

Ordinance No. 18 -18

By: Tim Madison

An Ordinance creating 1223.03(I), to require Tree and Public Gardens Commission review and approval of landscape plans for any proposed projects involving the construction of a primary building or structure; renumbering Section 1026.16 to 1026.99; and creating Section 1026.16, to limit the removal of trees and shrubs on New Construction Active Development Sites.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Section 1223.03 (Powers and Duties of the Architectural Review Board), be modified to add Section 1223.03 (I) as follows:

- 1223.03 (I) To require landscape plans for any proposed projects involving the construction of a primary building or structure, and to require Tree and Public Gardens Commission review and approval of the same.

Section 2.

That Section 1026.16 PENALTY; EQUITABLE REMEDIES be renumbered as Section 1026.99

Section 3.

That Section 1026.16 be added as follows:

1026.16 REMOVAL OF TREES AND SHRUBS IN NEW CONSTRUCTION ACTIVE DEVELOPMENT SITES

- (a) For the purpose of this Section, a “New Construction Active Development Site” is defined as a project for the construction of a primary building or structure which has applied for Building Department approval; or has received approval but has not yet been granted a final certificate of occupancy; or any project in which the property owner intends to develop the site with a primary building or structure or demolish an existing primary structure and redevelop the site.
- (b) No person shall remove any tree or any shrub located on a New Construction Active Development Site, without said removal being specifically incorporated into a landscape plan which has received final, non-contingent approval from the Tree and Public Gardens Commission.
- (c) A violation of 1026.16 shall result in the withholding of final occupancy approval for the project, pending Tree and Public Gardens Commission review of the unauthorized tree and/or shrub removal, and approval of a plan to mitigate any issues caused by the unauthorized removal.

Section 4.

That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed _____, 2018

Lori Ann Feibel, President of Council

Attest: _____, 2018
William Harvey, Clerk of Council

Approved: _____, 2018

Benjamin Kessler, Mayor

First Reading: