

ORDINANCE NO. 29-16

By: Steve Keyes

An Ordinance repealing and reenacting and replacing Part Twelve - Planning and Zoning Code of the Codified Ordinances of the City of Bexley, amending or repealing other sections of the codified ordinances of the City that are affected by the new Planning and Zoning Code and establishing staggered initial terms for members of the Board of Zoning and Planning and Architectural Review Board.

WHEREAS, Bexley City Council initiated a comprehensive review of its entire Planning and Zoning Code which had not received a comprehensive update since its enactment by Ordinance No. 8-72 in 1972; and

WHEREAS, the current version of the Planning and Zoning Code of the city of Bexley is in need of updating; and

WHEREAS, City Council retained consultants who met with citizen groups and prepared proposed amendments to the code that were referred to the Bexley Planning Commission for public hearing and review, the Bexley Board of Zoning Appeals for public hearing, review and comment and City Council has received comments and recommendations of approval from the Planning Commission and Board of Zoning Appeals as well as other interested persons; and

WHEREAS, City Council has also held public hearings upon the proposed amendments to the Planning and Zoning Code of the City of Bexley; and

WHEREAS, City Council has determined that it is in the interest of the city and the health, safety and welfare of the residents, property owners, public and city to repeal the existing Planning and Zoning Code and enact a new Planning and Zoning Code.

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

Section 1. Part 12 – Planning and Zoning Code of the Codified Ordinances of the City of Bexley, including chapters 1220, 1222, 1223, 1224, 1228, 1230, 1240, 1244, 1248, 1252, 1256, 1260, 1262, 1264 and 1268, is hereby repealed in its entirety effective January 1, 2017 and shall not apply to any applications filed on or after January 1, 2017.

Section 2. Part 2 – Administration Code, Title 8 – Boards and Commissions, Chapter 276 City Planning Commission; Chapter 278 Board of Zoning Appeals; and Chapter 286 Main Street Redevelopment Commission are each repealed in their entirety, effective January 1, 2017.

Section 3. The terms of all existing City Planning Commission members including the Architectural Review Board and all Board of Zoning Appeals members, including the Environmental Review Board shall terminate effective January 1, 2017.

Section 4. Part 12 – Planning and Zoning Code of the Codified Ordinances of the City of Bexley attached and incorporated by reference herein is hereby enacted in its entirety and shall take effect on January 1, 2017 replacing former Part 12 repealed by this ordinance and shall apply to all applications filed and cases arising or filed on or after January 1, 2017. Newly enacted Part 12 is also on file with the Clerk of Council.

Section 5. The initial seven (7) regular members of the newly established Board of Zoning and Planning and three (3) alternate members provided for in Section 1220.03 of the Planning and Zoning Code effective January 1, 2017 shall be appointed by the mayor and approved by a majority of the members of Council for the following initial terms commencing on January 1, 2017: three (3) members and one (1) alternate shall be appointed for an initial term of three (3) years; two (2) members and one (1) alternate shall be appointed for an initial term of two (2) years; and two (2) members and one (1) alternate shall be appointed for an initial term of one (1) year. At the expiration of the initial term of any member, all successive terms shall be for three (3) years each as provided by section 1220.03 of the City Codified Ordinances effective January 1, 2017 as amended thereafter and the Charter of the City of Bexley.

Section 6. The initial five (5) regular members of the newly established Architectural Review Board and three (3) alternate members provided for in Section 1223.06 of the Planning and Zoning Code effective January 1, 2017 shall be appointed by the mayor and approved by a majority of the members of Council for the following initial terms commencing on January 1, 2017: two (2) members and one (1) alternate shall be appointed for an initial term of three (3) years; two (2) members and one (1) alternate shall be appointed for an initial term of two (2) years; and one (1) member and one (1) alternate shall be appointed for an initial term of one (1) year. At the expiration of the initial term of any member, all successive terms shall be for three (3) years each as provided by section 1223.06 of the City Codified Ordinances effective January 1, 2017 as amended thereafter and the Charter of the City of Bexley.

Section 7. To the extent that there are any provisions of the ordinances of the city of Bexley that are in conflict with the newly enacted Planning and Zoning Code on the January 1, 2017 effective date of its enactment, the new Planning and Zoning Code shall apply.

Section 8. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the

ordinance as a whole, or any part thereof, other than the part declared unconstitutional or invalid.

Section 9. This Ordinance shall be in full force and effect from and after the earliest period allowed by law. The amendments to the Codified Ordinances of the City of Bexley adopted in this Ordinance shall be effective on the date provided in this Ordinance.

Passed _____, 2016

Tim Madison, President of Council

Attest: _____
Bill Harvey, Clerk of Council

Approved: _____, 2016

Ben Kessler, Mayor

First Reading: 8-23-16

Second Reading:

Third Reading: