



## Legislation Details (With Text)

**File #:** 2571-2016      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/5/2016      **In control:** Public Service & Transportation Committee

**On agenda:** 11/7/2016      **Final action:** 11/10/2016

**Title:** To authorize the director of the Department of Public Service to execute any documents, as approved by the City Attorney, necessary to restrict the use of certain real property located in the vicinity of Hard Road and Linworth Road, Columbus, Ohio 43235 in order for the U.S. 23 FRA-23 [1574 Dr E] Public Improvement Project to remain in compliance with the OEPA. (\$0.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ex-A; Ord 2571-2016; 10.5.2016

| Date       | Ver. | Action By             | Action                  | Result |
|------------|------|-----------------------|-------------------------|--------|
| 11/10/2016 | 1    | CITY CLERK            | Attest                  |        |
| 11/9/2016  | 1    | MAYOR                 | Signed                  |        |
| 11/7/2016  | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 11/7/2016  | 1    | Columbus City Council | Approved                | Pass   |
| 10/24/2016 | 1    | Columbus City Council | Read for the First Time |        |

### BACKGROUND :

The City's Department of Public Service (DPS) completed the U.S. 23 FRA-23 [1574 Dr E] Public Improvement Project (defined as the "Public Project"). DPS disturbed a riparian area affecting the Olentangy River watershed in order to complete the Public Project. The Ohio Environmental Protection Agency (OEPA) reviewed the Public Project's impact to the Olentangy River watershed and requests the City to incorporate certain environmental restrictions and covenants, including but not limited to green space, natural habitat preservation, and riparian corridor conservation and protection for the benefit of the Olentangy River watershed (defined as the "Restrictions"), in the public land records of real property owned and managed by the City in the vicinity of Hard Road and Linworth Road, Columbus, Ohio 43235 {Franklin County Tax Parcel(s) 610-163028, 610-163027, 610-163026 & 610-163025} (defined, collectively, as the "Property") in order to mitigate the Public Project's effects to the Olentangy River watershed. DPS reviewed OEPA's request and supports placing the Restrictions on the Property pursuant to DPS's Hard Road Environmental Covenant [1574 Dr E] Public Project.

### CONTRACT COMPLIANCE No. :

Not applicable.

### FISCAL IMPACT :

Not applicable.

### EMERGENCY JUSTIFICATION :

Not applicable.

To authorize the director of the Department of Public Service to execute any documents, as approved by the City Attorney, necessary to restrict the use of certain real property located in the vicinity of Hard Road and Linworth Road, Columbus, Ohio 43235 in order for the U.S. 23 FRA-23 [1574 Dr E] Public Improvement Project to remain in compliance with the OEPA. (\$0.00)

**WHEREAS** , the City intends for the director of DPS to execute any documents necessary to restrict the use of certain City real property located in the vicinity of Hard Road and Linworth Road, Columbus, Ohio 43235 {Franklin County Tax Parcel(s) 610-163028, 610-163027, 610-163026 & 610-163025} (*i.e.* Property) to green space, natural habitat preservation, and riparian corridor conservation and protection for the benefit of the Olentangy River watershed (*i.e.* Restrictions);

**WHEREAS** , the City intends to place the Restrictions on the Property in order to maintain compliance with the OEPA regarding the DPS's completion of the U.S. 23 FRA-23 [1574 Dr E] Public Improvement Project (*i.e.* Public Project);

**WHEREAS** , the City intends for the City Attorney to preapprove of all documents executed by City personnel pursuant to authority granted by this ordinance; and **now, therefore** :

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** That the director of the Department of Public Service (DPS) is authorized to execute any documents necessary to restrict the use of the City's real property located in the vicinity of Hard Road and Linworth Road, Columbus, Ohio 43235 {Franklin County Tax Parcel(s) 610-163028, 610-163027, 610-163026 & 610-163025} described and depicted in the attachment, Exhibit-A, which is made a part of this ordinance and fully incorporated for reference as if rewritten (*i.e.* Property), to green space, natural habitat preservation, and riparian corridor conservation and protection for the benefit of the Olentangy River watershed (*i.e.* Restrictions) allowing for the Property to remain in its natural state pursuant to compliance with the Ohio Environmental Protection Agency (OEPA).

**SECTION 2.** That the City Attorney is required to preapprove all documents executed by the City pursuant to this ordinance.

**SECTION 3.** That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.