

CITY COUNCIL AGENDA

May 7, 2018

7:30p.m.

The meeting convenes at City Hall, in Council Chambers, 1st Floor, 538 N. Market Street, Wooster, Ohio.

I. ROLL CALL & ORDERING OF AGENDA

Award Presentation – Life-Saving Award; Sgt. Bartolic

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Finance Committee/Operations

VI. OLD BUSINESS

1. Second Reading – ORDINANCE NO. 2018-009
AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE
CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO (Sanders)

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2018-028
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE
ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST
BIDDER FOR THE CONSTRUCTION OF SIDEWALKS AND CURB RAMPS ON NORTHWESTERN
AVENUE, AND DECLARING AN EMERGENCY (Bostancic)
2. First Reading - RESOLUTION NO. 2018-029
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW
CONTRACT FOR SPECIALIZED TECHNOLOGY, TO WIT: AXON BODY CAMERAS AND BODY
CAMERA STORAGE FOR THE POLICE DIVISION (Cavin)
3. First Reading – RESOLUTION NO. 2018-030
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A
CONTRACT TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND
DECLARING AN EMERGENCY (Warden)

VII. MISCELLANEOUS

VIII. ADJOURNMENT



CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street Wooster, OH 44691

Phone: 330-263-5235 Fax: 330-263-5274

MEMORANDUM

DATE: May 1, 2018

TO: City Council

FROM: Andrew Dutton, Planning and Zoning Manager

RE: Comprehensive Planning and Zoning Code and Zoning Map Amendment

At the previous City Council meeting, the public hearing and first reading of Ordinance 2018-009 were held regarding comprehensive changes to the Planning and Zoning Code and Map. The following changes have been made to the proposed Planning and Zoning Code based on discussion at the meeting, email correspondence, and other staff identified adjustments:

- Page 81– Section 1109.03(c)(1)(B.)(ii.)(h.) – “Handicapped” was replaced with “persons with disabilities”. “Persons with disabilities” is the current correct terminology.
- Page 96 – Section 1109.03(e)(2)(A.) – The referenced section was corrected to Section 1113.01(e)(13), outdoor storage and bulk sales.
- Page 124 – Section 1113.01(e)(8)(D.)(ii.) – The words “when visible from a public street or other public right of way” were removed as directed by Council. The change requires that all fences on a single property shall have a unified style and a unified color.
- Page 148 – Section 1115.01(d)(8)(D.) – The maximum width for a panhandle portion of a flag lot was removed. The maximum width was contrary to current practices and would allow commonly considered flag lots to be permitted without Planning Commission review.
- Page 204 – Section 1125.04(d)(2)(A.)(v.) – “Handicap parking spaces” was replaced with “accessible parking spaces”. “Accessible parking spaces” is the current correct terminology.
- Page 245 – Section 1129.06(a)(10) – A sentence was removed which allowed the Zoning Administrator to approve through lots and panhandle lots. The sentence conflicts with other sections of the code which require Planning Commission approval for such lots.

In addition, there was discussion at the previous Council meeting regarding changes to the Zoning Map in the downtown area. To aid in your review, a map has been provided showing substantive proposed changes to the Zoning Map in the downtown area.

Please let me know if you have any questions regarding the proposed modifications or the Zoning Map.

- e. The layout of parking areas, service areas, entrances, exits, signs, lighting, noise sources or other potentially adverse influences are designed and located to protect the residential character of areas adjacent to the development and to minimize alteration of the natural site features to be preserved, such as, but not limited to, ravines, stream beds, lakes, significant stands of trees, individual trees of significant size, and rock outcroppings;
 - f. The proposed development will be constructed, arranged and operated so as not to interfere with the development and use of neighboring property, in accordance with the applicable district regulations;
 - g. Irreplaceable, significant natural features located in the project area, such as but not limited to ravines, stream beds, lakes, significant stands of trees, individual trees of significant size and rock outcroppings shall be protected;
 - h. That common open space intended for a recreation or public use will be easily accessible to pedestrians, which accessibility shall meet the needs of persons with disabilities and the elderly; and
 - i. The proposed cluster development will be served adequately by spaces, police and fire protection, drainage structures, refuse disposal, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.
- iii. Once a development plan review for a CRD has been approved, the applicant may proceed with the subdivision process.

