 1125.08 - INSTALLATION AND MAINTENANCE

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1107.19 – Residential Architecture in SRD, VRD, ARD, HMD, UT, USF, Section 1125.04 - Landscape Plan Requirements, Section 1125.06 Minimum Landscape Standards, and Section 1125.08 - Installation and Maintenance as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission’s recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1107.19 – Residential Architecture in SRD, VRD, ARD, HMD, UT, USF, Section 1125.04 - Landscape Plan Requirements, Section 1125.06 Minimum Landscape Standards, and Section 1125.08 - Installation and Maintenance.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD, VRD, ARD, HMD, UT, USF, SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS, SECTION 1125.06 MINIMUM LANDSCAPE STANDARDS, AND SECTION 1125.08 - INSTALLATION AND MAINTENANCE

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1107.19 – Residential Architecture in SRD, VRD, ARD, HMD, UT, USF, Section 1125.04 - Landscape Plan Requirements, Section 1125.06 Minimum Landscape Standards, and Section 1125.08 - Installation and Maintenance as set forth in Appendix A, incorporated herein; and

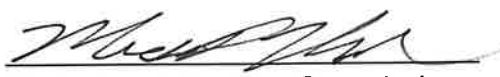
WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1107.19 – Residential Architecture in SRD, VRD, ARD, HMD, UT, USF, Section 1125.04 - Landscape Plan Requirements, Section 1125.06 Minimum Landscape Standards, and Section 1125.08 - Installation and Maintenance be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:


Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1107.19 - Residential Architecture in SRD, VRD, HMD, ARD, UT, USF

(c) Landscaping (Single Family Detached)

- (1) **Foundation Planting** Shrubs or other plant material shall be planted along foundations of newly constructed single-family detached homes along the street frontage and for ten (10) feet along any other foundation extending from the corner shared with a foundation fronting on a street.
- (2) **Trees.** In addition to street trees required in Chapter 1125, trees at least two (2) inches in caliper at installation shall be planted on each lot, entirely on private property, excluding the tree lawn, in conjunction with a newly constructed single-family detached dwelling, in accordance with the following:
 - A. One tree for lots less than sixty (60) feet in width;
 - B. Two trees for lots sixty (60) or more but less than one hundred (100) feet in width; and
 - C. Three trees for lots one hundred (100) feet in width or greater.

Section 1125.04 - Landscape Plan Requirements

(a) Types of Requirements

- (1) **New Structures.** A zoning permit for construction of a new structure, or a vehicular use area shall be issued only after a landscape plan as required by this Landscape Chapter has been submitted and approved by the Division of Engineering. This requirement does not apply to the construction of new single-family (detached) structures except that for construction of dwellings subject to Section 1107.19, a zoning permit shall be issued only after a foundation planting plan, a site-tree planting plan, and a species list, excluding invasive species, has been submitted and approved by the Division of Engineering.
- (2) **Substantial Expansions.** A zoning permit for the construction of a substantial expansion to a structure or vehicular use area shall be issued only after a landscape plan as required by this Landscape Chapter has been submitted and approved by the Division of Engineering. In the case of a substantial expansion to a structure or a vehicular use area, the site shall comply at a minimum with the required street trees to be planted along the public thoroughfare and the landscape requirements for vehicular use areas as required by this Landscape Chapter. If the Division of Engineering determines that the street trees along the public thoroughfare or the landscaping for vehicular access areas are not practical due to topographic conditions or physical site limitations, the street trees may be

planted in different locations on the site or reduced by size or number as approved by the Division of Engineering.

- (3) **Preliminary Plats.** In accordance with Chapter 1105 of the Subdivision Regulations, a preliminary plat submitted for approval to the Planning Commission shall contain a landscape plan for streets as required by this Landscape Chapter. A typical foundation planting plan for development subject to Section 1107.19 shall be provided with the preliminary plat.

Section 1125.06(b)(2) - Minimum Landscape Standards

(b) **Foundation Planting Standards.** Foundation planting shall be provided in accordance with the following:

1. Foundation planting in beds with topsoil at least five feet in width shall be required along all elevations of new structures and structures undergoing substantial expansions, except single-family detached dwellings, with not less than forty percent (40%) of the length of each elevation being planted with landscape material, which shall be spaced as evenly as practicable taking into consideration entryways, outdoor display areas and such other building features as may prevent the location of landscape material. Notwithstanding anything to the contrary herein, in the event an applicant cannot strictly adhere to the requirements set forth hereunder, the applicant may request a distribution adjustment or request to relocate the foundation planting to other areas between parking areas and building facades to accommodate outdoor displays, dining areas, or other building features, in accordance with this chapter.
2. Single-family detached dwellings in the SRD, VRD, HMD, ARD, UT, and USF zoning districts shall provide foundation landscaping in accordance with Section 1107.19(c)(1).

Section 1125.06(c) - Minimum Landscape Standards

(c) **Landscaped Area and Tree Planting.** Landscaping and tree planting shall be provided in accordance with the following:

1. For remaining areas of non-residential lots that are not covered by structures, paving, or landscaped area as required hereunder, such remaining areas shall be covered by natural turf. Except for vehicular use areas, which shall incorporate tree planting in accordance with subsection (d)(1)C. below, all remaining areas of lots on which non-residential uses are conducted shall incorporate tree planting at a rate of one (1) tree per one thousand (1,000) square feet of building ground coverage for buildings up to five thousand (5,000) square feet with one (1) additional tree for each additional five thousand (5,000) square feet of building coverage. All trees planted in accordance with this chapter shall be of a nursery caliper of not less than two (2) inches. Notwithstanding anything to the contrary, in the event the applicant demonstrates that new trees required hereunder cannot be located on the subject property, then with the approval of the Division of Engineering, the applicant can donate to the City Street Tree Program in lieu of planting such new trees.

2. Single-family detached dwellings in the SRD, VRD, HMD, ARD, UT, and USF zoning districts shall provide on-site trees in accordance with Section 1107.19(c)(2).

Section 1125.08(a) - Installation and Maintenance

- (a) Installation. All landscaping materials required on property affected by this Chapter shall be installed in accordance with ANSI 300 construction and planting procedures.
 - (1) Except for public street trees, the following maintenance standards apply:
 - a) Owners of nonresidential properties shall be responsible for the continued property maintenance of all landscape materials planted or placed to fulfill the requirements of this Landscape Chapter and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times.
 - b) Until the subject property has passed final zoning inspection and the certificate of compliance has been issued by the Division of Engineering, owners of properties with newly constructed single-family detached dwellings in the SRD, VRD, HMD, ARD, UT, and USF zoning districts shall be responsible for the continued proper maintenance of all landscape materials planted or placed to fulfill the requirements of this Chapter 1125 and shall keep them in a proper, neat, and orderly appearance, free from refuse and debris, at all times.
 - (2) All unhealthy or dead landscape material shall be replaced within six months, or by the next planting period, whichever comes first, while other defective non-plant landscape material shall be replaced or repaired within three (3) months.
 - (3) Violations of these provisions shall be grounds for the City to refuse a zoning certificate and find that the owner is in violation of this Zoning Code (See Chapter [1145.99](#)).



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT AND THE APPENDIX - GLOSSARY OF TERMS

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District, Section 1121.21 - Uptown Transitional District and Appendix - Glossary of Terms as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission’s recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District, Section 1121.21 - Uptown Transitional District and Appendix - Glossary of Terms.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

LAW DIRECTOR

ATTEST:

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT, SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT AND THE APPENDIX - GLOSSARY OF TERMS

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District, Section 1121.21 - Uptown Transitional District and Appendix - Glossary of Terms as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 - The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District, Section 1121.21 - Uptown Transitional District and Appendix - Glossary of Terms be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1107.19 - Residential Architecture in SRD, VRD, ARD, HMD, UT, USF

(d) **Building Architecture (Single Family Detached).** The following standards apply to the principal building on a lot in the SRD, VRD, HMD, ARD, UT and USF zoning districts:

- (1) **Facades.** A newly constructed single-family detached dwelling shall include at least three (3) architectural features on the facade facing the front yard, at least two (2) architectural features on a façade facing a side yard (including a side yard adjacent to a street on a corner lot), and at least one (1) architectural feature on all other facades. A zoning permit shall be issued only after architectural elevations for the new structure have been submitted and approved by the Division of Engineering.

A. The following architectural features shall be used to satisfy the requirements:

1. A door at least twenty-eight (28) square feet in area;
2. A window at least six (6) square feet in area. Windows located less than six (6) feet from another window shall be considered one (1) architectural feature. A set of adjacent windows, such as double or bay windows, shall be considered one (1) architectural feature. Each window on a facade visible from a street shall include a decorative window treatment;
3. Decorative shutters on the majority of windows on a single façade;
4. A chimney, functional or simulated;
5. Masonry used on at least twenty (20) percent of a single facade;
6. Gable vent at least four (4) square feet in area
7. A dormer;
8. Corbels placed within the eave of a gable or roof overhang or decorative trim on rooflines or overhangs;
9. A deck, balcony, portico, or porch, including wraparound porches, where each facade that the porch extends onto is considered a distinct architectural feature, and
10. Decorative, permanently installed styled lighting, such as carriage lighting or similar styles.

B. The following architectural features shall not be used to satisfy the requirements:

1. Foundation cladding;
2. Water table;
3. Side of porches, not including wraparound porches; and
4. Rooflines

Glossary of Terms

BALCONY means a covered or uncovered unenclosed exterior platform, designed as an architectural feature or for outdoor use, projecting or recessed from a façade on the upper floor of a building.

CHIMNEY means a structure projecting from the facade and beyond the roofline incorporating a material change and enclosing or appearing to enclose a flue that carries off smoke excluding a stove pipe.

CORBEL means a structural or non-structural projection of materials such as stone, wood, or metal protruding from a façade that carries or appears to carry superincumbent weight.

DECK means a first-floor level structural platform that is uncovered, unenclosed, and projects from a facade.

DORMER means a structure projecting from a sloping roof, usually housing a window, typically used to provide light, ventilation, or more livable space.

GABLE means a wall that comes to a point at its intersection with the ridge of two sloping roof planes.

GABLE VENT means a decorative or non-decorative vent placed within a gable.

PORCH means a first-floor level structural platform that is covered, unenclosed, and projects or is recessed from a façade. Wraparound porches extend outdoor space, partially or fully, across at least two facades.

PORTICO means a structure consisting of a roof supported by columns, often leading to the entrance of a building, typically attached as a porch to a facade.

WATER TABLE (ARCHITECTURE) means a projecting stringcourse, molding, or ledge placed near the base of a building that is designed or appears to divert water from a building.

Section 1121.07 - The Suburban Residential District (SRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the traditional suburban single-family typology within the SRD. This building typology features off-street parking in a side-loading or front-loading garage with a driveway entry.

LOT DIMENSIONS	MIN. LOT SIZE	5,500 sq. feet
	MIN. LOT WIDTH	55 feet
	FRONT SETBACK	30 feet from lot line, easement line or Right-of-Way*
	SIDE SETBACK	7.5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX. LOT COVERAGE	55%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	>35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	1,200 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Cul-de-sac Dead-end street Loop Street
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Swimming Pool (See 1123.03) Shed, Pool House (See 1123.19) Pergola, Patio, Fire Pit
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	15 feet max.

FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl-Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), Rear Yards (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard or Front Yard (attached Garage, only), or Rear
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Section 1121.09 - The Agricultural Residential District (ARD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the predominant development typology in the Agricultural Residential District. The configuration of the lots within the ARD promotes open space consistent with the rural development pattern throughout the district.

LOT DIMENSIONS	MIN. LOT SIZE	1 acre
	MIN. LOT WIDTH	150 feet
	FRONT SETBACK	60 feet from lot line, easement line or Right-of-Way*
	SIDE SETBACK	20 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	60 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	35%
PRINCIPAL STRUCTURE REGULATIONS	DENSITY	1 dwelling unit per gross acre
	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	MINIMUM FLOOR AREA PER UNIT	1,800 sq. feet
	PERMITTED FRONTAGES	Arterial Street
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Garage (detached), or Pole Barn (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola, Patio
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL USES)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link, Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)

FENCE REGULATIONS (AGRICULTURAL USES)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link, Electric with applicable governmental approvals, Vinyl
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (10 ft.); Rear Yard (10 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Front Yard (attached Garage, only), Rear Yard
	PARKING TYPE	Garage (attached) or Garage (detached)
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit/Zoning Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.10 - Village Residential District (VRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the predominant development typology in the VRD. The lot size and building placement requirements for this building typology reflect the historic lot sizes and dimensions in the district.

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	ADDITIONAL STANDARDS	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola

	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Design Review, Chapter 1133.12

Section 1121.12 - Hospital Mixed-Use District (HMD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line

	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.20 - Uptown Single-Family (USF)

UPTOWN SINGLE-FAMILY DEVELOPMENT STANDARDS

LOT DIMENSIONS	MIN. LOT SIZE	None
	MIN. LOT WIDTH	None
	MAX LOT WIDTH	The maximum lot width shall be no wider than the greater of (i) the average lot width of the first two existing buildings on each side of the subject property or (ii) ten (10) percent wider than an immediately adjacent parcel on the same side of the street. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the maximum lot width shall be 55 feet.
	FRONT SETBACK	The build-to line shall be calculated as the distance from the right-of-way equal to the average setback from the right-of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet min. from each side lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet min. from rear lot line, easement line or Right-of-Way*
PRINCIPAL STRUCTURE REGULATIONS	MAX LOT COVERAGE	None; provided however, all setbacks must be satisfied.
	DENSITY REGULATIONS	None
	PRINCIPAL STRUCTURE HEIGHT	35 feet
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	900 sq. feet (Single-Family (attached))/(detached); 500 sq. ft. Multi-Family
	PERMITTED FRONTAGES	Residential collector street, Dead-end street, Trail, Local street, Loop street, Cul-de-sac

	RESIDENTIAL ARCHITECTURE	Single-Family (detached) (See Section 1107.19)
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, or Garage (detached) (See 1131) Pool (See 1123.03) Kennel, Pergola, or Patio
	ACCESSORY STRUCTURE LOCATION	Rear Yard
	ACCESSORY STRUCTURE HEIGHT	15 feet max.
FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), and Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Rear Yard, Front Yard (attached Garage, only) or Side Yard
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less (Single-Family (detached))
SUPPLEMENTAL REGULATIONS	REQUIREMENT	10% of lot to be dedicated to open space (See 1123.06(h))* *Not applicable to single-family detached
DEVELOPMENT REVIEW	REQUIREMENT	Design Review/Certificate of Appropriateness 1131; Zoning Permit/ Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

LAW DIRECTOR

ATTEST:

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1107.19 – RESIDENTIAL ARCHITECTURE IN SRD,VRD, ARD, HMD, UT, USF, SECTION 1121.07 - THE SUBURBAN RESIDENTIAL DISTRICT, SECTION 1121.10 VILLAGE RESIDENTIAL DISTRICT, SECTION 1121.09 - THE AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 1121.12 - HOSPITAL MIXED-USE DISTRICT, SECTION 1121.20 - UPTOWN SINGLE FAMILY DISTRICT AND SECTION 1121.21 - UPTOWN TRANSITIONAL DISTRICT

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1107.14 – Lots, Section 1121.07 - The Suburban Residential District, Section 1121.10 Village Residential District, Section 1121.09 - The Agricultural Residential District, Section 1121.12 - Hospital Mixed-Use District, Section 1121.20 - Uptown Single Family District and Section 1121.21 - Uptown Transitional District be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1107.19 - Residential Architecture in SRD, VRD, ARD, HMD, UT, USF

(d) **Building Architecture (Single Family Detached).**

(2) **Roof Pitch.** All roofs for newly constructed single-family detached dwellings shall have a pitch of 6:12 (rise:run) (six (6) inches vertical rise for twelve (12) inches horizontal run) or greater on the primary roof.

Section 1121.07 - The Suburban Residential District (SRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the traditional suburban single-family typology within the SRD. This building typology features off-street parking in a side-loading or front-loading garage with a driveway entry.

LOT DIMENSIONS	MIN. LOT SIZE	5,500 sq. feet
	MIN. LOT WIDTH	55 feet
	FRONT SETBACK	30 feet from lot line, easement line or Right-of-Way*
	SIDE SETBACK	7.5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX. LOT COVERAGE	55%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	>35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	1,200 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Cul-de-sac Dead-end street Loop Street
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Swimming Pool (See 1123.03) Shed, Pool House (See 1123.19) Pergola, Patio, Fire Pit
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	15 feet max.

FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl-Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), Rear Yards (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard or Front Yard (attached Garage, only), or Rear
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Section 1121.09 - The Agricultural Residential District (ARD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the predominant development typology in the Agricultural Residential District. The configuration of the lots within the ARD promotes open space consistent with the rural development pattern throughout the district.

LOT DIMENSIONS	MIN. LOT SIZE	1 acre
	MIN. LOT WIDTH	150 feet
	FRONT SETBACK	60 feet from lot line, easement line or Right-of-Way*
	SIDE SETBACK	20 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	60 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	35%
PRINCIPAL STRUCTURE REGULATIONS	DENSITY	1 dwelling unit per gross acre
	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	MINIMUM FLOOR AREA PER UNIT	1,800 sq. feet
	PERMITTED FRONTAGES	Arterial Street
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Garage (detached), or Pole Barn (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola, Patio
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL USES)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link, Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)

FENCE REGULATIONS (AGRICULTURAL USES)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link, Electric with applicable governmental approvals, Vinyl
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (10 ft.); Rear Yard (10 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Front Yard (attached Garage, only), Rear Yard
	PARKING TYPE	Garage (attached) or Garage (detached)
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit/Zoning Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.10 - Village Residential District (VRD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

The Single-Family (detached) Building Typology is the predominant development typology in the VRD. The lot size and building placement requirements for this building typology reflect the historic lot sizes and dimensions in the district.

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	ADDITIONAL STANDARDS	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola

	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line
	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Design Review, Chapter 1133.12

Section 1121.12 - Hospital Mixed-Use District (HMD)

SINGLE-FAMILY (DETACHED) BUILDING TYPOLOGY

LOT DIMENSIONS	MIN. LOT SIZE	4,500 sq. feet
	MIN. LOT WIDTH	45 feet.
	FRONT SETBACK	The front setback shall be calculated as the distance from the right-of-way equal to the average setback from the right of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet from lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet from lot line, easement line or Right-of-Way*
	MAX LOT COVERAGE	65%
PRINCIPAL STRUCTURE REGULATIONS	PRINCIPAL STRUCTURE HEIGHT	35 feet max.
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MINIMUM FLOOR AREA PER UNIT	900 sq. feet
	PERMITTED FRONTAGES	Residential collector street, Dead-end street Trail, Local street, Loop street, Cul-de-sac
	RESIDENTIAL ARCHITECTURE	See Section 1107.19
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, Patio, or Garage (detached) (See 1123.19) Swimming Pool (See 1123.03) Kennel, Pergola
	ACCESSORY STRUCTURE SETBACKS	5 feet min. from each side lot line or easement line 5 feet min. from rear lot line or easement line

	ACCESSORY STRUCTURE HEIGHT	20 feet max.
FENCE REGULATIONS (RESIDENTIAL)	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal, Chain-Link (PVC Vinyl- Coated Chain-Link only) (4 ft. max; Rear and Side Yard), Vinyl (See 1123.19)
	FENCE LOCATION	Front Yard (3 ft.); Side Yard (6 ft.); Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Side Yard, Rear Yard, or Front Yard (attached Garage, only)
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less
DEVELOPMENT REVIEW	REQUIREMENT	Zoning Permit Zoning Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.

Section 1121.20 - Uptown Single-Family (USF)

UPTOWN SINGLE-FAMILY DEVELOPMENT STANDARDS

LOT DIMENSIONS	MIN. LOT SIZE	None
	MIN. LOT WIDTH	None
	MAX LOT WIDTH	The maximum lot width shall be no wider than the greater of (i) the average lot width of the first two existing buildings on each side of the subject property or (ii) ten (10) percent wider than an immediately adjacent parcel on the same side of the street. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the maximum lot width shall be 55 feet.
	FRONT SETBACK	The build-to line shall be calculated as the distance from the right-of-way equal to the average setback from the right-of-way of the first two existing buildings on each side of the subject property. Where there is not an existing structure within 2 parcels on each side of the proposed principal structure, the front setback shall be between 5 feet and 10 feet from the right-of-way.
	SIDE SETBACK	5 feet min. from each side lot line, easement line or Right-of-Way*
	REAR SETBACK	20 feet min. from rear lot line, easement line or Right-of-Way*
PRINCIPAL STRUCTURE REGULATIONS	MAX LOT COVERAGE	None; provided however, all setbacks must be satisfied.
	DENSITY REGULATIONS	None
	PRINCIPAL STRUCTURE HEIGHT	35 feet
	BUILDING ORIENTATION	Buildings shall be oriented to face the primary street right-of-way.
	MIN. FLOOR AREA PER UNIT	900 sq. feet (Single-Family (attached))/(detached); 500 sq. ft. Multi-Family
	PERMITTED FRONTAGES	Residential collector street, Dead-end street, Trail, Local street, Loop street, Cul-de-sac

	RESIDENTIAL ARCHITECTURE	Single-Family (detached) (See Section 1107.19)
ACCESSORY STRUCTURE REGULATIONS	PERMITTED ACCESSORY STRUCTURES	Shed, Pool House, or Garage (detached) (See 1131) Pool (See 1123.03) Kennel, Pergola, or Patio
	ACCESSORY STRUCTURE LOCATION	Rear Yard
	ACCESSORY STRUCTURE HEIGHT	15 feet max.
FENCE REGULATIONS	FENCE MATERIALS	Wood, Brick, Iron, Stone, Metal (not chain-link), Vinyl (See 1123.20)
	FENCE LOCATION	Front Yard (3 ft.), Side Yard (6 ft.), and Rear Yard (6 ft.)
SIGN REGULATIONS	PERMITTED SIGN TYPES	See Chapter 1129
PARKING REGULATIONS	PARKING LOCATION	Rear Yard, Front Yard (attached Garage, only) or Side Yard
	PARKING TYPE	Garage (attached) or Garage (detached)
ACCESS REGULATIONS	ACCESS LOCATION	Access via rear yard if lot width is 60 feet or less (Single-Family (detached))
SUPPLEMENTAL REGULATIONS	REQUIREMENT	10% of lot to be dedicated to open space (See 1123.06(h))* *Not applicable to single-family detached
DEVELOPMENT REVIEW	REQUIREMENT	Design Review/Certificate of Appropriateness 1131; Zoning Permit/ Certificate

Supplemental Regulations:

* Determination of the setback line starting point, as it relates to the right-of-way line, lot line or easement line, shall be at the discretion of the Division of Engineering.



ORDINANCE _____

**TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION
1109.12 – RESERVED**

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1109.12 – Reserved as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1109.12 – Reserved.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1109.12 – RESERVED

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1109.12 – Reserved as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendment, which is set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1109.12 - Reserved be APPROVED in accordance with this Resolution.

Passed: 10-07-2025


Chairman of Planning Commission

ATTEST:


Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1109.12 - Topsoil

Topsoil shall comply with the following standards:

(a) Topsoil shall be installed in accordance with the following:

1. Prior to placing any topsoil, all foreign material and any rocks one (1) inch or larger in any dimension shall be removed from the area.
2. Topsoil shall be placed in loose lifts that construct a four (4) inch compacted depth.
3. Furnished topsoil shall be free of grass, brush, and roots.
4. After topsoil is placed, the area shall be finished in a manner such that installing sod, seed, or other landscaping material does not require additional soil preparation.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1123.07 – REQUIRED TRASH AREAS, SECTION 1133.09 - DESIGN REVIEW STANDARDS FOR MULTI-FAMILY AND SINGLE-FAMILY (ATTACHED) BUILDING TYPOLOGIES, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES, AND SECTION 1133.11 - DESIGN REVIEW STANDARDS FOR MANUFACTURING AND OFFICE/WAREHOUSE BUILDING TYPOLOGIES

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1123.07 – Required Trash Areas, Section 1133.09 - Design Review Standards for Multi-Family and Single-Family (Attached) Building Typologies, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies, and Section 1133.11 - Design Review Standards for Manufacturing and Office/Warehouse Building Typologies as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1123.07 – Required Trash Areas, Section 1133.09 - Design Review Standards for Multi-Family and Single-Family (Attached) Building Typologies, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies, and Section 1133.11 - Design Review Standards for Manufacturing and Office/Warehouse Building Typologies.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

LAW DIRECTOR

ATTEST:

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1123.07 – REQUIRED TRASH AREAS, SECTION 1133.09 - DESIGN REVIEW STANDARDS FOR MULTI-FAMILY AND SINGLE-FAMILY (ATTACHED) BUILDING TYPOLOGIES, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES, AND SECTION 1133.11 - DESIGN REVIEW STANDARDS FOR MANUFACTURING AND OFFICE/WAREHOUSE BUILDING TYPOLOGIES

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1123.07 – Required Trash Areas, Section 1133.09 - Design Review Standards for Multi-Family and Single-Family (Attached) Building Typologies, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies, and Section 1133.11 - Design Review Standards for Manufacturing and Office/Warehouse Building Typologies as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1123.07 – Required Trash Areas, Section 1133.09 - Design Review Standards for Multi-Family and Single-Family (Attached) Building Typologies, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies, and Section 1133.11 - Design Review Standards for Manufacturing and Office/Warehouse Building Typologies be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1123.07 - Required Trash Areas

Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Division of Engineering shall be required.

Section 1133.09(c) - Trash Enclosures

(c) **Trash Enclosures.** Except for single-family attached dwellings that do not have centralized refuse areas and notwithstanding anything to the contrary in this Zoning Code, trash containers or receptacles (including recycling containers) shall be screened or enclosed with a trash enclosure meeting the following criteria:

- (1) Trash Containers, service areas and loading zones shall be located at the rear of the building. Trash containers, service areas and loading zones may be permitted on the side of a building if not oriented towards a public or private street and properly screened from public or private streets and residential zoning districts.
- (2) The trash enclosure shall have four (4) sides with opening doors for the purpose of trash removal.
- (3) The building materials used for the trash enclosure shall be compatible with the building materials used on the principal building. Except for gates and doors providing access to the trash enclosure, the trash enclosure shall be constructed of metal, vinyl, masonry, or other durable materials, but shall not be constructed of wood, and shall have an opacity of one hundred percent (100 %) and a height of two (2) feet above the top of the tallest container. The gates and doors providing access to the trash enclosure shall consist of steel posts and steel-framed doors constructed of wood, vinyl, hardiplank, metal, or other material of similar durability.
- (4) The trash enclosure shall be constructed so that the opening doors are wide enough to accommodate a garbage truck emptying and replacing the trash container or receptacle.
- (5) A reinforced concrete pad and approach apron shall be constructed under and in front of the enclosed area.
- (6) The location of enclosures shall be as inconspicuous as possible.

Section 1133.10(c) - Trash Enclosures

(c) **Trash Enclosures.** Trash containers or receptacles (including recycling containers) shall be screened or enclosed with a trash enclosure meeting the following criteria:

- (1) Trash Containers, service areas and loading zones shall be located at the rear of the building. Trash containers, service areas and loading zones may be permitted on the side of a building if not oriented towards a public or private street and properly screened from public or private streets and residential zoning districts.
- (2) The trash enclosure shall have four (4) sides with opening doors for the purpose of trash removal.
- (3) The building materials used for the trash enclosure shall be compatible with the building materials used on the principal building. Except for gates and doors providing access to the trash enclosure, the trash enclosure shall be constructed of metal, vinyl, masonry or other durable materials, but shall not be constructed of wood, and shall have an opacity of one hundred percent (100%) and a height of two (2) feet above the top of the tallest container. The gates and doors providing access to the trash enclosure shall consist of steel posts and steel-framed doors constructed of wood, vinyl, hardiplank, metal, or other material of similar durability.
- (4) The trash enclosure shall be constructed so that the opening doors are wide enough to accommodate a garbage truck emptying and replacing the trash container or receptacle.
- (5) A reinforced concrete pad and approach apron shall be constructed under and in front of the enclosed area.
- (6) The location of enclosures shall be as inconspicuous as possible.

Section 1133.11(e) - Trash Enclosures

(e) **Trash Enclosures.** Trash containers or receptacles (including recycling containers) shall be screened or enclosed with a trash enclosure meeting the following criteria.

- (1) Trash Containers, service areas and loading zones shall be located at the rear of the building. Trash containers, service areas and loading zones may be permitted on the side of a building if not oriented towards a public or private street and properly screened from public or private streets and residential zoning districts.
- (2) The trash enclosure shall have four (4) sides with opening doors for the purpose of trash removal.
- (3) The building materials used for the trash enclosure shall be compatible with the building materials used on the principal building. Except for gates and doors providing access to the trash enclosure, the trash enclosure shall be constructed of metal, vinyl, masonry or other durable materials, but shall not be constructed of wood, and shall have an opacity of one hundred percent (100%) and a height of two (2) feet above the top of the tallest container. The gates and doors providing access to the trash enclosure shall consist of

steel posts and steel-framed doors constructed of wood, vinyl, hardiplank, metal, or other material of similar durability.

- (4) The trash enclosure shall be constructed so that the opening doors are wide enough to accommodate a garbage truck emptying and replacing the trash container or receptacle.
- (5) A reinforced concrete pad and approach apron shall be constructed under and in front of the enclosed area.
- (6) The location of enclosures shall be as inconspicuous as possible.
- (7) The trash enclosure shall not be required if the trash containers or receptacles are otherwise screened or enclosed from public view as determined by the Design Review Board.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS AND SECTION 1125.06 MINIMUM LANDSCAPE STANDARDS

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1125.04 - Landscape Plan Requirements and Section 1125.06 Minimum Landscape Standards as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1125.04 - Landscape Plan Requirements and Section 1125.06 Minimum Landscape Standards.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1125.04 - LANDSCAPE PLAN REQUIREMENTS AND SECTION 1125.06 MINIMUM
LANDSCAPE STANDARDS

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1125.04 - Landscape Plan Requirements and Section 1125.06 Minimum Landscape Standards as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1125.04 - Landscape Plan Requirements and Section 1125.06 Minimum Landscape Standards be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1125.04 - Landscape Plan requirements

(b) **Landscaping Plan Requirements.** Any landscape plan required hereunder shall include the following:

- (1) The name and address of the property owner and applicant.
- (2) The zoning and specific land use for the subject property and for immediately adjacent properties.
- (3) A Site Plan to an appropriate scale showing:
 - a. All existing and proposed buildings, structures, overhead and underground utilities, vehicular use areas, service structures, fences, mounds, storm water detention areas, drainage swales, or any other site feature.
 - b. Existing major trees and vegetation or landscape features. Major trees are to be located, identified, and health condition noted.
 - c. Existing major trees, vegetation, or landscape features to be removed.
 - d. New landscaping to be installed as part of the project. The plan shall include a plant list that identifies all plants by species, common name, and size to be installed.

Materials and vegetation shall be identified for all proposed landscaping.

- e. Dimensions of all planting areas and specified mulch type.
- f. Dimensions of the perimeter distance of the vehicular use area.
- g. Location and plant name(s) of existing landscaping on any shared property line.

Section 1125.06 - Minimum Landscape Standards

The following landscape standards are required for new structures or substantial expansions unless the DRB or Planning Commission determines that the landscape standards are not practical due to topographic conditions or physical site limitations allowing the landscape materials to be planted in different locations on the site as approved by the DRB or Planning Commission.

For the purpose of this section, property lines along a public alley shall be considered a side or rear lot line.

Section 1125.06(b) - Foundation Planting Standards

(b) **Foundation Planting Standards.** Foundation planting shall be provided in accordance with the following:

1. Foundation planting in beds with topsoil at least five feet in width shall be required along all elevations of new structures and structures undergoing substantial expansions, except single-family detached dwellings, with not less than forty percent (40%) of the length of each elevation being planted with landscape material, which shall be spaced as evenly as practicable taking into consideration entryways, outdoor display areas and such other building features as may prevent the location of landscape material.
Notwithstanding anything to the contrary herein, in the event an applicant cannot strictly adhere to the requirements set forth hereunder, the applicant may request a distribution adjustment or request to relocate the foundation planting to other areas between parking areas and building facades to accommodate outdoor displays, dining areas, or other building features, in accordance with this Chapter.
2. Single-family detached dwellings in the SRD, VRD, HMD, ARD, UT, and USF zoning districts shall provide foundation landscaping in accordance with Section 1107.19(c)(1).

Section 1125.06(d) - Landscape Requirements for Vehicular Use Areas

- (1) Vehicular use area perimeter requirements.

