

ORDINANCE NO. O – 10 – 25 – 26

AN ORDINANCE AUTHORIZING THE FOLLOWING IN CONNECTION WITH THE NORTHWOODS ESTATES DEVELOPMENT: (A) DELINEATING AN OVERLAY IN RELATION TO THE PROPOSED NATIONAL AND HABER INCENTIVE DISTRICTS NO. 1 AND 2 WITHIN THE CITY OF CLAYTON, OHIO; AND (B) ADOPTING A WRITTEN ECONOMIC DEVELOPMENT PLAN AS TO SAME, ALL AS PURSUANT TO OHIO REVISED CODE SECTION 5709.40(C), AND DECLARING AN EMERGENCY

WHEREAS, this Council (the “**Council**”) for the City of Clayton, Ohio (the “**City**”) is contemplating the creation of two incentive districts for a parcel in the City, as authorized under Division (C) of Ohio Revised Code Section (“**R.C.**”) 5709.40; and,

WHEREAS, pursuant to Division (C)(2) of R.C. 5709.40, this Council must conduct a public hearing on the contemplated incentive districts, which such public hearing must be preceded by sufficient notice to every real property owner whose property is located within the boundaries of each of the incentive districts, here the “National and Haber Incentive District No. 1,” and “National and Haber Incentive District No. 2” (together, the “National and Haber Incentive Districts”), and which such notice must include a map of the National and Haber Incentive Districts on which this Council must have delineated an overlay; and,

WHEREAS, such an overlay must satisfy Division (A)(6) of R.C. 5709.40, namely an area of not more than three hundred acres that is a square, or that is a rectangle having two longer sides that are not more than twice the length of the two shorter sides; and,

WHEREAS, the overlay for each of the National and Haber Incentive Districts depicted in **EXHIBIT A** attached hereto and incorporated herein by reference (together, the “**Overlay**”) is drawn in accordance with the respective statute; and,

WHEREAS, pursuant to Division (A)(5)(f) of R.C. 5709.40, the City Engineer is contemplating whether the adequacy of the existing public infrastructure serving the National and Haber Incentive Districts is sufficient to meet the residential, commercial or industrial development needs of said incentive districts; and,

WHEREAS, the City Engineer is required to consider a written economic development plan for the National and Haber Incentive Districts as has been adopted for such purposes by this Council; and,

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interests of the City to adopt the written economic development plan for the National and Haber Incentive Districts, a copy of which is provided in **EXHIBIT B** attached hereto and incorporated herein by reference (the “**Economic Development Plan**”); 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 immediately proceed with

the delineation of the Overlay and adoption of the Economic Development Plan in relation to the proposed National and Haber Incentive Districts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO, THAT:

Section 1. Delineation of Overlay on a Map of the Proposed National and Haber Incentive Districts. Pursuant to Division (A)(6) of R.C. 5709.40, this Council hereby delineates the Overlay as it relates to and serves to further describe the proposed National and Haber Incentive Districts.

Section 2. Adoption of Written Economic Development Plan for the Proposed National and Haber Incentive Districts. Under Division (A)(5)(f) of R.C. 5709.40, this Council hereby adopts the Economic Development Plan in furtherance of its contemplation of the National and Haber Incentive Districts.

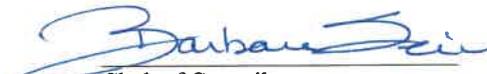
Section 3. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

Section 4. Effective Date. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that this ordinance must be immediately effective so that the work on the public infrastructure improvements can begin as quickly as possible, thus providing economic benefit to the City and its residents; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

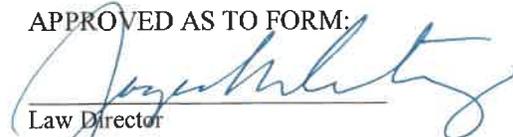
ADOPTED BY COUNCIL ON OCTOBER 16, 2025

AUTHENTICATION:


Mayor (Presiding Officer of Council)


Clerk of Council

APPROVED AS TO FORM:


Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Date of publication

Eaton Register Herald

October 22, 2025

Barbara Jai-
Clerk

EXHIBIT A

**DELINEATED OVERLAY OF THE NATIONAL AND HABER
INCENTIVE DISTRICTS**

The National and Haber Incentive District No. 1 and National and Haber Incentive District No. 2 are comprised of approximately 17.135 acres and 16.596 acres, respectively, for a combined total of 33.731 acres of real property, with the real property of each National and Haber Incentive District located within the following parcel description, as identified on the map set forth below, and each having a delineated overlay, that is less than 300 acres, as depicted in green and red:

<u>Parcel No.</u>	<u>Owner Name</u>	<u>Address</u>
M60-03012-0022	Northwood Estates LLC	440 National Road W, Clayton, Ohio

Map of National and Haber Incentive District with Delineated Overlay



EXHIBIT B

City of Clayton, Ohio

**Economic Development Plan for the
“National & Haber” Development Area**

September 18, 2022

OVERVIEW OF PROPOSED DEVELOPMENT

The project described in this Economic Development Plan was the subject of the City of Clayton, Ohio's 2018 Land Use Plan, known as PLAN Clayton. The city identified this area as the future location for a variety of potential uses including single family attached and detached units, commercial uses and community green spaces and/or a mixture of any of those same types. The National and Haber intersection is located along the National Road corridor which currently includes several different types of educational, civic, residential and commercial end users. This area is also located in the middle of the Clayton Improvement District, identified on the Clayton Zoning Map and described in the Clayton Zoning Ordinance. The PLAN Clayton document specifically identifies this area for new development including single family residential detached structures and open community green space.

LAND USE CONTROLS

The proposed incentive district zoning was originally zoned "Residential Single Unit District" or "RSD." The RSD zoning classification enabled the implementation of PLAN Clayton's land use designation for this area as well as the residential development standards set forth within its documents. The property is also located within the Clayton Improvement District which requires any development project over 5 acres to rezone to a Planned Development District (PDD). In 2022 a plan was brought forward and the zoning for the proposed incentive area was changed to PDD. The public amenities proposed for the development area are important components in the current market climate as new families desire to live in a community which is connected with ample recreational opportunities and easy access to current and future regional walking & biking paths. Future residents also look for communities which are well lit, close to commercial opportunities and easy access to the regional highway system, all things the National & Haber incentive district offers future residents of this community. Currently there is available water and sanitary sewer access along either National or Haber Rds.

DEVELOPMENT MIX

The National & Haber incentive area will consist of approximately 113 detached single family residential units. Units will have attached garages and front facades including brick and/or stone material. Within the community there will be public streets, streetlights and infrastructure including water and sanitary sewer. The storm water system will include two retention ponds. Sidewalks, a centralized park and passive green space around the ponds will offer residents recreational opportunities. There will also be a multi-use path located along Haber Rd. which will eventually connect to the multi-use path along National Rd. which connects to the Northmont High School, Northmont Middle School, Kleptz Early Learning Center, Northmont Library, Kleptz YMCA, Kettering Health Center, Centennial Park, commercial shopping centers

and the Village of North Clayton. There will also be improvements to the Haber and National Road intersection.

ANALYSIS AND ASSESSMENT

The National & Haber incentive area will create significant housing opportunities within the city, thereby strengthening the city's business community and lessening the tax burden to the residents already within the community. The new residential options that are planned for this incentive district will contribute to a diversity of property uses within the area of Clayton which is identified in the Zoning Code as the Clayton Improvement District. Improvement to existing private properties throughout this area will also benefit the city beyond this area by stimulating the local economy via construction jobs and a new workforce population.

CONCLUSION

The National & Haber incentive area will assist in creating a development community which ties into existing and future community amenities along the National Road corridor. This area has been earmarked for development since the City of Clayton became a city in 1998 and has been included with both comprehensive land use plans created by the city. This incentive district will assist in extending available utilities to the project site and will spur additional economic development along National Road and the rest of the Clayton Improvement District, as envisioned in the PLAN Clayton document and the Clayton Zoning Ordinance.

ATTACHMENTS

Attachment A – Map of the National & Haber Incentive Area
Attachment B – PLAN Clayton, the 2018 Clayton Land Use Plan