C. Minimum Project Area

The area proposed to be developed as a CRD shall be in one ownership, or if in several ownerships, the application shall be filed jointly by all owners of the properties included in the proposed CRD boundaries. The minimum gross area of a tract of land in a CRD shall be 15 acres in an R-1 District and 10 acres in an R-2 District.

D. Dwelling Types

- i. Both single-family detached dwellings on individual lots and cluster single-family detached dwellings are permitted in a CRD. Upon approval of a CRD, the applicant or builder may submit applications for zoning certificates for each individual dwelling.
- ii. Single-family attached dwellings may be permitted in a CRD with a conditional use approval (See Section [1105.04.](#)) and provided that there shall be a maximum of three dwelling units attached in any single structure.

E. Density Regulations

- i. The gross density of a CRD shall not exceed:
 - a. 5.0 dwelling units per acre in an R-1 District; and
 - b. 6.0 dwelling units per acre in an R-2 District.
- ii. The maximum number of dwelling units allowed for a particular site shall be calculated by multiplying the maximum gross density allowed by Subsection [1109.03\(c\)\(1\)E.i](#) above, by the total project area minus:

(e) Industrial Uses

(1) Crematorium

Crematoriums shall set back a minimum of 150 feet from any adjacent lot used for residential purposes.

(2) Outdoor Storage and Bulk Sales

- A.** Outdoor storage and bulk sales shall comply with the standards of accessory outdoor storage and bulk sales unless otherwise modified by this section. See Section [1113.01\(e\)\(13\)](#).
- B.** Areas devoted to outdoor storage shall be paved with asphalt or concrete and free of dust.
- C. Screening**
 - i. All aspects of outdoor storage and bulks sales of goods and materials shall be screened in accordance with Section [1123.07](#).
 - ii. If the wall or fence needs to exceed eight feet in height to conceal the storage of materials, such wall or fence shall be constructed of materials rigid materials.
 - iii. All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.

(3) Recycling Collection/Processing Facility

- A.** The facility shall be sited or constructed so as to minimize the potential impacts such as noise and odor on neighboring properties.
- B.** Buildings shall not have operable windows or doors, other than required fire exits, within 50 feet of any residential zoning district boundary.
- C.** All activities associated with the use shall take place within wholly enclosed buildings, with the exception of accessory off-street parking facilities.

(4) Self-Storage Facilities

- A.** The leases for all self-storage units shall include clauses prohibiting the following:
 - i. The storage of flammable liquids or radioactive, highly combustible, explosive or hazardous materials; and
 - ii. The use of property for uses other than dead storage.
- B.** There shall be no retail sales on the property with the exception that the owner or their designee may hold an auction on the site up to four times a year for the purpose of selling goods stored in units.
- C.** The Wooster Fire Department shall be provided with 24-hour access to the grounds. A lockbox shall be provided for its use.
- D.** The maximum size of individual storage compartments shall be 500 square feet.

(5) Soil and Mineral Extraction Activities

- A.** All aspects of the use shall conform to applicable State and federal regulations.

- ii. In order to maintain clear vision lanes for vehicles and pedestrians, no opaque fences shall be permitted within 10 feet, in any direction, of the following points:
 - a. At the intersection of a driveway and sidewalk (or front property line if there is no sidewalk);
 - b. At the intersection of a driveway and public right-of-way; or
 - c. At the intersection of any two driveways.

D. Materials and Design

- i. No fence shall be composed of scrap materials, tires, canvas, cardboard, asphalt-style shingles, or corrugated metal, welded rolled wire, chicken wire, or sheet metal, with the following exceptions:
 - a. Metal, welded and woven wire shall be allowed in the AG District to fence in farm animals and protect crops.
 - b. Wire mesh, chicken wire, and welded wire shall be allowed as a backing material for split-rail fences.
- ii. All fences on a single property shall have a unified style and a unified color when visible from a public street or other public right-of-way. Different styles of fencing may be permitted on a single property in an attempt to match existing fence styles on the property or existing adjacent fencing on a neighboring property.
- iii. Fencing that is electrically charged shall only be permitted for the containment of livestock on lots used for agricultural purposes in the AG District. Such fencing shall be set back a minimum of 50 feet from all adjacent lot lines of lots used for residential purposes.
- iv. Fencing that includes barbed wire, razor wire, or other sharp-pointed material shall be prohibited except in the I-1, I-2, or I-3 Districts where they may be permitted, for security purposes. Such fencing shall:
 - a. Only be allowed in the side and rear yards;
 - b. Shall be mounted on the opposite side of the fence from any adjacent public right-of-way or sidewalk;
 - c. Be located a minimum of eight feet off the finished grade;
 - d. Shall be set back a minimum of 20 feet from any lot line adjacent to a residential zoning district; and
 - e. Contain no more than 18 inches of razor wire or barbed wire.
- v. All latches, hinges and hardware shall be made of non-rusting materials.
- vi. **Materials for Fences and Walls in Business and Special Districts**
 - a. Fences and walls shall be constructed of stone, brick, finished wood, iron, metal, or synthetic look-alike products.
 - b. In the I-1, I-2, and I-3 Districts, the above material requirements shall only apply when the fences or walls are visible from a public right-of-way or a residential zoning district. As an alternative, fences visible from a public right-of-way or residential zoning district shall be visually softened and reasonably screened from the street or adjacent residential district with the appropriate landscaping as follows:

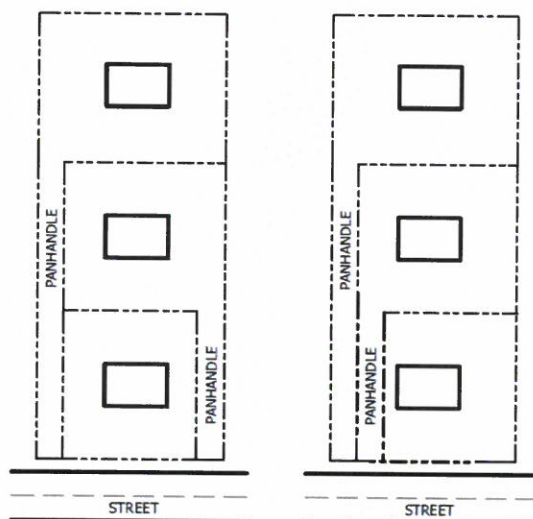


Figure 1115-E: The above illustration shows the stacking of panhandle lots, which is prohibited.

- D.** The panhandle shall have a minimum width of 20 feet along the entire width of the panhandle.
- E.** No structures, except for fences and walls allowed by this code, shall be permitted in the panhandle portion of the lot.
- F.** The minimum front yard setback requirement shall be measured from the lot line that creates the rear lot line of the adjacent lot as illustrated in [Figure 1115-F](#).

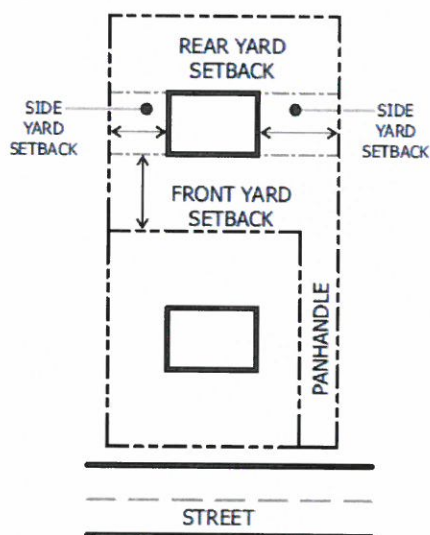


Figure 1115-F: Yard and front yard setback locations on a panhandle lot.

- iv. Parking spaces to be shared shall not be reserved for a specific person, individual, or use on a 24-hour basis.
- v. Accessible parking spaces shall not be shared, unless the uses that are to share the spaces are adjacent to the accessible spaces and no inconvenience to the users of such spaces would be created.
- vi. Parking facilities to be shared shall be located on the same lot as the use for which the parking space is intended, except when the parking facility complies with the off-site parking option.
- vii. Shared parking may be approved if:
 - a. A sufficient number of spaces is provided to meet the highest demand of the participating uses;
 - b. The number of shared spaces is equal to or less than 50 percent of the least intense use to utilize the shared parking; and
 - c. Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the Zoning Administrator, documenting the nature of uses and the hours when the individual uses will operate so as to demonstrate the lack of potential conflict between them.