B. Screening Requirements. Vehicular use areas adjacent to a public street or private roadway shall be screened with evergreen plantings to conceal the view of parked cars from the street. The evergreen plantings shall be at least two (2) feet in height at installation and planted to develop a continuous hedge at least three (3) feet in height within two (2) years of installation, except in line of sight triangles at driveways and street intersections where the height shall be limited to two (2) feet. All screening shall have a minimum opacity of one hundred (100) percent at all times. Height of plantings required in this paragraph shall be measured from the finished grade of the plant bed.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING MULTI-TENANT ENTRANCE FEATURES

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL,
MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE,
OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1133.10(a) - Building Architecture

(3) **Architectural and Design Features.** The purpose of requiring four-sided architecture is to avoid large areas of blank exterior. For single-story buildings, along every one hundred (100) feet of elevation width, each side and rear elevation must contain at least two (2) architectural and design features and each front elevation must contain at least three (3) architectural and design features. For multi-story buildings, along every one hundred (100) feet of elevation width, each story on a single elevation shall contain at least two (2) architectural and design features. Typical architectural and design features are as follows:

- (A) A door of at least twenty-eight (28) square feet in area with an awning, window, faux window or other feature subject to approval by the Design Review Board.
- (B) A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) design feature. A set of adjacent windows, such as double or bay windows, shall be considered as one (1) design feature
- (C) A chimney.
- (D) An articulated Gable Vent of at least four (4) square feet in area.
- (E) Porches, decks or similar structures.
- (F) Canopies or porticos, integrated with buildings massing and style.
- (G) Overhangs a minimum of three (3) feet wide.
- (H) Arcades a minimum of six (6) feet wide.
- (I) Ornamental material and structural details that are integrated into the building structure.
- (J) Artwork (excluding corporate logos), including murals.
- (K) A similar significant permanent architectural or design consistent with the style of the building upon approval by the Design Review Board.

(3.1) **Multi-Tenant Entrance Features.** Buildings serving more than one tenant are recommended to delineate individual entrances with awnings, columns, canopies or porticoes, arches, or similar architectural features. These elements shall not count towards the architectural and design features required in Section 1133.10(a)(3).



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING GLASS

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION'S RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL,
MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1133.10(a) - Building Architecture

(5) **Materials.** A minimum of eighty (80) percent of each and every facade, visible from a street or right-of-way as determined by the Design Review Board, exclusive of windows, doors, and garage doors shall be constructed of permitted primary materials as determined by the Design Review Board. All portions of a facade not otherwise constructed of primary materials, exclusive of windows, doors, and garage doors shall be constructed of permitted secondary materials as determined by the Design Review Board. Other facades shall use a combination of permitted primary and permitted secondary materials, as determined by the Design Review Board.

Use of a permitted secondary material for an entire facade is not permitted.

- A. Permitted primary building materials shall be high quality, durable materials as determined by the Design Review Board. Permitted primary building materials may include, but are not limited to brick, fiber cement siding, glass (glazed aluminum or steel curtain walls), stone, manufactured stone, and wood siding. Spandrel glass is not a permitted primary building material.
- B. Permitted secondary building materials shall be determined and approved by the Design Review Board. Permitted secondary building materials may include, but are not limited to stucco, metal, and split faced concrete block.
- C. Aluminum and/or vinyl shall be allowed for trim details, such as soffits, gutters, shutters, etc., and shall not be used as a permitted primary material.
- D. Minimum butt thickness of clapboard siding shall be a quarter of an inch.
- E. Permitted Secondary materials may be used as Primary building materials as determined and approved by the Design Review Board.
- F. Other High quality durable materials may be approved as permitted primary or secondary materials by the Design Review Board with examples of successful, high quality installations in similar construction applications.

(6) **Glass.** Elevations facing the primary street shall be a minimum of forty (40) percent glass between the height of two (2) feet and ten (10) feet and have an unobstructed view of the building interior to a depth of four (4) feet. The use of black, gold, green, silver, or any other reflective colored glass on a building is prohibited. Spandrel glass is permitted but shall not be used to meet the minimum forty (40) percent glass requirement of this paragraph. Frosted glass may be permitted in some cases, subject to approval of the Design Review Board.



ORDINANCE _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE, SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL, MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES REGARDING PARKING SPACES

WHEREAS, on October 7, 2025, the City Planning Commission reviewed an application for a zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A; incorporated herein; and

WHEREAS, the City Planning Commission recommended approval of the amendment as set forth in Exhibit A; and

WHEREAS, upon receiving this recommendation from the Planning Commission, the City Council shall consider Planning Commission's recommendation and hold a public hearing on the aforementioned zoning code amendment with publication in a newspaper of general circulation with at least seven (7) days notice of said hearing; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. City Council agrees with the recommendation from Planning Commission and hereby approves the zoning code amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies.

SECTION II. The Clerk of Council shall cause the Planning and Zoning Code of the Codified Ordinances to be amended accordingly.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

PLANNING COMMISSION RESOLUTION _____

TO APPROVE A ZONING CODE AMENDMENT TO PART ELEVEN – ZONING CODE,
SECTION 1133.10 - DESIGN REVIEW STANDARDS FOR OFFICE, INSTITUTIONAL,
MIXED-USE AND COMMERCIAL BUILDING TYPOLOGIES

WHEREAS, on October 7, 2025, the City Planning Commission initiated a Zoning Code Amendment to Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies as set forth in Appendix A, incorporated herein; and

WHEREAS, The City Planning Commission recommended APPROVAL for the Zoning Code Amendments, which are set forth in Appendix A, attached and incorporated herein; and

WHEREAS, a recommendation from the City Planning Commission is to be transmitted to City Council pursuant to Section 1141.34 of the Planning and Zoning Code, now therefore;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The City Planning Commission recommends to the City Council that the Zoning Code Amendment to Part Eleven - Zoning Code, Section 1133.10 - Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies be APPROVED in accordance with this Resolution.

Passed: 10-07-2025



Chairman of Planning Commission

ATTEST:



Planning and Development Manager, Ashley Gaver

APPENDIX A

Section 1133.10(d) - Parking Lot Design

(4) **Maximum Number of Parking Spaces.** Off street parking areas shall only be permitted to have twenty-five (25) percent more spaces than stated as the applicable minimum in Chapter 1127 of this Planning and Zoning Ordinance.



ORDINANCE _____

TO ADOPT A CAPITAL BUDGET FOR 2026

WHEREAS, the Council of the City of Marysville must by Charter adopt a 2026 Capital Budget, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. That the following Capital Improvements be made from the 2026 appropriations:

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Account	Project Code	Amount	Fund Description
225225-557001		\$ 1,501,234	Street Maint. Capital Projects - Primarily funded by Gas and Motor Vehicle License Taxes
227200-557002		\$ 100,000	Mandatory Drug Fine Fund - Funded by Fines and Costs charged by the Municipal Court
243200-557001		\$ 100,000	Court Special Projects Fund - Funded by Fines and Costs charged by the Municipal Court
410400-557001		\$ 2,000,000	Parkland Development Fund - Funded by Fees charged to new developments in the City
439400-557001		Capital Projects for various City Departments (non-enterprise) paid from the General Fund	
City Council	COU	\$ 700,000	City Council Capital Projects Allocation
Engineering Vehicle	ENGVH	\$ 50,000	Engineering Department Vehicle Purchase Allocation
Facilities Department	FAC	\$ 165,000	Facilities Projects Allocation
Finance Department	FIN	\$ 120,000	Finance Projects Allocation
Fire Department	FIRE	\$ 361,000	Fire Division Capital Project Allocation
Fire Department	FIREV	\$ 530,770	Fire Division Vehicle Purchase Allocation
Street Maintenance	FIRG	\$ 100,000	Facade Improvement Program (Matching Grant)
Street Maintenance	HIRG	\$ 50,000	Home Improvement Program (Matching Grant)
Infrastructure	INFST	\$ 225,000	Infrastructure Capital Projects Allocation
Information Technology	IT	\$ 312,650	IT Department Capital Projects Allocation
Maintenance and Operations	MOC	\$ 50,000	Maintenance and Operations Projects Allocation
Parks & Grounds	PARKS	\$ 110,000	Parks Department Capital Projects Allocation
Parks & Grounds	PARKV	\$ 135,000	Parks Department Vehicle Purchase Allocation
Police Department	POLIC	\$ 301,250	Police Division Capital Project Allocation
Police Department	POLIV	\$ 177,500	Police Division Vehicle Purchase Allocation
Pool	POOL	\$ 25,000	City Pool Capital Projects Allocation
Street Maintenance	SIDE	\$ 25,000	Sidewalk Program (Matching Grant)
Street Maintenance	STRET	\$ 2,154,988	Public Service Department Capital Project Allocation for road and related infrastructure
Street Maintenance	STVEH	\$ 100,000	Public Service Department Vehicle Purchase Allocation
439400-557001		\$ 5,693,158	
439400-557002	IT	\$ 95,000	City Computer Replacements - T Department Capital Projects Allocation
439400 Grand Total		\$ 5,788,158	General Fund Capital Improvement Allocation
441400-557001		\$ 1,350,000	Commercial TIF Fund Infrastructure Capital Project Allocation
480400-557001		\$ 550,000	Coleman's Crossing / Industrial Parkway Roundabout
483400-557000		\$ 150,000	CDBG Program Allocation
505505-557001		\$ -	Sanitation Department Capital Project Allocation (Enterprise)
	SANTV	\$ 182,411	Sanitation Department Capital Project Allocation (Enterprise)
505505-557001 Grand Total		\$ 182,411	
536535-557001		\$ 6,395,000	Water Reclamation Department Capital Project Allocation (Enterprise)
	IT	\$ 448,675	Water Reclamation Department IT Capital Project Allocation (Enterprise)
	SEWV	\$ 450,000	Water Reclamation Department Vehicle Purchase Allocation (Enterprise)
536535-557001 Grand Total		\$ 7,293,675	
551550-557001		\$ 9,786,000	Water Department Capital Project Allocation (Enterprise)
	IT	\$ 215,825	Water Department IT Capital Project Allocation (Enterprise)
	WATV	\$ 410,000	Water Department Vehicle Purchase Allocation (Enterprise)
551550-557001 Grand Total		#####	
570570-557001		\$ 683,000	Stormwater Department Capital Project Allocation (Enterprise)
	SWV	\$ 107,390	Stormwater Department Vehicle Purchase Allocation (Enterprise)
570570-557001 Grand Total		\$ 790,390	

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL



ORDINANCE _____

TO ADOPT AN ANNUAL OPERATING BUDGET FOR 2026

WHEREAS, the City of Marysville must annually complete an operating budget as the source and supporting document for the Annual Appropriation Ordinance adopted by Council as required by Section 10.07 of the City of Marysville Charter, and

WHEREAS, a detailed budget packet has been given to City Council for their review and is also available for public inspection, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The Annual Operating Budget previously presented to Council as set forth and incorporated herein as Exhibit A, is hereby adopted for the year beginning January 1, 2026.

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

CLERK OF COUNCIL:

LAW DIRECTOR

EXHIBIT A				
Recapitulation of Appropriations and Funds				
Fund			2026	
Number	Fund Type/Name		Appropriation	
100	General Fund			
	Council			295,521
	City Manager			618,423
	Human Resources			454,902
	Law Director			688,996
	Information Technology			1,359,774
	Finance Department			2,583,934
	Engineering Department			2,747,805
	Street Lighting			740,000
	Parks & Grounds			1,779,847
	Fleet			453,288
	Maintenance & Operation Center			369,562
	Facilities			1,294,113
	Inter-fund Transfers			24,112,000
	Total General Fund			37,498,164
	Special Revenue Funds			
207	Pool Fund			373,965
208	City Events & Recreation Fund			698,083
211	Police Pension			210,000
212	Fire Pension			210,000
224	Street Tree			399,579
225	Street Construction			3,642,997
227	Mandatory Drug Fine Fund			103,000
228	DUI Alcohol Education and Enforcement			15,000
229	DUI indigent Drivers Treatment Fund			75,000
230	State Highway			333,000
231	Accrued Leave Payout Fund			200,000

232	Security of Persons and Property	20,286,627
238	Municipal Court Computer & Research	100,000
242	Municipal Court Computerization Fund	35,000
243	Municipal Court Special Projects Fund	250,000
244	Municipal Court Probation Fine Fund	92,618
247	TIF Fund	5,642,755
263	Cemetery Endowment	600
266	Indigent Drivers Local Interlock Fund	25,000
267	Indigent Drivers State Interlock Fund	25,000
	Total Special Revenue Funds	32,718,223
	Debt Service Fund	
337	Debt Service Fund	6,708,934
	Total Debt Service Funds	6,708,934
	Capital Projects Funds	
410	Parkland Development	2,000,000
439	Capital Improvement	5,778,158
441	Commercial TIF Capital	1,350,000
480	OPWC Capital Project Grant	550,000
483	CDBG Gant	150,000
	Total Capital Projects Funds	9,828,158
	Enterprise Funds	
505	Sanitation	3,153,034
534	Incremental Wastewater Capacity Fee Fund	5,000,000
535	Sewer Operating Fund	20,150,995
536	Sewer Replacement and Improvement	7,501,675
550	Water Revenue	17,899,038

	551	Water Replacement and Improvement		10,419,325
	553	Incremental Water Capacity Fee Fund		2,900,000
	570	Stormwater Assessment Fund		2,161,012
		Total Enterprise Funds		69,185,079
		Agency Fund		
	909	Union County Law Library		61,000
	980	Upper Scioto Regional Water Rescue Task Force		16,500
	981	Marysville Jerome JEDD		286,050
	991	Unclaimed Monies		1,000
	998	NW 33 COG		780,000
		Total Agency Fund		1,144,550
		Total All Funds		157,083,108

**ORDINANCE _____****TO ADOPT ANNUAL APPROPRIATIONS FOR 2026
(Ohio Revised Code Section 5705.38)**

WHEREAS, the City of Marysville, State of Ohio, must make appropriations for current expenses and other expenditures during the fiscal year ending December 31, 2026, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

Section 1. Be it ordained by the Council of the City of Marysville, State of Ohio, that to provide for the current expenses and other expenditures of the City of Marysville during the fiscal year ending December 31, 2026, the following sums be and they are hereby set aside and appropriated, as follows,

Section 2. That there be appropriated from the GENERAL FUND				
GENERAL GOVERNMENTAL SERVICES - 100				
Transaction Class:				
	City Council			
51,52	Personal Services		200,071	
53	Supplies and Materials		5,000	
54	Contract Services		46,450	
57	Other		44,000	
	Total For Council			295,521
	City Manager			
51,52	Personal Services		423,323	
53	Supplies and Materials		8,000	
54	Contract Services		2,700	
57	Other		184,400	
	Total For City Manager			618,423
	Human Resources			
51,52	Personal Services		379,602	

53	Supplies and Materials	37,000	
54	Contract Services	12,300	
55	Capital Outlay	1,000	
57	Other	25,000	
	Total For Human Resources		454,902
	Law Director		
51,52	Personal Services	380,896	
53	Supplies and Materials	24,000	
54	Contract Services	277,600	
57	Other	6,500	
	Total For Law Director		688,996
	Information Technology		
51,52	Personal Services	598,048	
53	Supplies and Materials	16,000	
54	Contract Services	719,226	
57	Other	26,500	
	Total For Information Technology		1,359,774
	Finance		
51,52	Personal Services	1,149,312	
53	Supplies and Materials	70,000	
54	Contract Services	1,343,122	
57	Other	21,500	
	Total For Finance Department		2,583,934
	Engineering		
51,52	Personal Services	2,001,305	
53	Supplies and Materials	197,500	
54	Contract Services	510,000	
57	Other	39,000	
	Total For Engineering Department		2,747,805
PUBLIC HEALTH SERVICES			

		Street Lighting		
54		Contract Services	515,000	
57		Other	225,000	
		Total For Street Lighting		740,000
COMMUNITY ENVIRONMENT				
		Parks & Grounds		
51,52		Personal Services	1,003,147	
53		Supplies and Materials	239,300	
54		Contract Services	395,500	
57		Other	141,900	
		Total For Parks & Grounds		1,779,847
		Fleet		
51,52		Personal Services	397,438	
53		Supplies and Materials	29,300	
54		Contract Services	11,350	
57		Other	15,200	
		Total For Maintenance & Operation Center		453,288
		Maintenance & Operations		
51,52		Personal Services	279,462	
53		Supplies and Materials	18,200	
54		Contract Services	59,400	
57		Other	12,500	
		Total For Maintenance & Operation Center		369,562
		Facilities		
51,52		Personal Services	342,113	
53		Supplies and Materials	50,000	
54		Contract Services	620,000	
57		Other	282,000	
		Total For Maintenance & Operation Center		1,294,113

OTHER FINANCING USES				
		Inter-Fund Transfers		
56		Other Financing Uses	24,112,000	
		Total For Inter-Fund Transfers		24,112,000
				0
			Grand Total GENERAL FUND Appropriation	37,498,164
Section 3. That there be appropriated the following amounts from the SPECIAL REVENUE FUNDS specified below:				
		Financial Incentive Fund - 204		
54		Contract Services	-	
		Total for Financial Incentive Fund		-
		Enterprise Zone Revenue Sharing Agreement Fund - 206		
56		Other Financing Uses	-	
		Total For Enterprise Zone Revenue Sharing Agreement Fund		-
		Pool - 207		
51,52		Personal Services	204,665	
53		Supplies and Materials	90,000	
54		Contract Services	14,000	
57		Other	65,300	
		Total For Pool		373,965
		City Events & Recreation - 208		
51,52		Personal Services	248,783	
53		Supplies and Materials	45,000	
54		Contract Services	248,600	

