

By: Conroy Wood

To establish a Bexley Environmental Review District.

WHEREAS, it is the general policy of the City of Bexley to encourage the best possible development of the City of Bexley, and

WHEREAS, it is essential to the economic soundness and welfare of the City that the attractiveness of certain areas be enhanced and protected, and

WHEREAS, the economic and social welfare of the City requires reasonable controls over the character, design, placement, and relationship of the buildings, structures, and spaces adjoining in the neighborhood of Main Street, and other commercial areas, and

WHEREAS, the people of Bexley have a considerable interest and investment in the planning and maintenance of the Main Street corridor, and

WHEREAS, Main Street and other commercial areas abut residential land uses which need protection and enhancement by the proper development of the commercial areas; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY:

Section 1: This ordinance shall be known as the Bexley Environmental Review District.

Section 2: The Bexley Environment Review District is hereby established to control, encourage, and regulate the character, design, placement and relationship of buildings, structures and spaces within the boundaries of the District.

Section 3: The District shall be applicable to land presently or hereafter zoned within the Neighborhood Commercial District, Office Commercial District, Community Commercial District, General Commercial District, Commercial Service District, Planned Unit Commercial District, or Open Space District.

Section 4:

(A) The City of Bexley Planning Commission shall sit as the Bexley Environmental Review Board, and for the purposes of this section shall be referred to as the "Board".

(B) Regulations. No building, structure, or space within the Bexley Environmental Review District shall be constructed, reconstructed, altered, moved, extended, raised, enlarged, or changed in external appearance, unless and until the plans and specifications of such building or structure and the landscaping plan for the premises on which it is to be located have been approved by the Board. The Board, in reviewing such plans and specifications shall examine the architectural design, the exterior surface treatment, the arrangement of buildings and structures on the premises, the use of signage, the means of integrating parking, the use of landscape materials and the impact of the proposed project on the surrounding properties to determine the effect the project will have upon the appearance and environment of the district. The Board shall endeavor to assure that the exterior appearance and environment of such buildings, structures, and spaces will (1) enhance the attractiveness and desirability of the district in keeping with its purpose and intent; (2) encourage the orderly and harmonious development of the district in keeping with the character of the district; (3) improve residential amenities in any adjoining residential neighborhood; (4) enhance and protect the public in private investment in the value of all land and improvements within the district and

adjoining districts.

(C) Architectural Style. The Board in the performance of its duties shall not attempt to prescribe the style of architecture so long as the architectural style and design under consideration meets the standards set forth above.

Section 5:

(A) A Certificate of Appropriateness must be obtained prior to any new construction or any remodeling, reconstruction or other change which would come within the provisions of this ordinance.

(B) The responsibility of review and approval or denial of the application for a Certificate of Appropriateness shall rest with the Board. All applications for a Certificate of Appropriateness shall be made to the Mayor or his designee at least six (6) days before a regularly scheduled Board meeting. The applicant shall submit with his application drawings, materials, sketches, and other such items that indicate or identify the proposed exterior and environment of any new or existing building or structure within the Environmental Review District.

(C) The Board shall review and approve, approve with modifications or conditions, or disapprove such applications within forty-five (45) days of the meeting. Upon approval by the Board, the Mayor or his designee shall issue a Certificate of Appropriateness to the applicant within fifteen (15) days thereafter. Upon disapproval by the Board, the Mayor or his designee shall not issue a Certificate of Zoning Compliance for such project. Any applicant may appeal the decision of the Board to Bexley City Council by filing a notice of appeal to the Clerk of Council within 14 days after decision of the Board is rendered. The decision of the Bexley City Council shall be final.

Section 6:

(A) Whoever constructs, reconstructs, alters, moves, extends, raises, enlarges, or changes the external appearance of any building, structure or use of land within the Bexley Environmental Review District, or whoever maintains, changes or installs a sign in violation of this Chapter shall be fined not more than one hundred dollars (\$100.00). Each day in which such violation continues shall be deemed a separate offense and punishable under the terms of this Chapter.

(B) In the event that any exterior change is made for any structure or building which is located within the Bexley Environmental Review District, or in the event that any construction occurs within the District in violation of the provisions of this Chapter, the City may institute appropriate proceedings to enjoin such unlawful change or construction.

Section 7: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: April 27th, 1976

Attest:

John W. Rosenberg
Clerk of Council

John H. Stenberg
President of Council PRO-TEM

Approved: April 28th, 1976

Donald H. Nelson
Mayor

First reading - March 30, 1976
Second reading - April 13, 1976
Third reading - April 27, 1976

Effective May 27, 1976

*Filed
#28-76*