B. Off-Site Parking Option

- i. Off-site parking shall not be used to satisfy the off-street parking standards for residential uses except in the C-4 District.
- ii. Required parking spaces reserved for persons with disabilities shall not be located in an off-site parking area.
- iii. No off-site parking space shall be located more than 800 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
- iv. If an off-site parking area is located in a different zoning district than the use served, the off-site parking areas shall still adhere to the vehicular use landscaping regulations of Section [1123.05](#).
- v. Off-site parking for a nonresidential use shall not be permitted in a residential zoning district.
- vi. Contiguous lots providing off-street parking for more than one use shall provide sufficient spaces to comply with the combined total parking requirements for all uses except when the allowance for shared parking is granted in compliance with this section.

C. Parking Agreement Required

A parking agreement shall be required for shared or off-site parking arrangements in accordance with this section.

- i. The agreement shall be subject to review and approval by the City's Law Director and shall provide for the rights of the respective parties to use the parking areas as shared or off-site parking areas.
- ii. The agreement shall include provisions and evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.

- (5) All side lot lines shall be at right angles to street lines and radial to curved street lines except where the Planning Commission determines that a variation to this rule will provide a better street and subplot layout.
- (6) Lot lines at street intersections shall be rounded with a minimum radius of 25 feet.
- (7) On curved streets the arc of the front lot line or a rear lot line shall be not less than 60 percent of the required width at the building line.
- (8) Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.
- (9) Each lot shall front on an improved, dedicated street. Lots may abut a private street in accordance with Section [1129.07](#).
- (10) Typically, panhandle lots or through lots shall be discouraged and may only be approved if necessitated by unique features or other special physical conditions as deemed necessary by the Planning Commission. These lots shall meet the requirements established for the applicable lot type in Section [1115.01\(d\)](#).
- (11) Through lots abutting an arterial street and fronting on a local street within a subdivision shall be of sufficient depth so as to provide for a minimum rear setback of 70 feet. Within this setback, a 20-foot buffer strip shall be reserved abutting the arterial street for the planting of screening. This screening shall include dense vegetative plantings incorporating trees and/or shrubs of a variety which shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three years after the initial installation. At a minimum, at the time of planting, the spacing of trees shall not exceed 12 feet on center, and the planting pattern shall be staggered. Shrubbery shall be more closely spaced.
- (12) For subdivisions located within three miles of the corporate limits of the City, the developer or subdivider shall comply with the criteria listed in [Table 1129-1](#). Except in case of unusual soil conditions or other factors which may impair the health and safety of the neighborhood in which a subdivision may be located, upon the recommendation of the appropriate Board of Health or the City Engineer, the Planning Commission may require larger lot widths and sizes, as deemed necessary.

TABLE 1129-1: MINIMUM LOT CHARACTERISTICS FOR AREAS OUTSIDE OF THE CORPORATE LIMITS OF THE CITY OF WOOSTER		
Type of Development	Minimum Width at Building Line	Minimum Lot Sizes [1]
Single-Family	60 feet	6,500 square feet
Two-Family	80 feet	10,800 square feet
Multi-family (3 or more dwelling units)	80 feet	4,350 per dwelling unit
Commercial	100 feet	20,000 square feet
Industrial	200 feet	2 acres
NOTE: [1] These regulations are based on the provision of group water and/or sewer facilities. If proposed subdivisions are based on individual water and/or sewer facilities, the minimum lot size shall be that which will be approved by the appropriate Board of Health for individual water and/or sewer facilities except that in no case shall lots be smaller for subdivisions located within three (3) miles of the corporate limits of the City that are permitted in Table 1191.04.		

Proposed Downtown Zoning Changes



***This map does not include changes associated with zoning district name changes or zoning district combinations**

ORDINANCE NO. 2018-009

AN ORDINANCE AMENDING PART ELEVEN,
PLANNING AND ZONING CODE, OF THE CODIFIED
ORDINANCES OF THE CITY OF WOOSTER, OHIO

WHEREAS, this City Council authorized the hiring of a consultant to conduct a comprehensive review of the city's planning and zoning code, and make recommendations for amendment; and

WHEREAS the consultant, Compass Point Planning, has delivered its report and recommendations, and the Wooster Planning Commission has held the required public hearings and submitted its recommendation to this Council, and the matter is now before this Council for disposition.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, is amended and replaced to read in accordance with "Attachment A" for the comprehensive amendments to the Planning and Zoning Code and Zoning Map.

SECTION 2. That Chapter 155 of the Codified Ordinances, Design and Review Board, is repealed, The responsibilities of the Board have been relocated to the appropriate chapters of the updated code.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest date allowed by law.