55	Capital Improvements	1,000	
57	Other	154,700	
	Total For City Events & Recreation Fund		698,083
	Police Pension - 211		
51,52	Personal Services	206,200	
54	Contract Services	3,800	
	Total For Police Pension Fund		210,000
	Fire Pension - 212		
51,52	Personal Services	206,200	
54	Contract Services	3,800	
	Total For Fire Pension Fund		210,000
	Police Grant Fund - 213		
57	Other	-	
	Total For Police Grant Fund		-
	Fire Grant Fund - 214		
51,52	Personal Services	-	
57	Other	-	
	Total For Fire Grant Fund		-
	Street Tree Fund - 224		
51,52	Personal Services	258,379	
53	Supplies and Materials	8,500	
54	Contract Services	126,200	
55	Capital Outlay	-	
57	Other	6,500	
	Total For Street Fund		399,579
	Street Construction, Maintenance, and Repair - 225		
51,52	Personal Services	1,098,663	
53	Supplies and Materials	560,000	

54	Contract Services	162,600	
55	Capital Outlay	1,501,234	
57	Other	320,500	
	Total For Street Fund		3,642,997
	Law Enforcement Trust Fund - 226		
53	Supplies and Materials	-	
55	Capital Outlay	-	
	Total For Law Enforcement Trust Fund		-
	Mandatory Drug Fine Fund - 227		
53	Supplies and Materials	3,000	
55	Capital Outlay	100,000	
	Total For Mandatory Drug Fine Fund		103,000
	DUI Alcohol Education and Enforcement - 228		
54	Contract Services	15,000	
	Total For DUI Alcohol Education and Enforcement Fund		15,000
	DUI Indigent Drivers Treatment Fund - 229		
54	Contract Services	75,000	
	Total For DUI Indigent Drivers Treatment Fund		75,000
	State Highway Fund - 230		
53	Supplies and Materials	160,000	
54	Contract Services	173,000	
55	Capital Outlay	-	
57	Other	-	
	Total For State Highway Fund		333,000
	Accrued Leave Payout Fund - 231		
51,52	Personal Services	200,000	
	Total For Accrued Leave Payout Fund		

				200,000
SECURITY OF PERSONS AND PROPERTY - 232				
		Municipal Court - 115		
51,52		Personal Services	1,381,047	
53		Supplies and Materials	146,500	
54		Contract Services	204,500	
57		Other	81,000	
		Total For Municipal Court	1,813,047	
		Police Division - 131		
51,52		Personal Services	8,887,638	
53		Supplies and Materials	174,076	
54		Contract Services	270,903	
57		Other	596,463	
		Total For Police Division	9,929,080	
		Fire Division - 132		
51,52		Personal Services	7,916,207	
53		Supplies and Materials	169,322	
54		Contract Services	161,271	
57		Other	297,699	
		Total For Fire Division	8,544,499	
		Total Security of Persons and Property Fund		20,286,627
		Federal Law Enforcement Trust Fund - 233		
53		Supplies & Material	-	
		Total For Federal Law Enforcement Trust Fund		-
		Municipal Court Computer & Research - 238		
54		Contract Services	100,000	
		Total For Municipal Court Computer & Research Fund		100,000

	Municipal Court Computerization - 242			
54	Contract Services		35,000	
	Total For Municipal Court Computerization Fund			35,000
	Municipal Court Special Projects - 243			
54	Contract Services		150,000	
55	Capital Outlay		100,000	
	Total For Municipal Court Special Projects Fund			250,000
	Municipal Court Probation Fine Fund - 244			
51,52	Personal Services		17,618	
54	Contract Services		75,000	
	Total For Municipal Court Probation Fine Fund			92,618
	TIF Fund - 247			
55	Capital Outlay		-	
54	Contract Services		95,000	
55	Capital Outlay		-	
56	Other Financing Uses		1,350,000	
57	Other Debt Service		7,500	
57	Principal		1,878,000	
57	Interest		512,255	
57	Payment to School		1,800,000	
	Total For TIF Fund			5,642,755
	Cemetery Maintenance - 260			
55	Capital Outlay		-	
	Total For Cemetery Maintenance			-
	Cemetery Endowment - 263			
53	Supplies and Materials		600	
	Total For Cemetery Endowment			600

		Indigent Drivers Local Interlock Fund - 266			
54		Contract Services		25,000	
		Total For Indigent Drivers Local Interlock Fund			25,000
		Indigent Drivers State Interlock Fund - 267			
54		Contract Services		25,000	
		Total For Indigent Drivers State Interlock Fund			25,000
		CHIP Grant Fund - 275			
55		Capital Outlay		-	
		Total For CHIP Grant Fund			-
		Covid-19 Aid, Relief and Economic Development Fund - 277			
53		Supplies and Materials		-	
55		Capital Outlay		-	
		Total For Covid-19 Aid, Relief and Economic Development Fund			-
		OneOhio Opiod Settlement Funds - 278			
53		Supplies and Materials		-	
		Total For OneOhio Opiod Settlement Funds			-
Section 4. That there be appropriated the following amounts from the DEBT SERVICE FUND specified below:					
		Debt Service Fund - 337			
57		Other Debt Service		2,500	
57		Principal		6,435,213	
57		Interest		271,221	
		Total For Debt Service Fund			6,708,934

Section 5. That there be appropriated the following amounts from the CAPITAL PROJECTS FUNDS specified below:

		Parkland Development - 410		
55		Capital Outlay	2,000,000	
		Total For Parkland Development Fund		2,000,000
		Capital Improvement - 439		
55		Capital Outlay	5,778,158	
		Total For Capital Improvement Fund		5,778,158
		Capital Reserve - 440		
55		Capital Outlay	-	
		Total For Commercial TIF Capital Project Fund		-
		Commercial TIF Capital - 441		
55		Capital Outlay	1,350,000	
		Total For Commercial TIF Capital Project Fund		1,350,000
		OPWC Capital Project - 480		
55		Capital Outlay	550,000	
56		Other Financing Uses	-	
		Total For OPWC Capital Project Fund		550,000
		NW 33 Grant - 482		
55		Capital Outlay	-	
56		Other Financing Uses	-	
		Total For NW 33 Grant Fund		-
		CDBG Formula Grant - 483		
55		Capital Outlay	150,000	
56		Other Financing Uses	-	
		Total For CDBG Formula Grant		150,000

		State Route 31 Grant - 490		
55		Capital Outlay	-	
		Total For State Route 31 Grant Fund		-
Section 6. That there be appropriated the following amounts from the ENTERPRISE FUNDS specified below:				
		Sanitation - 505		
51,52		Personal Services	446,247	
53		Supplies and Materials	115,500	
54		Contract Services	2,263,500	
55		Capital Outlay	182,411	
57		Other	145,375	
		Total For Sanitation Fund		3,153,034
		Incremental Wasterwater Capacity Fee Fund - 534		
54		Contract Services	-	
55		Capital Outlay	-	
56		Other Financing Uses	5,000,000	
				5,000,000
		Sewer Operating Fund - 535		
51,52		Personal Services	2,615,287	
53		Supplies and Materials	2,132,100	
54		Contract Services	3,756,652	
56		Other Financing Uses	1,210,000	
57		Debt Principal	3,135,000	
57		Debt Interest	4,240,656	
57		Other	3,061,300	
		Total For Sewer Operating Fund		20,150,995
		Sewer Replacement and Improvement - 536		
54		Contract Services	200,000	

55	Capital Outlay	7,301,675	
	Total For Sewer Replacement Improvement Fund		7,501,675
	Water Revenue - 550		
51,52	Personal Services	2,750,848	
53	Supplies and Materials	2,170,600	
54	Contract Services	2,948,622	
57	Debt Principal	1,329,568	
57	Debt Interest	1,857,400	
57	Other	292,000	
56	Other Financing Uses	6,550,000	
	Total For Water Revenue Fund		17,899,038
	Water Replacement and Improvement - 551		
54	Contract Services	-	
55	Capital Outlay	10,419,325	
	Total For Water Replacement and Improvement Fund		10,419,325
	Incremental Water Capacity Fee Fund - 553		
54	Contract Services	-	
55	Capital Outlay	-	
56	Other Financing Uses	2,900,000	
	Total For Incremental Water Capacity Fee Fund		2,900,000
	Stormwater Assessment and Repair Fund - 570		
51,52	Personal Services	542,722	
53	Supplies and Materials	337,700	
54	Contract Services	369,700	
55	Capital Outlay	790,390	
57	Other	120,500	
	Total For Stormwater Assessment and Repair Fund		2,161,012

Section 7. That there be appropriated the following amounts from the AGENCY FUNDS specified below:

		Union County Law Library - 909		
54		Contract Services	61,000	
		Total For Union County Law Library Fund		61,000
		Upper Scioto Regional Water Rescue Task Force - 980		
55		Capital Outlay	-	
57		Other	16,500	
				16,500
		Marysville Jerome JEDD Fund - 981		
53		Supplies and Materials	3,000	
54		Contract Services	283,050	
		Total For Marysville Jerome JEDD		286,050
		Unclaimed Monies - 991		
56		Other Financing Uses	-	
54		Contract Services	1,000	
		Total For Unclaimed Monies Fund		1,000
		NW 33 COG - 998		
54		Contract Services	770,000	
55		Capital Outlay	10,000	
		Total For Unclaimed Monies Fund		780,000
			TOTAL ALL FUNDS	157,083,108

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL



ORDINANCE _____

TO AMEND ORDINANCE 012-2025 ANNUAL COMPENSATION FOR ALL CITY EMPLOYEES 2026

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO THAT:

Section I: The annual salary and wage schedules for all employees working for the City of Marysville in the year 2026 shall be in accordance with this ordinance.

Section II: The annual salaries for all unclassified positions are as follows:

Position	Salary	Position	Salary
City Manager	\$160,347	Fire Chief	\$135,786
Communications Director	\$87,683	Assistant Fire Chief	\$122,720
Executive Assistant	\$62,535	Battalion Chief- <i>Training</i>	\$127,128
IT Director	\$118,976	Battalion Chief- <i>Administration</i>	\$127,128
IT Network Manager	\$108,160	Battalion Chief- <i>EMS</i>	\$128,281
IT Systems Administrator	\$85,384	Fire Marshal	\$112,320
IT Network Technician II	\$70,096	Police Chief	\$140,546
IT GIS Coordinator	\$98,037	Police Captain- <i>Patrol Services</i>	\$123,240
Human Resource Director	\$114,400	Police Captain- <i>Special Services</i>	\$123,240
Human Resource Manager	\$83,200	Police Captain- <i>Support Services</i>	\$123,240
Human Resources Coordinator	\$61,002	Police Technology Systems Tech	\$83,554
Finance Director	\$137,257	Law Office Manager	\$68,619
Assistant Finance Director	\$103,019	Clerk of City Council	\$73,840
Income Tax Administrator	\$81,905	Municipal Court Clerk *	\$119,036
Utility Accounts Administrator	\$75,920	Municipal Court Bookkeeper *	\$87,556
City Engineer	\$136,562	Municipal Court Deputy Clerks *	\$446,100
Engineer II	\$101,920	Municipal Court Bailiff *	\$40,950
Construction Manager	\$117,860	Municipal Court Bailiff/Probation Officers *	\$94,158
Project Manager	\$79,560	Municipal Court Magistrate *	\$46,800
Transportation/Mobility Engineer	\$118,976	* Court Wages: The Judge reserves the right to vary wages from the current/above listed wages during the fiscal year.	
Planning Development Manager	\$117,961		
Planner II	TBD	Note: The listed annual salaries are based on a standard year with 26 pay periods. In years that contain 27 pay periods, an additional payroll disbursement will be made based on the 26 cycle. As a result, the total annual earnings will be higher due to this additional payment. The salary distribution will revert to 26 pay periods in subsequent years.	
Planning Officer	\$72,290		
Zoning Administrator	\$79,284		
Code Enforcement Officer	\$68,848		
Facilities Manager	\$80,519		
Director of Public Service	\$153,739		
Project Manager	TBD		
Superintendent of Parks and Rec.	\$94,694		
Urban Forrester	\$84,365		
Recreation/Event Manager	\$73,549		
Superintendent of Streets	\$92,976		
Superintendent of Stormwater/Sanitation	\$92,976		
Superintendent of Wastewater	\$114,190		
Assistant Wastewater Superintendent	\$79,957		
Superintendent of Water	\$112,570		
Assistant Water Superintendent	\$84,541		

Section III: The table details the wage ranges for non-Civil Service/unclassified (salaried) employees in 2026. This is a guide and actual salaries of incumbents may not be in range.

Wage Grade	Position Title	Wage Range Per Years of Service		
		0 to 5 years	Above 5 to 12	Above 12
Exec 1	City Manager	\$120,000-\$135,000	\$135,000-\$150,000 (Median = \$142,500)	\$150,000-\$165,000
Exec 2	Finance Director	\$100,000-\$115,000	\$115,000-\$130,000 (Median = \$127,500)	\$130,000-\$155,000
	Police Chief			
	Fire Chief			
	Director of Public Service			
	City Engineer			
	Human Resources Director			
	Information Tech. Director			
Exec 3	Assistant Fire Chief	\$90,000-\$105,000	\$105,000-\$115,000 (Median = \$110,000)	\$115,000-\$130,000
	Fire, Battalion Chiefs			
	Planning Develop. Manager			
	Fire Marshal			
	Police Captains			
	Water Superintendent			
	Wastewater Superintendent			
	Senior Project Engineer			
	IT Network Manager			
	Assistant Finance Director			
	Assistant City Engineer			
	Transportation Mobility Engineer			
Exec 4	Parks & Rec Superintendent	\$75,000-\$82,000	\$82,000-\$90,000 (Median = \$87,500)	\$90,000-\$100,000
	Street Superintendent			
	Stormwater/Sanitation Superintendent			
	HR Manager			
	Planner II			
	IT Systems Administrator			
	IT GIS Coordinator			
Exec 5	Communications Director	\$65,000-\$72,000	\$72,000-\$80,000 (Median = \$77,500)	\$80,000-\$90,000
	Assistant Water Supt			
	IT Network Technician (II)			
	Zoning Administrator			
	Assistant Wastewater Supt			
	Income Tax Administrator			
	Police Tech Systems Tech			
	Facilities Manager			
	Project Manager			
	Urban Forrester			
Exec 6	IT Network Technician (I)	\$59,000- 65,000	\$65,000-\$72,000 (Median = \$68,500)	\$72,000-\$78,000
	Executive Assistant			
	Clerk of Council			
	Recreation/Event Manager			
	Utility Accounts Administrator			
	Code Enforcement Officer			
	Planning Officer			
	Human Resources Coordinator			
	Law Office Manager			

Section IV: The salary and wage schedules for positions in the classified Civil Service shall be in accordance with the below schedule.

2026 Pay Schedule:

	Step A (1)	Step B (2)	Step C (3)	Step D (4)	Step E (5)	Step F (6)	Step G (7)	Step H (8)	Step I (9)
Range 1									
Hourly	\$15.26	\$15.57	\$15.92	\$16.29	\$16.67	\$17.00	\$17.37	\$17.76	\$18.18
Annual	\$31,734.14	\$32,383.10	\$33,118.59	\$33,875.71	\$34,676.10	\$35,368.32	\$36,125.44	\$36,947.46	\$37,812.74
Range 2									
Hourly	\$15.92	\$16.29	\$16.67	\$17.00	\$17.37	\$17.76	\$18.18	\$18.64	\$19.12
Annual	\$33,118.59	\$33,875.71	\$34,676.10	\$35,368.32	\$36,125.44	\$36,947.46	\$37,812.74	\$38,764.54	\$39,759.62
Range 3									
Hourly	\$16.67	\$17.00	\$17.37	\$17.76	\$18.18	\$18.64	\$19.12	\$19.43	\$19.84
Annual	\$34,676.10	\$35,368.32	\$36,125.44	\$36,947.46	\$37,812.74	\$38,764.54	\$39,759.62	\$40,408.58	\$41,273.86
Range 4									
Hourly	\$17.37	\$17.76	\$18.18	\$18.64	\$19.12	\$19.43	\$19.84	\$20.38	\$20.86
Annual	\$36,125.44	\$36,947.46	\$37,812.74	\$38,764.54	\$39,759.62	\$40,408.58	\$41,273.86	\$42,398.72	\$43,393.79
Range 5									
Hourly	\$18.18	\$18.64	\$19.12	\$19.43	\$19.84	\$20.38	\$20.86	\$21.27	\$21.73
Annual	\$37,812.74	\$38,764.54	\$39,759.62	\$40,408.58	\$41,273.86	\$42,398.72	\$43,393.79	\$44,237.44	\$45,189.25
Range 6									
Hourly	\$19.12	\$19.43	\$19.84	\$20.38	\$20.86	\$21.27	\$21.73	\$22.17	\$22.65
Annual	\$39,759.62	\$40,408.58	\$41,273.86	\$42,398.72	\$43,393.79	\$44,237.44	\$45,189.25	\$46,119.42	\$47,114.50
Range 7									
Hourly	\$19.84	\$20.38	\$20.86	\$21.27	\$21.73	\$22.17	\$22.65	\$23.25	\$23.83
Annual	\$41,273.86	\$42,398.72	\$43,393.79	\$44,237.44	\$45,189.25	\$46,119.42	\$47,114.50	\$48,369.15	\$49,558.91
Range 8									
Hourly	\$20.86	\$21.27	\$21.73	\$22.17	\$22.65	\$23.25	\$23.83	\$24.39	\$24.92
Annual	\$43,393.79	\$44,237.44	\$45,189.25	\$46,119.42	\$47,114.50	\$48,369.15	\$49,558.91	\$50,727.04	\$51,830.27
Range 9									
Hourly	\$21.73	\$22.17	\$22.65	\$23.25	\$23.83	\$24.39	\$24.92	\$25.47	\$25.98
Annual	\$45,189.25	\$46,119.42	\$47,114.50	\$48,369.15	\$49,558.91	\$50,727.04	\$51,830.27	\$52,976.77	\$54,036.74
Range 10									
Hourly	\$22.65	\$23.25	\$23.83	\$24.39	\$24.92	\$25.47	\$25.98	\$26.68	\$27.30
Annual	\$47,114.50	\$48,369.15	\$49,558.91	\$50,727.04	\$51,830.27	\$52,976.77	\$54,036.74	\$55,486.08	\$56,784.00
Range 11									
Hourly	\$23.83	\$24.39	\$24.92	\$25.47	\$25.98	\$26.68	\$27.30	\$27.93	\$28.56
Annual	\$49,558.91	\$50,727.04	\$51,830.27	\$52,976.77	\$54,036.74	\$55,486.08	\$56,784.00	\$58,103.55	\$59,401.47
Range 12									
Hourly	\$24.92	\$25.47	\$25.98	\$26.68	\$27.30	\$27.93	\$28.56	\$29.23	\$29.91
Annual	\$51,830.27	\$52,976.77	\$54,036.74	\$55,486.08	\$56,784.00	\$58,103.55	\$59,401.47	\$60,807.55	\$62,213.63
Range 13									
Hourly	\$25.98	\$26.68	\$27.30	\$27.93	\$28.56	\$29.23	\$29.91	\$30.57	\$31.29
Annual	\$54,036.74	\$55,486.08	\$56,784.00	\$58,103.55	\$59,401.47	\$60,807.55	\$62,213.63	\$63,576.45	\$65,090.69
Range 14									
Hourly	\$27.30	\$27.93	\$28.56	\$29.23	\$29.91	\$30.57	\$31.29	\$32.00	\$32.68
Annual	\$56,784.00	\$58,103.55	\$59,401.47	\$60,807.55	\$62,213.63	\$63,576.45	\$65,090.69	\$66,561.66	\$67,967.74
Range 15									
Hourly	\$28.56	\$29.23	\$29.91	\$30.57	\$31.29	\$32.00	\$32.68	\$33.51	\$34.32
Annual	\$59,401.47	\$60,807.55	\$62,213.63	\$63,576.45	\$65,090.69	\$66,561.66	\$67,967.74	\$69,698.30	\$71,385.60
Range 16									
Hourly	\$29.91	\$30.57	\$31.29	\$32.00	\$32.68	\$33.51	\$34.32	\$35.12	\$35.88
Annual	\$62,213.63	\$63,576.45	\$65,090.69	\$66,561.66	\$67,967.74	\$69,698.30	\$71,385.60	\$73,051.26	\$74,630.40
Range 17									
Hourly	\$31.29	\$32.00	\$32.68	\$33.51	\$34.32	\$35.12	\$35.88	\$36.77	\$37.60
Annual	\$65,090.69	\$66,561.66	\$67,967.74	\$69,698.30	\$71,385.60	\$73,051.26	\$74,630.40	\$76,490.75	\$78,199.68
Range 18									
Hourly	\$32.68	\$33.51	\$34.32	\$35.12	\$35.88	\$36.77	\$37.60	\$38.51	\$39.32
Annual	\$67,967.74	\$69,698.30	\$71,385.60	\$73,051.26	\$74,630.40	\$76,490.75	\$78,199.68	\$80,103.30	\$81,790.59
Range 19									
Hourly	\$34.32	\$35.12	\$35.88	\$36.77	\$37.60	\$38.51	\$39.32	\$40.36	\$41.35
Annual	\$71,385.60	\$73,051.26	\$74,630.40	\$76,490.75	\$78,199.68	\$80,103.30	\$81,790.59	\$83,953.79	\$86,008.83
Range 20									
Hourly	\$35.88	\$36.77	\$37.60	\$38.51	\$39.32	\$40.36	\$41.35	\$42.35	\$43.37
Annual	\$74,630.40	\$76,490.75	\$78,199.68	\$80,103.30	\$81,790.59	\$83,953.79	\$86,008.83	\$88,085.50	\$90,205.44

Section V: Compensation for Permanent Part-Time, Part-Time and Seasonal Employees for the year 2026:

Public Service Department

Type Worker	Hourly Rate		
	1 st Year	2 nd Year	3 rd Year
Part-time Annual/Seasonal <i>(starting wage may vary based on experience)</i>	\$16.00	\$17.00	\$18.00
Part-time Annual Operator (Parks/Rec Water, and Wastewater)	\$19.00		
Part-time Annual CDL Driver and Street Maintenance Workers	\$20.00 <i>(eligible for CDL incentive)</i>		

Engineering, IT, HR, Administration, Police Division, Municipal Court

Type Worker	Hourly Rate (Guide)		
	1 st Year	2 nd Year	3+ Years
Interns <i>(starting wage may vary based on experience)</i>	\$16.00	\$17.00	\$18.00
Part-Time Communications Dispatcher (PD)	\$20.00		

Permanent Part-time (PPT): PPT employees may start at a higher step depending on qualifications. Employees are eligible for a step increase during their annual evaluation process. A single step increase is considered for evaluation ratings of Satisfactory or higher.

Type Worker	Step 1	Step 2	Step 3	Step 4
	Start-1 Year	1+ - 3 Years	3+ -4 Years	Above 4 Years
Permanent Part-time	\$16.00	\$17.00	\$18.00	\$19.00

Municipal Court/Law

Type Worker	Hourly Rate
Assistant Law Director(s) /Prosecutor(s)	\$80,102
APT / Seasonal Municipal Court Clerks	\$12.00-\$18.00

Fire Division

Type Worker	Hourly Rate
Part-time Firefighter/EMT-P	\$22.50
Part-time Firefighter/EMT-B	\$19.50

Recreation and Pool:

Municipal Pool Workers more than 300 or more hours in a single season are eligible for \$300 bonus at the end of the season.

Type Worker	Hourly Rate	
	1 st Year	2 nd Year
Annual Part-time Recreation & Event Workers	\$15.00	\$16.00
Seasonal Part-time Recreation and Events Workers	\$15.00	
Annual Part-time Pool Manager	\$20.00	
Seasonal Part-time: Assistant Pool Manager/LGI	\$19.00	
Seasonal Part-time: Assistant Pool Manager(s)	\$18.00	
Annual Part-time Concession Manager	\$18.00	
Concessions/Front Desk – First Year	\$12.30	
Concessions/Front Desk – Returning Employees	\$13.00	
Head Concession Worker	\$13.50	

Type Worker	Hourly Rate	Hourly Rate
<i>(starting wage may vary based on experience)</i>	No Water Safety Instructor Certificate	With Water Safety Instructor Certificate
Lifeguards – 1 st Year	\$12.00	\$12.50
Lifeguards – 2 nd Year	\$13.00	\$13.50
Lifeguards – 3 rd Year	\$14.00	\$14.50
Lifeguards – 4 th Year with City	\$15.00	\$15.50
Head Lifeguard		\$16.00

Section VI: Compensation for Police and Fire Labor Union Employees shall be in accordance with the schedule derived from the two separate collective bargaining agreements. Below are the schedules that are in effect January 1, 2026.

Police Division

January 1, 2026

NOTE: Police Division wages are to be determined through collective bargaining process.

Communications Dispatch Officers (CDO)

	Step A	Step B	Step C	Step D

Dispatch Supervisor

Police Officer:

	Step A	Step B	Step C	Step D

Sergeants and Corporals:

	Corporal	Sergeant

Fire Division

January 1, 2026

FIREFIGHTERS					
	A	B	C	D	E
Hourly (53)	\$24.12	\$27.77	\$29.01	\$30.21	\$31.96
Annual (Avg. 2912 hours)	\$70,230.45	\$80,860.42	\$84,464.31	\$87,977.34	\$93,065.19
FIREFIGHTER PREVENTION					
	A	B	C	D	E
Hourly (40)	\$37.17	\$41.81	\$43.44	\$45.05	\$47.32
Annual (Avg. 2080 hours)	\$77,313.60	\$86,964.80	\$90,355.20	\$93,704.00	\$98,425.60
FIREFIGHTER/PARAMEDIC					
	A	B	C	D	E
Hourly (53)	\$25.86	\$29.40	\$30.65	\$31.84	\$33.59
Annual (Avg. 2912 hours)	\$75,318.30	\$85,615.13	\$89,249.31	\$92,732.06	\$97,819.90
LIEUTENANT					
Hourly (53)		\$36.49			
Annual (Avg. 2912 hours)		\$106,258.88			
LIEUTENANT/PARAMEDIC					
Hourly (53)		\$38.44			
Annual (Avg. 2912 hours)		\$111,932.62			
PREVENTION LIEUTENANT					
Hourly (40)		\$53.72			
Annual (Avg. 2080 hours)		\$111,737.60			

1st Reading October 27, 2025

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

ATTEST:

Passed: _____

APPROVED AS TO FORM:

CLERK OF COUNCIL

LAW DIRECTOR



ORDINANCE _____

TO APPROVE THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF MARYSVILLE AND ANADONNA, LLC, AND A DONATION AGREEMENT AMONG THE CITY OF MARYSVILLE, THE BOARD OF EDUCATION FOR THE MARYSVILLE EXEMPTED VILLAGE SCHOOL DISTRICT, THE BOARD OF EDUCATION OF THE OHIO HI-POINT TECHNICAL AND CAREER CENTER SCHOOL DISTRICT AND THE COMMUNITY IMPROVEMENT CORPORATION OF UNION COUNTY

WHEREAS, the City of Marysville (the “City”) has encouraged the development of commercial and industrial structures within its boundaries, which development would result in the creation and retention of employment opportunities in the City; and

WHEREAS, to encourage that redevelopment, the City, pursuant to Resolution No. 17-19, adopted by the Council on August 12, 2019 (the “CRA Legislation”), established the area specified in the CRA Legislation as the Marysville Community Reinvestment Area No. 2 (the “CRA”) under the authority of Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (the “CRA Act”); and

WHEREAS, pursuant to the CRA Legislation and the CRA Act, the City and Anadonna LLC, a Delaware limited liability company (the “Developer”) desire to enter into a Community Reinvestment Area Agreement (the “CRA Agreement”), substantially in the form attached hereto as Exhibit A and incorporated herein by reference, in connection with the development by the Developer of one or more data center facilities, together with related site improvements (the “Project,” as further described in the CRA Agreement) on certain land owned by or to be owned by the Developer in the City (the “Project Site”) and located within the jurisdiction of the Marysville Exempted Village School District (“Marysville Schools”) and Ohio Hi-Point Career Center (“Ohio Hi-Point”, together with Marysville Schools, the “School Districts”), which Project Site is described in Exhibit A to the CRA Agreement; and

WHEREAS, the CRA Agreement, subject to terms and conditions therein, will provide Developer with a fifteen (15) year, 100% real property tax exemption for the assessed value of new structures constructed at the Project Site, meaning that each building constructed at the Project Site is 100% exempt from real property taxation for years one through fifteen (15) of each exemption, all as further described in the CRA Agreement (each a “CRA Exemption” and collectively, the “CRA Exemptions”); and

WHEREAS, the City has provided notice of the CRA Agreement to the School Districts; and

WHEREAS, in consideration of the CRA Exemptions, the CRA Agreement will require Developer to fulfill various local commitments, as are more particularly described in the CRA Agreement; and

WHEREAS, the City, the School Districts, and the CIC (collectively, the “City Parties”), plan to enter into a Donation Agreement in connection with the CRA Agreement (“Donation Agreement”), substantially in the form attached hereto as Exhibit B and incorporated herein by reference, through which the City Parties anticipate agreeing, among other things, to the following: (i) for the CIC to reallocate portions of the CRA PILOTs among the other City Parties; and (ii) for the City to share with the Marysville Schools a certain portion of municipal income taxes collected from employees working at the Project; and

WHEREAS, the terms and conditions of the CRA Agreement and Donation Agreement shall comply with the income tax sharing requirements of R.C. Section 5709.82; and

WHEREAS, Developer and the City desire to execute the CRA Agreement to provide for the successful development of the Project Site, which development will create and preserve employment opportunities in the City and will benefit the citizens of the City; and

WHEREAS, an emergency exists in the usual daily operations of the City in that it is immediately necessary to approve this Ordinance for the preservation of the public peace, property, health, safety and welfare, that preservation being related to the need to proceed with the Project immediately, which will directly benefit the Project Site; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

SECTION I. The CRA Agreement between the City and the Developer, substantially in the form attached to this Ordinance as Exhibit A, and the Donation Agreement, substantially in the form on file with the City, are hereby approved and authorized, with changes or amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City as determined by the City Manager. The City Manager, for and in the name of the City, is hereby authorized to execute the CRA Agreement and Donation Agreement and any amendments thereto deemed by the City Manager to be necessary. The approval of changes or amendments by the City Manager, and the character of the changes or amendments as not being inconsistent with this Ordinance and not being substantially adverse to the City, shall be evidenced conclusively by the execution of the CRA Agreement and Donation Agreement by the City Manager.

SECTION II. 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 all legal requirements including Ohio Revised Code Section 121.22.

SECTION III. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of this City and for the other reasons set forth in the preamble to this Ordinance is required to be immediately effective to allow for the construction of the Project, which is necessary to provide for development within the City; wherefore this Ordinance shall take effect and be in force from and immediately after its adoption.

SECTION IV. This Ordinance shall take effect and be in force at the earliest date permitted by law.

1st Reading _____

PRESIDENT OF COUNCIL

2nd Reading _____

3rd Reading _____

Passed: _____

APPROVED AS TO FORM:

ATTEST:

LAW DIRECTOR

CLERK OF COUNCIL

COMMUNITY REINVESTMENT AREA AGREEMENT

This Community Reinvestment Area Agreement, including its exhibits (this “CRA Agreement”) is made and entered into as of _____, 2025 (the “Effective Date”) by and among City of Marysville (the “City”), a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio and its Charter, and Anadonna LLC, a Delaware limited liability company (together with any permitted successors, assigns or transferees, referred to herein as the “Company”). The City and the Company may be referred to herein individually as a “Party” and, collectively, as the “Parties.”