1st reading 4-16-18 2nd reading _____ 3rd reading _____

Passed: _____, 2018 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2018
Mayor

Introduced by: Craig Sanders

**Request for Agenda Item
Non-Capital**

Division Planning and Zoning

Meeting Date Requested 3-29-18

Project Name Comprehensive Amendments to the P&Z Code and Map

☐ **Approved for Agenda**

Description (be as descriptive as possible, given space limitations)

Comprehensive amendments to the Part 11 of the Codified Ordinances, Planning and Zoning Code, amendments to the Official City of Wooster Zoning Map, and the repeal of Chapter 155 of the Codified Ordinances, Design and Review Board.

At the 3-28-18 meeting of the City of Wooster Planning Commission a public hearing was held on the proposed amendments. At the meeting, a motion was made to recommend approval of application PC-18-09 for the comprehensive amendments to the Planning and Zoning Code and Zoning Map, as presented. The motion was unanimously approved by the Planning Commission, 7-0.

Is there a need for rules suspension or time limitation when this must be passed?

No

Manager Requesting Andrew Dutton

Date 3-29-18

Approved for Agenda



CITY OF WOOSTER
Planning and Zoning Division
538 North Market Street Wooster, OH 44691
Phone: 330-263-5238

March 29, 2018

Dear Andrew Dutton,

At the 03-28-2018 meeting of the City of Wooster Planning Commission, a motion was made to recommend approval of application PC-18-09, The City of Wooster is requesting an approval recommendation from the Planning Commission to City Council for comprehensive amendments to Part Eleven of the City of Wooster Codified Ordinances – Planning and Zoning Code – and the Official Zoning Map, as presented.

The motion received the necessary votes and the application will be forwarded to City Council with a recommendation of approval from the Planning Commission.

This action of the Planning Commission does not constitute approval of a Zoning Certificate, Variance, Building Permit, Engineering Development Permit, or other application required by the City of Wooster Codified Ordinances.

Please feel free to contact me at (330) 263-5238 or adutton@woosteroh.com if you have any questions or need any further information.

Sincerely,

Andrew Dutton
Planning and Zoning Manager

PLANNING COMMISSION APPLICATION INFORMATION SHEET

Application Number

PC-18-09

Scheduled Meeting Date

03-28-2018

Application Type

Zoning Amendment - Text and Map

Applicant

City of Wooster - Andrew Dutton

Applicant's Project Description

A comprehensive amendment of the Planning and Zoning Code and Zoning Map.

Agenda Text

The City of Wooster is requesting an approval recommendation from the Planning Commission to City Council for comprehensive amendments to Part Eleven of the City of Wooster Codified Ordinances – Planning and Zoning Code – and the Official Zoning Map



CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street Wooster, OH 44691

Phone: 330-263-5235 Fax: 330-263-5274

MEMORANDUM

DATE: April 3, 2018

TO: City Council

FROM: Andrew Dutton, Planning and Zoning Manager

RE: Comprehensive Planning and Zoning Code and Zoning Map Amendment

Over the last year, the Planning and Zoning Division and Compass Point Planning have been drafting comprehensive amendments to the Planning and Zoning Code and Zoning Map. Drafts have included review and input from the project steering committee, Planning Commission, general public, and City Council's Laws and Ordinances Committee.

Updates of this scale are typically conducted approximately every 10 years. The last comprehensive amendment took place in 2007, which was a complete rewriting of the code and map. Such significant changes were necessary in order to modernize the code and map, which had not been completely updated since 1991. The current proposed amendments contain significant changes to the Planning and Zoning Code and Zoning Map, but are not as extensive as the amendments in 2007. Changes to specific chapters are discussed in further detail on the following pages, however, the most significant proposed changes include:

- Planning and Zoning Code Reorganization – The entire code was reorganized to incorporate a sensible structure which improves usability. Overall, the code has been reduced in size by 71 pages as many redundant regulations were combined and restructured.
- Design and Review Board Chapter – Chapter 155, which regulates the Design and Review Board, has been incorporated into the Planning and Zoning Code. The Design and Review Board is part of the Development review process for properties which are designated Landmarks, located within Landmark Districts, or located in the C-4 Zoning District. The responsibilities of the Board, review procedures and design criteria have been relocated to the appropriate chapters of the updated code.
- Planning Commission – The Planning Commission was reduced from 9 to 7 members and terms were reduced from 6 to 3 years. These changes are consistent with other City of Wooster Boards, common practices nationwide, and provide a more suitable Commission makeup.
- Sign Chapter - Significant changes were made to the Sign Chapter of the code. The impetus of the changes was a recent a US Supreme Court case, Reed v. Town of Gilbert, which has affected the ways in which jurisdictions may regulate signage. In general, the physical characteristics of a sign can be regulated (size, height, lighting, etc.), while the regulation content of the message conveyed in a sign is limited. Though substantial changes have been proposed, most dimensional regulations such as permitted sign area, height, and setback are unchanged or only slightly modified.