WITNESSETH:

WHEREAS, the City has determined to encourage the industrial and commercial development of real property and the acquisition of personal property located in an area formally designated as the Marysville Community Reinvestment Area No. 2 (the “CRA”); and

WHEREAS, the Company has acquired or intends to acquire the real property contained within the CRA described and depicted on Exhibit A attached hereto (the “Project Site”), and intends to develop, construct (in one or more phases) and operate on that Project Site one or more data center(s) as well as certain buildings, structures and infrastructure for administrative, accessory, supporting, associated or related uses, such as (but not limited to) offices and utility buildings, structures and appurtenances together with related site improvements (collectively, the “Project,” with each individual building or structure within the Project being referred to herein as a “Building”), provided that the appropriate development incentives are available to support the economic viability of the Project; and

WHEREAS, the City Council by its Ordinance No. 17-19 adopted on August 12, 2019, as amended by Ordinance No. 007-2025 adopted on March 10, 2025 (together, the “CRA Legislation”) designated the area specified in the CRA Legislation as the CRA pursuant to Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (collectively, the “CRA Act”), and authorized a real property tax exemption for the construction of certain types of new structures and the remodeling of certain types of existing structures in the CRA in accordance with the CRA Act; and

WHEREAS, the Director of the Ohio Department of Development assigned to the CRA a unique designation number (_____) by which the area shall be identified for purposes of the CRA Act; and

WHEREAS, the City, having the appropriate authority under the CRA Act and the CRA Legislation, desires to provide incentives available for the development of the Project on the Project Site; and

WHEREAS, the Company submitted to the City the CRA Agreement Application (the “Agreement Application”) attached hereto as Exhibit B; and

EXHIBIT A

WHEREAS, the City's Housing Officer, duly designated under R.C. 3735.65, has reviewed the Agreement Application and recommended the approval of the same to the City Council on the basis that the Company is qualified by financial responsibility and business experience to create employment opportunities in the CRA and improve the economic climate of the City; and

WHEREAS, the City, subject to the terms of this CRA Agreement, has agreed to provide the Company with a fifteen (15) year, one hundred percent (100%) real property tax exemption applicable to the construction of each Building on the Project Site (collectively, the "Exemptions" as defined in Section 3); and

WHEREAS, the Company, subject to the terms of this CRA Agreement, and in consideration for receiving the Exemptions, has agreed to make certain annual PILOT payments to the City, as set forth in Section 7 of this CRA Agreement; and

WHEREAS, the Project Site is located in the Marysville Exempted Village School District (the "MEVSD") and the service area for the Ohio Hi-Point Career Center (the "OHPCC", each "a School District" and, collectively, the "School Districts"), and the Boards of Education of each School District have been notified of the proposed approval of this CRA Agreement in accordance with R.C. Sections 3735.671 and 5709.83, or have waived such notice, and have been given a copy of this CRA Agreement; and

WHEREAS, pursuant to the CRA Act, the Board of Education of the MEVSD, by resolution adopted on _____, 2025, has (i) approved the Exemptions set forth herein, including the fifteen (15) year, one hundred percent (100%) real property tax exemption of the assessed value of each Building constructed at the Project Site; and (ii) waived its rights to receive notice under the CRA Act and R.C. 5709.83; and

WHEREAS, pursuant to the CRA Act, the Board of Education of OHPCC, by resolution adopted on _____, 2025, has waived its rights to receive notice under the CRA Act and R.C. 5709.83; and

WHEREAS, the City Council, by Ordinance No. _____, passed on _____, 2025, has approved the terms of this CRA Agreement and authorized its execution on behalf of the City; and

WHEREAS, the City, MEVSD, OHPCC and the Community Improvement Corporation of Union County (the "CIC") which serves as the City's agent for economic development purposes, have entered into, or intend to enter into, a Donation Agreement pursuant to R.C. 5709.82(B) in order to provide the City and each School District with certain compensation in lieu of the tax payments that the City and the School Districts would each have otherwise received but for the Exemptions granted under this CRA Agreement; and

WHEREAS, pursuant to R.C. Sections 3735.67(A) and 3735.671(A) and in conformance with the requirements under R.C. Section 3735.671(B), the City and the Company desire to set forth their agreement with respect to matters contained herein.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the Parties from the execution hereof, the receipt and sufficiency of which are hereby acknowledged, the Parties herein agree as follows:

- 1. Project.** The Company proposes to establish, in one or more phases, the Project at the Project Site.
- 2. Employee Positions and Capital Investment.** The Company currently estimates that as a result of the construction of the Project there will be created at the Project Site, cumulatively, approximately fifty (50) permanent, full-time employment opportunities with an aggregate annual payroll of approximately four million dollars (\$4,000,000) by approximately December 2036. Currently, the Company has zero (0) employees at the Project Site; therefore, no employee positions and no payroll will be retained by the Company in connection with the Project. In addition, the Company currently estimates that as a result of the construction of the Project, the capital investment for the Project (including but not limited to, for construction, on-site infrastructure and equipment) will be approximately one billion dollars (\$1,000,000,000) by approximately December 2036. The estimates provided in this Section 2 are good faith estimates provided pursuant to R.C. Section 3735.671(B)(8) and shall not be construed in a manner that would limit the amount or term of the Exemptions (as defined in Section 3 of this CRA Agreement). The Parties recognize that the actual employment, payroll, and investment associated with the Project may increase or decrease significantly from the current estimates. The Parties also recognize that the costs associated with the capital investment do not necessarily equate to taxable value for real property tax purposes. The Parties further recognize that the employees referenced herein may be employed by the Company or one or more entities that control the Company, are controlled by the Company, or are under common control with the Company (each an "Affiliate," and collectively, the "Affiliates").

The Company will provide the City with the name and contact information of the Company's general contractor for the Project (the "General Contractor") and direct its General Contractor to cooperate with any reasonable requests from the City related to identifying subcontractors working on the Project, provided that any failure by the Company to meet any obligations under this paragraph shall not constitute a breach of this Agreement or a material failure under Section 11.

- 3. Real Property Tax Exemption.** The City hereby grants a fifteen (15) year, one hundred percent (100%) real property tax exemption pursuant to the CRA Act for each new Building constructed at the Project Site (each an "Exemption" or collectively, the "Exemptions"). The Exemption shall first apply to each new Building for the tax year that such Building would first be taxable, were that property not hereby exempted from taxation. In any case in which one or more new Buildings are partially constructed as of the tax lien date for a particular tax year, the Company may choose, to the extent allowed under applicable law, whether the Exemption commences with a partial construction year or with a full construction year. No Exemption shall commence after tax year 2045 (i.e., tax lien date January 1, 2045) nor extend beyond tax year 2059 (i.e., tax lien date January 1, 2059). For the avoidance of doubt, the Exemptions for the Project may exceed fifteen (15) years, but the Exemptions shall not exceed fifteen (15) years for any particular Building at the Project Site. Each Exemption shall apply irrespective of whether the real property is owned

by Company, or, in accordance with Section 13 of this CRA Agreement, by any permitted assignee or transferee.

4. Provision of Information. The Company shall provide, or cause to be provided, to the applicable tax incentive review council (“TIRC”) any information reasonably necessary for the applicable TIRC to make the determinations required under R.C. Section 5709.85 and to evaluate the Company’s compliance with the provisions of this CRA Agreement.

5. Application for Exemption. The Company acknowledges that the Exemption with respect to each new Building is subject to the filing of a real property tax exemption application with the Housing Officer designated by the City for the CRA, with such application substantially in the form attached hereto as Exhibit C. The City agrees that within forty-five (45) days of receipt of the real property tax exemption application, the Housing Officer will verify the facts and circumstances necessary to determine whether the real property improvement is eligible for a tax exemption pursuant to this CRA Agreement. If the Housing Officer determines that the real property improvement is eligible for a tax exemption, he or she will certify the tax exemption to the Union County Auditor. If the Housing Officer determines that the real property improvement is not eligible for a tax exemption, he or she will provide written notice of such determination to the Company pursuant to the notice requirements of this CRA Agreement.

6. Payment of Non-Exempt Taxes. The Company shall pay real property taxes not exempted under this CRA Agreement, as required by law. If the Company fails to pay such taxes beginning in and after the year any such taxes are charged and such failure is not corrected within ninety (90) days of written notice thereof from the City to the Company, then this CRA Agreement shall be rescinded beginning with the year for which such unpaid taxes are charged or such unfilled reports or returns are required to be filed and thereafter. Notwithstanding the foregoing, nothing contained in this CRA Agreement shall restrict or limit the Company’s right to contest the valuation of any property associated with the Project Site or any Building located thereon under R.C. Sections 5715.13 and 5715.19 or to contest any other Ohio State and local tax matters.

7. Local Support – PILOT.

In consideration of the benefits conferred upon the Company by this CRA Agreement and for other good and valuable consideration, the Company shall make an annual payment in lieu of taxes (“PILOT”) to the City for any tax year in which at least one Qualifying Building (defined below) is located at the Project Site, with the amount of the PILOT equal to one million two hundred and six thousand dollars (\$1,206,000) (the “Base PILOT”), plus any applicable CPI Adjustment and Square Footage Adjustment (as each of those terms are defined below). The Base PILOT plus any applicable CPI Adjustment and Square Footage Adjustment shall be collectively referred to herein as the “PILOT Amount”.

A “Qualifying Building” shall refer to each data center building located on the Project Site that: (i) is primarily used to house and operate server equipment and other equipment commonly associated with a data center; (ii) occupies at least 100,000 square feet (as determined by the Union County Auditor); and (iii) is subject to an Exemption under this CRA Agreement for the applicable tax year. Ancillary buildings and structures supportive of any Qualifying Building and its operation as a data center may be developed on the Project Site and such ancillary buildings and

structures shall not count as a Qualifying Building for purposes of the PILOT or calculating the PILOT Amount.

The Company's obligation to pay the PILOT under this Section shall only apply if at least one Qualifying Building on the Project Site receives an Exemption in the applicable tax year. The first tax year in which at least one Qualifying Building is located on the Project Site shall be referred to as the "PILOT Commencement Year". For the avoidance of doubt, the Company shall not be obligated to pay the PILOT in any year: (i) before the PILOT Commencement Year, (ii) after the Term of this Agreement, or (iii) in which no Building is subject to an Exemption.

CPI Adjustment: Beginning with the first full calendar year after the Effective Date of this Agreement, the amount of the Base PILOT hereunder shall be adjusted annually on the anniversary of the Effective Date of this Agreement (each a "CPI Adjustment Date") by the percentage increase during the prior calendar year in the Consumer Price Index for All Urban Consumers, Midwest Region, or if such index ceases to be published, another index mutually agreed to by the Parties that most closely approximates such index ("CPI Adjustment"), with the amount of the CPI Adjustment for any year not to exceed 3%. Each CPI Adjustment shall only apply to any PILOT payments owed by the Company after the applicable CPI Adjustment Date (exclusive of any extensions to the payment date as may be applicable under this Section).

Square Footage Adjustment. In the event the square footage of all Qualifying Buildings in an applicable tax year (as determined by the Union County Auditor) exceeds one million square feet (the "Adjustment Threshold"), there shall be added to the Base PILOT for that tax year a square footage adjustment equal to \$1.20 per square foot of Qualifying Buildings in excess of the Adjustment Threshold (the "Square Footage Adjustment"). By way of example only, and without otherwise modifying the terms herein, if the total square footage of all Qualifying Buildings in a given tax year equals one million five hundred thousand square feet (1,500,000 sq. ft.), the PILOT Amount owed by the Company for that tax year would equal one million eight hundred and six thousand dollars (\$1,806,000), with that amount calculated as follows: $[\$1,206,000 + ((1,500,000 - 1,000,000 \text{ sq ft}) \times \$1.20/\text{sq ft}) = \$1,806,000]$, and subject to, if applicable, the CPI Adjustment.

Unless otherwise agreed in writing by the Parties, the Company shall pay the PILOT Amount to the City no later than May 15 of the calendar year immediately following the tax year for which a PILOT is owed by the Company to the City under this Section, provided that the City delivers a written invoice to the Company setting forth the PILOT Amount no later than sixty (60) days before that May 15 date (each an "Invoice"). For example, if tax year 2030 (i.e., tax lien date of January 1, 2030) is the first year for which the Project Site will have a Qualified Building, the Company would be required to make the first PILOT payment no later than May 15, 2031, provided that the City delivers an Invoice to the Company setting forth the PILOT Amount at least 60 days in advance of that date. Failure by the City to provide the Company with a timely Invoice for the PILOT shall not excuse the Company's obligation to make the PILOT payment for the applicable tax year, but shall extend the due date for that PILOT to and until sixty (60) days after the date on which the Company receives the Invoice. The City shall deliver the Invoice to the Company in accordance with Section 18 of this CRA Agreement and shall provide a copy of the Invoice by email to the following recipient, or such other recipient as the Company may subsequently identify: (sjziance@vorys.com). All Invoices from the City must include sufficient detail and supporting documentation to substantiate the calculation of the PILOT Amount under

this CRA Agreement. The City shall only submit one Invoice to the Company for each applicable tax year for which a PILOT is owed under this CRA Agreement.

The PILOT may be paid to the City, or if the City directs in writing, the CIC as the City's designated agent, by wire transfer, or any other method mutually agreed upon in writing by the Parties. For each PILOT payment made by the Company under this CRA Agreement, the City shall provide or cause to be provided to the Company a written receipt for the payment of the PILOT Amount within thirty (30) days after such payment. The City shall keep and maintain complete and accurate records in connection with its performance under this CRA Agreement and all Invoices charged to Company and will retain these records for at least seven (7) years after payment by the Company of the final Invoice under this Agreement.

8. Cooperation of the Parties. The City shall perform such acts as are reasonably necessary or appropriate to approve, effect, claim, reserve, preserve and maintain the Exemptions from taxation granted under this CRA Agreement, including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such Exemptions. The City will cooperate in good faith in the development of the Project, including, but not limited to: (i) the expeditious review, processing, and approval of all permits under the City's control, and (ii) all other activities related to the Project. The Parties shall cooperate in a commercially reasonable manner to address traffic and road access issues to and from the Project Site.

9. Continuation of Exemptions under Certain Circumstances. If for any reason the CRA designation expires, the Director of the Ohio Department of Development revokes certification of the CRA, or the City revokes the designation of the CRA, this CRA Agreement shall nevertheless continue in effect in accordance with its terms and (i) any Exemption previously granted under Section 3 of this CRA Agreement for a Building shall continue for the number of years specified under this CRA Agreement, and (ii) Exemptions yet to be granted but provided for under Section 3 shall be granted by the City in accordance with the terms of this CRA Agreement. The preceding sentence shall not apply to circumstances where the Company materially fails to fulfill its obligations under this CRA Agreement beyond all applicable notice and cure periods and the City terminates, suspends or modifies the Exemptions pursuant to Section 11 of this CRA Agreement. Except for any amendment, rescission, revocation, modification, suspension or termination otherwise permitted under this CRA Agreement, the City agrees that it will not amend or revoke the CRA designation as to the Project Site, or modify the Exemptions available under that designation for any Building on the Project Site, unless otherwise mandated by Ohio law.

10. Certification as to No Delinquent Taxes. The Company hereby certifies that at the time this CRA Agreement is executed, (i) the Company does not owe any delinquent property taxes or taxes for which the Company is liable under R.C. Chapters 5735, 5739, 5741, 5743, 5747, or 5753, or, if such delinquent taxes are owed, the Company is currently paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, (ii) the Company has not filed a petition in bankruptcy, and (iii) no such bankruptcy petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the R.C. governing payment of those taxes.

11. Modification of Exemption for Material Failure. If the Company materially fails to fulfill its obligations under this CRA Agreement, and such material failure is not corrected within ninety (90) days after receipt of written notice thereof to the Company, or if the City determines that the certification as to delinquent taxes required by this CRA Agreement is fraudulent, the City may terminate, suspend or modify the exemptions from taxation granted under this CRA Agreement, from the date of such material failure.

12. Cessation of Operations. If the Company, after first commencing data center operations on the Project Site, ceases all data center operations at the Project Site (a “Cessation”) for a continuous period of more than one (1) year ending on or before December 31, 2040, the City, following the notice and cure provisions of Section 11, may (i) thereafter suspend, modify, or terminate the exemptions from taxation provided under this Agreement for tax years beginning after the date the Cessation has reached one year of duration, as applicable, and (ii) require the payment of one-hundred percent (100%) of the real property taxes that would have been payable with respect to any Building on the Project Site had such building not been exempted from taxation under this Agreement (less the PILOT payments actually paid by the Company during such period), for the tax year in which the Cessation has reached one year of duration and the two (2) immediately preceding tax years (provided, however, that this Section 12 will not apply to any temporary cessation of operations at the Project Site during a period while the Company is proceeding with due diligence in the retooling of a substantial portion of the Project or other action to recommence operations). Payments imposed by the City under this Section 12, if any, will be made within ninety (90) days of written notice by the City requiring such payment, which notice will include an accounting of the amounts required by the City in accordance with this Agreement. At no time will the sum of the Company’s obligations for any given tax year to pay for real property taxes, the PILOT, and payments under this Section 12 that relate to the Project Site exceed one hundred percent (100%) of the real property taxes allowable by law to be imposed on the Project Site for that year in the absence of any exemption from taxation. Notwithstanding any other language herein, the calculation of the one-year period for a Cessation under this Section shall not include any period of time for which the Cessation was caused by a Force Majeure Event (as defined in Section 30).

For clarity, if the Company were to cease all operations at the Project Site indefinitely on September 30, 2029 and there was a continuous Cessation through December 31, 2030, during which time the City provided notice of material failure pursuant to Section 11 and the Company failed to cure within the applicable period, the City may suspend, modify, or terminate the tax exemptions provided for under this Agreement effective beginning with the 2031 tax year and require the Company to pay not more than one hundred percent (100%) of the amount of the real property taxes that would have been payable with respect to any Building on the Project Site had such building not been exempted from taxation under this Agreement for tax years 2028, 2029, and 2030, less any PILOT payments for those tax years paid by the Company pursuant to Section 7 of this Agreement. The City may not seek any payment or other remedy under this Section 12 for any Cessation which reaches one year of duration on or after January 1, 2041.

The City is authorized to secure payment of taxes as provided by this Section 12 by a lien on the Project Site in the amount required to be repaid. Pursuant to R.C. Section 3735.671, such lien will attach, and may be perfected, collected, and enforced, in the same manner as a mortgage

lien on real property, and otherwise has the same force and effect as a mortgage lien on real property.

13. Revocation of Exemptions. Company represents that it is not ineligible to enter this CRA Agreement under R.C. Section 3735.671(C). Exemptions from taxation granted under this CRA Agreement shall be revoked with respect to the Company if it is determined that the Company, any successor to the Company, or any related member of the Company (as those terms are defined in R.C. Section 3735.671(C)), has violated the prohibition against entering into the CRA Agreement under Division (C) of R.C. Section 3735.671 or R.C. Sections 5709.62, 5709.63, or 5709.632 prior to the expiration of three (3) years after the person's discontinuation of operations.

14. Transfer and/or Assignment; Release from Liability. Except as provided for in this Section, this Agreement is not transferable or assignable without the express written approval of the City, which shall not be unreasonably withheld or delayed. The City and the Company acknowledge that the exact legal and financing structure used by the Company in developing, equipping and operating the Project may include additional legal entities; therefore, the Company may assign or transfer this Agreement, in whole or in part, without the approval of the City to (i) any Affiliate, (ii) any entity resulting from the merger or consolidation of or with the Company, (iii) any person or entity which acquires all (or substantially all) of the assets of the Company, (iv) any successor of the Company by reason of public offering, reorganization, dissolution, or sale of stock, membership or partnership interests or assets, or (v) in connection with any financing transaction entered into for the Project, including, but not limited to, any financing transaction under Ohio Revised Code Chapter 4582. The Company shall provide written notice to the City within sixty (60) days after any assignment or transfer permitted hereunder. Upon delivery to the City of such notice, the Company (or any subsequent permitted assignee or transferee under this Section, as applicable) will be released from liability for any defaults occurring after the date of the permitted assignment or transfer.

15. Counterparts. This CRA Agreement may be signed in one or more counterparts or duplicate signature pages, each of which shall be deemed to be an original, and all of which together shall constitute one and the same agreement and shall have the same force and effect as if all required signatures were contained in a single, original instrument. Any one or more of such counterparts or duplicate signature pages may be removed from any one or more original copies of this CRA Agreement and annexed to other counterparts or duplicate signature pages to form a completely executed, original instrument.

16. Severability; Construction; Headings. If any provision of this CRA Agreement or the application of any such provision to any such person or any circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provision of this CRA Agreement or the application of such provision to any other person or circumstance, all of which other provisions shall remain in full force and effect. If any provision of this CRA Agreement is capable of two constructions, one of which would render the provision valid, then such provision shall have the meaning which renders it valid. The captions and headings in this CRA Agreement are for convenience only and in no way define, limit, prescribe or modify the meaning, scope or intent of any provisions hereof.

17. Modifications. If, notwithstanding Section 14 of this CRA Agreement, it becomes necessary to modify the terms of this CRA Agreement to reflect the exact legal and financing structure used by the Company in developing, equipping and operating the Project, the City will reasonably cooperate with the Company to execute an amendment to this CRA Agreement.

18. Notices. Any notices, statements, acknowledgements, consents, approvals, certificates or requests required to be given on behalf of any Party to this CRA Agreement shall be made in writing addressed as follows and sent by (i) registered or certified mail, return receipt requested, and shall be deemed delivered when the return receipt is signed, refused or unclaimed, or (ii) by nationally recognized overnight delivery courier service and shall be deemed delivered the next business day after acceptance by the courier service with instructions for next-business-day delivery:

If to the City, to:

City of Marysville, Ohio
209 S Main St
Marysville, OH 43040
Attention: _____

With a courtesy copy, which is not required notice, to:

[To be added]

If to the Company, to:

Anadonna LLC
c/o Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, Ohio 43215
Attention: Scott J. Ziance

With a courtesy copy, which is not required notice, to:

Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
Attention: Scott J. Ziance
sjziance@vorys.com

or to any such other addresses as may be specified by any Party, from time to time, by prior written notification.

19. R.C. Section 9.66 Covenants. The Company affirmatively covenants that it has made no false statements to the State or any local political subdivision concerning an application for economic development assistance related to the Project; and that it does not owe: (i) any delinquent taxes to the State or a political subdivision of the State, (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State, and (iii) any

other moneys to the State, a State agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

20. Estoppel Certificate. Upon request of the Company, the City shall execute and deliver to the Company or any proposed purchaser, mortgagee or lessee a certificate stating: (a) that the CRA Agreement is in full force and effect, if the same is true, (b) that the Company is not in default under any of the terms, covenants or conditions of the CRA Agreement, or if the Company is in default, specifying the same, and (c) such other related matters as the Company reasonably requests.

21. Termination. Unless terminated earlier pursuant to its terms, this CRA Agreement shall be in full force and effect until December 31 of the later of (i) 2059, or (ii) the year following the last tax year for which an Exemption remains in effect, after which this CRA Agreement and the obligations of all Parties hereto shall terminate (the "Term"). The Company has the right to terminate this CRA Agreement for any reason or no reason by delivering a signed writing to the City notifying the City of such termination at least thirty (30) days prior to the desired termination date.

22. Public Records; Confidentiality. The Company acknowledges and agrees that this Agreement is a public record subject to disclosure under the State's public records laws. The City acknowledges and agrees that the State's public records laws exempt from disclosure certain types of records, materials and information, as set forth in the Ohio Revised Code (*e.g.* R.C. Sections 122.36, 122.75, 149.433, 149.45, 718.13, 1333.61 et seq., 5703.21, 5711.101). The City agrees to use adequate safeguards to maintain the security and confidentiality of those exempt records. The City may disclose records, or such portions of records, which are not exempt from the State's public record laws to the extent required by law, provided that the City shall: (a) give the Company written notice at least five (5) business days prior to responding to all records requests related to the Company or Project; (b) reasonably cooperate with the Company in responding to any such records requests; (c) disclose in response to such requests only such records, or portion of records, as are required to be disclosed under Ohio public records laws; and (d) redact, omit or refuse to provide any records not required to be disclosed under Ohio public records law. Nothing in this CRA Agreement shall be interpreted as contrary to the Ohio Public Records Act (R.C. Section 149.43).

23. Legal Authority; Binding Effect. The Parties respectively represent and covenant that each is legally empowered to execute, deliver and perform this CRA Agreement and to enter into and carry out the matters contemplated by this CRA Agreement. The Parties further respectively represent and covenant that this CRA Agreement has, by proper action, been duly authorized, executed and delivered by the Parties. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective permitted successors and assigns.

24. Approval by the City. The Company and the City acknowledge that this CRA Agreement must be approved by formal actions of the legislative authority of the City as a condition for this CRA Agreement to take effect. This CRA Agreement was approved by Ordinance No. _____ of the City Council on _____, 2025, and this CRA Agreement will be effective as of the Effective Date immediately upon its execution.

25. Validity. The Company and the City covenant and agree that they are prohibited from challenging the validity of this CRA Agreement or the CRA. The Company and the City waive any defects in any proceedings related to the CRA or this CRA Agreement. If the validity of the CRA or this CRA Agreement is challenged by any entity or individual, whether private or public, the Company and the City (subject to applicable fiscal certification requirements) will advocate diligently and in good faith in support of the validity of the CRA and this CRA Agreement.

26. No Third-Party Beneficiaries. Notwithstanding any other provision of this CRA Agreement to the contrary, the Parties agree that: (i) no individual or entity will be considered, deemed, or otherwise recognized to be a third-party beneficiary of this CRA Agreement; (ii) the provisions of this CRA Agreement are not intended to be for the benefit of any individual or entity other than the Parties; (iii) no other individual or entity will obtain any right to make any claim against the Parties under the provisions of this CRA Agreement; and (iv) no provision of this CRA Agreement will be construed or interpreted to confer third-party beneficiary status on any individual or entity.

27. Anti-Corruption. In connection with the negotiation and performance of this CRA Agreement, the City represents, warrants and covenants that it has complied and will continue to comply with all applicable public procurement requirements and all applicable anti-corruption laws, rules, and regulations, including by using any payments or other investments provided by the Company solely for the purposes stated in this Agreement and not in any way, directly or indirectly, that would constitute bribery, an illegal kickback, an illegal campaign contribution, or would otherwise violate any applicable anti-corruption laws. If the City becomes aware of any violation or suspected violation of this Section 27 of the Agreement, it shall provide prompt written notice to the Company, setting forth the relevant facts and circumstances. The City will, consistent with applicable laws, cooperate with the Company in good faith to review any suspected violations of this Section 27 of the Agreement, including by providing the Company with reasonable access to relevant documentation. Notwithstanding any other provision in this Agreement, the Company may immediately terminate this Agreement if the City is in breach of any of its obligations under this Section 27 of the Agreement.

28. Each Party Responsible for its Own Costs. Each Party will be responsible for its own costs incurred in performing its obligations under this CRA Agreement.

29. Non-Discriminatory Hiring. The Company acknowledges that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

30. Force Majeure. Any delay in the performance of any of the duties or obligations of a Party under this CRA Agreement (the “Delayed Party”) will not be considered a breach, default, or otherwise in violation of the terms of this CRA Agreement if the delay in performance arose from a Force Majeure Event and the time required for performance will be extended for a period equal to the period of delay caused by a Force Majeure Event. The Delayed Party will give prompt written notice to the other Party of such cause and will take whatever reasonable steps are necessary to relieve the effects of such cause. “Force Majeure Event” means, in respect of a Party, any event or occurrence that is not within the reasonable control of that Party or its Affiliates, and prevents that Party from performing its obligations under this Agreement, including any of the

following events and occurrences (provided that it meets the foregoing requirements): any act of God; act of a public enemy; war; riot; sabotage; blockage; embargo; failure or inability to secure materials, supplies, or labor through ordinary sources; labor strike, lockout, or other labor or industrial disturbance (whether or not on the part of agents or employees of a Party); civil disturbance; terrorist act; power outage; fire; flood; windstorm; hurricane; earthquake; landslides; lightning; tornadoes; storms; washouts; droughts; or other casualty; insurrection; epidemic; pandemic; arrests; restraint of government and people; quarantine; explosions; breakage or accident to machinery, transmission pipes, or canals; partial or entire failure of utilities; any change in law, order, regulation, or other action of any governing authority; or any other event or occurrence not within the reasonable control of that Party or its Affiliates, including insufficient or unavailable utilities for the Project.

31. No Personal Liability. No covenant, obligation, representation or agreement is deemed to be a covenant, obligation, representation or agreement of any present or future member, officer, agent or employee of Parties other than in his or her official capacity, and neither officers or employees of the City, members of the legislative authority of the City, nor any officers or employees of the Company executing this Agreement are liable personally under this Agreement or subject to any personal liability or accountability by reason of the execution thereof or by reason of the covenants, obligations or agreements of the Parties contained in this Agreement.

32. Incorporation of Exhibits. All exhibits attached hereto are hereby incorporated into this CRA Agreement and made a part hereof.

33. Entire Agreement. This CRA Agreement constitutes the entire agreement between the Company and the City pertaining to the subject matter contained herein and supersedes all other prior or contemporaneous agreements or understandings between the Company and the City in connection with such subject matter.

34. Applicable Law. This CRA Agreement and all related documents are governed by, and shall be construed in accordance with, the laws of the State of Ohio, without giving effect to any conflict of laws provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of Ohio. To the extent permitted by the laws of the State of Ohio, this Agreement and all related documents shall be construed in accordance with law and any applicable regulations in effect as of the Effective Date.

[This Space Intentionally Left Blank – Signature Pages to Follow]

EXHIBIT A

IN WITNESS WHEREOF, the Parties have caused this CRA Agreement to be executed by their duly authorized representatives, effective as of the Effective Date.

CITY OF MARYSVILLE, OHIO

By: _____

Name: _____

Title: _____

Approved as to form:

Director of Law

ANADONNA LLC

By: _____

Name: _____

Title: _____

EXHIBIT A TO CRA AGREEMENT

Description of Project Site

The Project Site is depicted by the map on the following page:

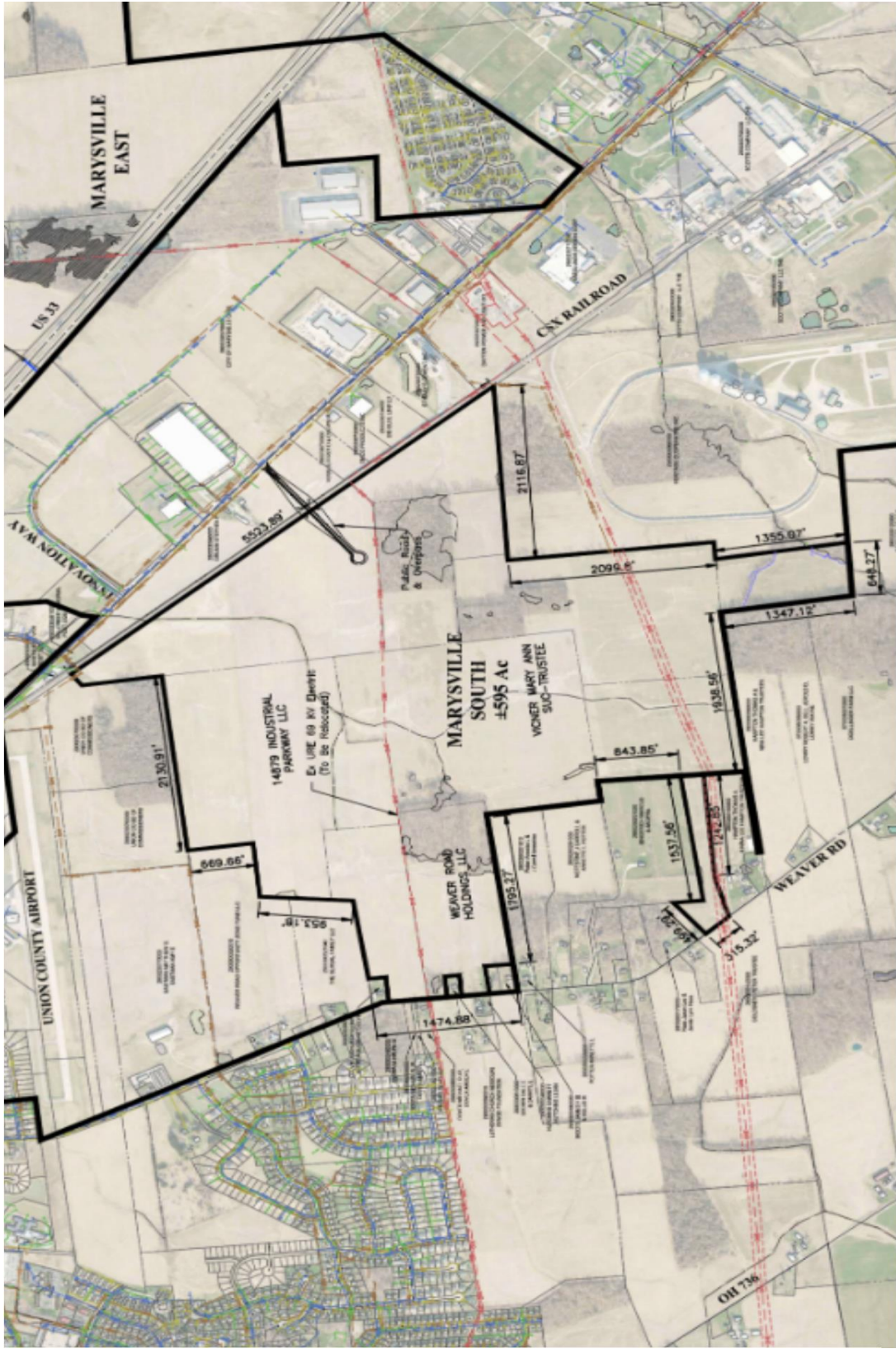


EXHIBIT B TO CRA AGREEMENT

Agreement Application

[To be attached]

BUSINESS APPLICATION FOR CRA TAX INCENTIVE

Section 1 – Contact Information

- a) Name of property owner, office address, contact person, and telephone number. Please attach additional pages if multiple enterprise participants.

<u>Anadonna LLC</u> Enterprise Name	<u>Pamela Gregorski</u> Contact Person
<u>103 Foulk Rd (Suite 202), Wilmington, DE 19803</u> Address	<u>302-421-6253</u> Phone
<u>pamela.gregorski@cscglobal.com</u> Email	

- b) Project site:

<u>Anadonna LLC</u> Owner Name	<u>Pamela Gregorski</u> Contact Person
<u>103 Foulk Rd (Suite 202), Wilmington, DE 19803</u> Address	<u>302-421-6253</u> Phone
<u>pamela.gregorski@cscglobal.com</u> Email	

Section 2 – Business Activity

- a) Describe the nature of the primary activity to be conducted at the site (e.g. manufacturing, warehousing, wholesale, retail):
Data Center Operations
- b) List the primary 6 digit North American Industry Classification System (NAICS)
518210
- Business may list other relevant SIC numbers:

- c) If a consolidation, what are the components of the consolidation? Itemize the location, assets, and employment positions to be transferred:
Not a consolidation

- _____
- d) Form of business of enterprise (e.g. corporation, partnership, proprietorship, or other):

LLC

Section 3 – Principal Ownership

- a) Name of principal owner(s) or officers of the business.

Pamela Gregorski - Officer

Section 4 - Relocation

- a) State the enterprise's current employment level at the proposed project site:

None

- b) Will the project involve the relocation of employment positions or assets from one Ohio location to another? ☐ Yes ☒ No

- c) If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

N/A

- d) State the enterprise's current employment level in Ohio. Itemize for full and part-time and permanent and temporary employees:

None

- e) State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

N/A

- f) What is the projected impact of the relocation, including the number and type of employees and/or assets to be relocated?

N/A

Section 5 – Delinquent Taxes or Fees

Does the Property Owner owe:

- a) Any delinquent taxes to the State of Ohio or a political subdivision of the state? ☐ Yes ☒ No
- b) Any delinquent taxes, fees, or penalties to Union County or the City of Marysville? ☐ Yes ☒ No
- c) Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? ☐ Yes ☒ No
- d) Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? ☐ Yes ☒ No
- e) If **yes** to any of the above, please provide details of each instance including the location, amounts and/or case identification numbers. *Please add additional sheets if necessary.*

N/A

Section 6 – Project Description

Please describe the project:

The Company intends to develop, construct (in one or more phases) and operate one or more data center(s) as well as certain buildings, structures and infrastructure for administrative, accessory, supporting, associated or related uses, such as (but not limited to) offices for utility buildings, structures and appurtenances together with related site improvements.

Section 7 – Project Timeline

- a) The project will begin approximately December, 2029 and be completed approximately December, 2034.

Section 8 – Employment

- a) Estimate the number of new employees the property owner will cause to be created at the facility that is the project site. Job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary.

FT New Permanent Employees:	50
PT New Permanent Employees:	
FT New Temporary Employees:	
PT New Temporary Employees:	
Total New Employees:	50

- b) Indicate the time frame of projected hiring: 5 years
- c) State the proposed schedule for hiring. Itemize by full and part-time and permanent and temporary employees.

Full Time Permanent Employees are estimated to be hired 10 per year for 5 years from

December 2031 – December 2036

Section 9 – New & Retained Payroll

- a) Estimate the amount of annual payroll new employees will add. *Must be itemized by full and part-time and permanent and temporary new employees.*

FT New Permanent Employees:	\$ 4,000,000
PT New Permanent Employees:	\$
FT New Temporary Employees:	\$
PT New Temporary Employees:	\$

- b) Indicate the amount of existing annual payroll relating to job retention resulting from the project.

FT Retained Permanent Employees:	\$ N/A
PT Retained Permanent Employees:	\$
FT Retained Temporary Employees:	\$
PT Retained Temporary Employees:	\$

Section 10 – Project Investment

- a) Provide an estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

Acquisition of Buildings:	\$
Additions/New Construction:	\$ 500,000,000
Improvements to Existing Buildings:	\$
Machinery & Equipment:	\$ 500,000,000
Furniture & Fixtures:	\$
Inventory:	\$
Total New Project Investment:	\$ 1,000,000,000

Section 11 – Assistance Requested

a) Business requests the following tax exemption incentives: 100% for 15 years covering real property improvements as described above.

b) Business's reasons for requesting tax incentives (be quantitatively specific as possible):

This project is part of a global site selection search effort to site, develop, build, and operate the next state of the art enterprise data center to support the Company's operations. The incentives provide a competitive advantage for this Marysville site as compared to other sites in consideration for this project. The Company ranks and rates potential sites, in part, based on net tax liability score, and with this incentive, the Marysville site ranks favorably, sufficient to be selected.

Section 12 – Obligations

Submission of this application expressly authorizes the City of Marysville and its designees to contact the Ohio Environmental Protection Agency to confirm statements contained within this application and to review applicable confidential records.

As part of this application, the property owner may be required to directly request from the Ohio Department of Taxation a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request.

Applicant agrees to supply additional information upon request:

X Yes ☐ No

Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C) (1) and 2921.13(D) (1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Anadonna LLC

Name of Property Owner

November 3, 2025

Date

Pamela A. Gregorski

Signature

Pamela Gregorski – President and CEO

Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Community Reinvestment Area Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

EXHIBIT C TO CRA AGREEMENT

Form of Application for Exemption

[To be attached]

City of Marysville, Ohio

APPLICATION TO ENACT REAL PROPERTY TAX EXEMPTION

Property Owner/Applicant Information			
Legal Entity Name:			
Federal Tax ID:			
Corp. Address:			
	<i>Street Address</i>		<i>P.O. Box/Suite No.</i>
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Contact Name:			
Contact Title:			
Contact Phone Number:			
Contact E-mail Address:			

Project Information			
Address of Property:			
	<i>Street Address</i>		<i>P.O. Box/Suite No.</i>
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Parcel ID Number(s):	1.		
	2.		
County:			
Tax Dist. Number:			
School District:			
Investment Type: <i>New Construction or Expansion</i>			
Construction Cost	\$		
Project Square Feet			
Commencement Date			
Completion Date			
Date of Occupancy			

Additional Tenant Information (if applicable)			
Additional Affiliated Entities Operating at the Property:		Entity Name	Federal Tax ID
	1.		
	2.		
	3.		
	4.		

Applicant Acknowledgement

To the best of my knowledge the information provided in this application is true, correct and complete.

Signature _____

Print Name _____

Title _____

Date _____

City Authorization	
Authorizing Resolution No.:	
Approval of City Council:	
Real Property Tax Abatement Term:	
Real Property Tax Abatement Rate:	
Real Property Tax Abatement Commencement Date:	

I certify that the project described herein meets the necessary requirements of the Community Reinvestment Area Program of the City of Marysville, Ohio and qualifies for tax exemption under R.C. 3735.67(D).

By: _____
 [Name]
 CRA Housing Officer

Date: _____

DONATION AGREEMENT

Authorized under Ohio Revised Code under 5709.82(B), this Donation Agreement (the “Donation Agreement”) is made and entered into by and among the City of Marysville, Ohio (“City”), the Board of Education of the Marysville Exempted Village School District (“MEVSD”), the Board of Education of the Ohio Hi-Point Technical and Career Center School District (the “JVSD”), and the Community Improvement Corporation of Union County, an Ohio nonprofit corporation with its main offices at 227 East Fifth Street, Marysville, Ohio 43040 (“CIC,” and together with the City, and MEVSD, “Parties”).

W I T N E S S E T H:

WHEREAS, Anadonna LLC, a Delaware limited liability company (the “Company”) proposes to improve certain real property with one or more data center buildings (the “Project”) in the City of Marysville and within the boundaries of the MEVSD and JVSD; and

WHEREAS, the City and the Company have entered into that certain Community Reinvestment Area Agreement, dated [_____, 2025] (the “CRA Agreement”), in order to grant certain Exemptions (as defined in the CRA Agreement) for certain real property of the Company described on Exhibit A of the CRA Agreement (the “Exempted Property”); and

WHEREAS, the City has granted the Exemptions in order to induce the Company to establish the “Project” within the boundaries of the City (which is also within the MEVSD and JVSD); and

WHEREAS, the CIC has been appointed by the City as its economic development agency to provide economic development services to the City, the scope of which services include acting as its agent in connection with allocating compensation under this Donation Agreement;

WHEREAS, pursuant to the Exemptions provided under the proposed CRA Agreement, a copy of which has been provided to MEVSD and JVSD, certain real property improvements making up the Project are exempt from property taxes which otherwise would be payable to the MEVSD, the City, JVSD, and other political subdivisions within which the Company is located; and

WHEREAS, as set forth in the CRA Agreement, the Company desires to encourage the City, MEVSD, and JVSD to cooperate in and support granting the Exemptions under the proposed CRA Agreement; and

WHEREAS, in consideration of such cooperation and the community’s willingness to approve the proposed CRA Agreement, the parties agree:

1. **Capitalized Terms.** All capitalized terms used in this Donation Agreement without definition shall have the meanings ascribed to such terms in the proposed CRA Agreement.
2. **Term; Termination.** The term of this Donation Agreement shall commence on the effective date of the CRA Agreement and shall end upon the later of (i) the expiration or other termination of the CRA Agreement or (ii) the day on which the Company makes its last Community Reinvestment Area Donation (defined herein). In the event that the City and the Company fail to enter into a CRA Agreement for the Project, or if the Company fails to go forward with the Project, then this Donation Agreement shall be void and the parties shall be free from any obligations under it.
3. **Community Reinvestment Area Donations.** Pursuant to the CRA Agreement, the Company shall make a series of annual donations (the “Community Reinvestment

Area Donation(s)”) to the CIC in the amount equal to the Base PILOT plus any applicable CPI Adjustment and Square Footage Adjustment. In accordance with Section 4 below, (i) the Company shall make the Community Reinvestment Area Donations to the CIC, and (ii) the CIC shall allocate and transfer portions such Community Reinvestment Area Donations to the City, MVESD, and the JVSD, as applicable. The Community Reinvestment Area Donations shall continue for so long as any Exemption is in effect on the Exempted Property. If the CRA Agreement has been terminated, the Company will no longer be obligated to make the annual donations contained in this Donation Agreement. For avoidance of doubt, the CIC’s obligation to allocate and transfer Community Reinvestment Area Donations pursuant to this Donation Agreement shall be limited to the extent of Community Reinvestment Area Donations actually received by the CIC, and the payment obligations hereunder shall not be construed as a debt or obligation of the CIC.

4. **Community Reinvestment Area Donation Timing.** The first annual Community Reinvestment Area Donation shall be received on or before May 15 annually beginning after the tax year in which the Project would first be taxable were that real property not exempted from taxation under the CRA Agreement. Subsequent annual Community Reinvestment Area Donation payments shall be due on the anniversary date of the first payment and shall continue thereafter for so long as any Exemption is in effect on the Exempted Property. The Company shall make one (1) Community Reinvestment Area Donation payment regardless of the number of separately identifiable real property improvements or Exemptions at the Exempted Property. For example, if the Project would first be taxable on January 1, 2026, the first annual donation payment is due on May 15, 2027. The second annual donation payment is due on May 15, 2028, and this process continues until such time as the Exemptions expire. The Community Reinvestment Area Donation shall be delivered to the CIC, which shall distribute it upon receipt as follows: 89.5% of the total Community Reinvestment Area Donation to MEVSD, 3.8% of the total Community Reinvestment Area Donation to JVSD, and 6.6% of the total Community Reinvestment Area Donation to the City.
5. **Other Compensation from the Company.** The City, the MEVSD, the JVSD, and the CIC acknowledge and agree that this Donation Agreement provides for the only compensation to be received by them from the City and the Company in connection with the Exemptions granted pursuant to the CRA Agreement.
6. **District Consents and Waivers.** The MEVSD and the JVSD hereby acknowledge that they have received a copy of the CRA Agreement and have had sufficient time to review and understand the CRA Agreement. In consideration of the execution of this Donation Agreement, and so long as the Company remains in material compliance with this Donation Agreement and the CRA Agreement, each District hereby (i) irrevocably approves all Exemptions that may be granted pursuant to the CRA Agreement; (ii) irrevocably waives any notice requirements set forth in Ohio Revised Code Sections 5709.62, 5709.63, 5709.632, 5709.83 and 5715.27 with respect to the CRA Agreement; and (iii) irrevocably waives any defects or irregularities related to the CRA Agreement.
7. **City Consents and Waivers.** The City hereby acknowledges that it has received a copy of the CRA Agreement, dated [____], 2025, and has had sufficient time to review and to understand the CRA Agreement. In consideration of the execution of this Donation Agreement, and so long as the Company remains in material compliance with the CRA Agreement, the City hereby (i) irrevocably approves all Exemptions that

may be granted pursuant to the CRA Agreement and (ii) irrevocably waives any defects or irregularities related to the CRA Agreement.

8. **Notices.** All notices or other correspondences relating to this Agreement must be in writing and sent by the United States Postal Service certified mail, postage prepaid, or via a nationally-recognized overnight mail delivery service, and shall be deemed to have been given or delivered when so mailed to the parties at these addresses:

To the City: City of Marysville
 Attention: City Manager
 209 South Main Street
 Marysville, Ohio 43040

To the MEVSD: Marysville Exempted Village School District
 Attention: Superintendent
 212 Chestnut Street
 Marysville, Ohio 43040

To the JVSD: Ohio Hi-Point Technical and Career Center School District
 Attention: Superintendent
 2280 OH-540
 Bellefontaine, Ohio 43311

To the CIC: Community Improvement Corporation of Union County
 Attention: Executive Director
 233 West Sixth Street
 Marysville, Ohio 43040

9. **Assignment.** Except as provided below, this Agreement and the benefits and obligations thereof are not transferable or assignable without the express, written approval of the Parties, which approval shall not be unreasonably withheld or delayed. The Parties shall retain the right to consider the approval of the transfer and/or assignment of this Agreement and the benefits and obligations hereof, which approval shall not be unreasonably withheld or delayed, to any person or entity other than the Company, which is a transferee by lease, sale and/or other means of transfer of all or any part of the Exempted Property. If the City, the JVSD, or the MEVSD, be dissolved, merged or consolidated, the CIC shall distribute the balance of any payments due under the Agreement, as they become due, to the successor(s) of the City, the JVSD, and the MEVSD as provided by law.

10. **Events of Default and Remedies.**

- a. **Events of Default.** Each of the following shall be an “Event of Default” under this Agreement:

- i. Any party shall fail to observe and perform any agreement, term or condition contained in this Agreement, and the continuation of such failure for thirty (30) days after written notice thereof shall have been given by the other Parties, or for such longer period as the other Parties may agree to in writing; provided, that if the failure is other than the payment of money and is of such nature that it can be corrected but not within the applicable period, that failure shall not constitute an Event

of Default if one of the Parties institutes curative action within the applicable period and diligently pursues that action to completion; and

- ii. Any representation or warranty made or provided shall, at any time, prove to have been false or misleading in any material respect when made or given and such representation is not effectively corrected or cured within thirty days after written notice thereof shall have been given by the other party.
 - b. **Remedies on Default.** [Whenever any Event of Default shall have happened and be subsisting beyond any applicable cure period, any party may terminate this agreement upon 30 days' written notice to the other parties.]
 - c. **No Waiver.** A waiver by a party of any single Event of Default shall not be deemed to extend to any subsequent or other Event of Default under this Agreement. No failure by a party to insist upon the strict performance by the other party shall constitute a waiver of the party's right to strict performance; and no express waiver shall be deemed to apply to any other existing or subsequent right to remedy the failure by the other party to observe or comply with any provision of this Donation Agreement.
11. **Governing Law; Venue.** This Agreement shall be deemed to be a contract made under the laws of the State of Ohio and for all purposes shall be governed by and construed under the laws of the State of Ohio. Any claims brought to enforce any of the covenants, agreements, conditions and provisions of this Agreement shall be brought in the Court of Common Pleas of Union County, Ohio.
 12. **Severability of Provisions.** If any portion of this Agreement is determined to be invalid or unenforceable by any court of competent jurisdiction, the remaining terms of this Agreement shall remain in effect as much as practicable.
 13. **Amendment.** This Agreement may not be amended or modified without the prior written consent of the Parties. Any such modification shall be in writing and shall be signed by the Parties.
 14. **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties regarding the subject matter of this Agreement and supersedes any prior agreements or understandings between the Parties.
 15. **Counterparts.** This Agreement may be executed in counterparts, and each such counterpart shall be an original and together shall be one agreement. This Agreement shall become effective only when counterparts have been signed by each of the Parties and delivered to the other Parties; it being understood and agreed that all Parties need not sign the same counterparts.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, on their behalf, by their duly authorized representatives, all as of the ____ day of _____, 2025.

CITY OF MARYSVILLE

APPROVED AS TO FORM:

Terry Emery, City Manager

City Attorney

MARYSVILLE EXEMPTED VILLAGE SCHOOL DISTRICT

By: _____

Its: _____

COMMUNITY IMPROVEMENT CORPORATION OF UNION COUNTY, OHIO

By: _____

Its: _____

OHIO HI-POINT TECHNICAL AND CAREER CENTER SCHOOL DISTRICT

By: _____

Its: _____