- Planned Districts Chapter – The current Planned Development Overlay District (PDOD) is extremely complicated, length, and is thus rarely utilized. The Planned Development Districts chapter was rewritten to be more usable, condensed, and flexible for both developers and the City.
- Medicinal Marijuana – At the direction of Council's Laws and Ordinances Committee, regulations regarding Medicinal Marijuana were incorporated into the Principal Use Regulations and Definitions chapters of the code. The proposed code allows Medicinal Marijuana Dispensaries as a conditional use in the General Commercial (C-3) district and allows Medical Marijuana Cultivation, Testing and Processing as a conditional use in the Office/Limited Industrial (I-1) district and as a permitted use in the General Industrial (I-2) district. In addition, state law prohibits any Medicinal Marijuana facility from being located within 500 feet of a school, church, public library, public playground, or public park
- Zoning Districts – The following changes were made to zoning districts:
 - All manufacturing districts (M-#) were renamed to industrial districts (I-#).
 - The current General Manufacturing (M-2) and Open Space/Heavy Manufacturing (M-4) districts were combined into the new General Industrial (I-2) district. There are currently only two properties zoned M-4 and regulation as I-2 is consistent with their current or likely future use.
 - The current Neighborhood Commercial (C-2) and Community Commercial (C-3) districts were combined into the new Community Commercial (C-3). The current districts were similar and the combined district includes features of both.
 - The Campus, Professional, Research, and Office (CPRO) district was eliminated. Only two properties are zoned CPRO and the cumbersome regulations of the district are not easily applied.
 - The Manufactured Home Park (R-5) district was discontinued. The existing two manufactured home parks are permitted to remain as conforming and include regulations, however, no new R-5 districts may be created.

On the following pages, I have included further detail of amendments to the Planning and Zoning Code and Map. Please contact me if you have any questions, initial input or need any clarification.

Chapter 1101: General Provisions

There were no major changes to General Provisions. However, Section 1101.10, Transitional Rules, was drafted to address how pending applications under review when the new code goes into effect will be handled.

Chapter 1103: Administration and Decision Making Authorities

The chapter includes responsibilities, composition, and review procedures for City Council, Boards and Administrative Staff. The chapter includes the following noteworthy changes:

- The Planning Commission was reduced from 9 to 7 members and terms were reduced from 6 to 3 years. These changes were consistent with other City of Wooster Boards, common practices nationwide, and provide a more suitable Commission makeup.
- Design and Review Board requirements have been incorporated into this chapter from existing Chapter 155.
- Rules for each review Board (Planning Commission, Board of Building and Zoning Appeals, and the Design and Review board) are outlined. However, a section for General Rules and Regulations for Review Boards has also been incorporated, which applies to all Boards.
- The chapter proposes language that allows appeals of decisions of the Planning Commission and Design and Review Board to be made to the Board of Building and Zoning Appeals. Currently, appeals are immediately subject to ORC Chapter 2506, which is heard before the Court of Common Pleas.

Chapter 1105: Review Procedures

The chapter incorporates all review procedures and addresses a number of other items, including:

- A single section of common review standards will be applicable to all applications. It is a consolidation of many sections which are currently spread out in the code.
- Submittal requirements have been removed from the code and will be established and maintained by staff to allow for more flexibility.
- Resubmission of a denied application by staff or a Board has been a point of discussion. The incorporated text requires that any resubmission must adequately address all reasons for denial of the previous application.
- Review procedures include a step-by-step format, which is helpful to both staff and applicants.

Chapter 1109 – Principal Use Regulations

The chapter integrates all principal use regulations which are currently found throughout the code. Columns of Table 1109-1 include all principal uses, zoning districts, and a reference to applicable use-specific standards.

- Overall, uses and their permitted districts are similar to current regulations.
- Medicinal Marijuana Dispensaries are allowed as a conditional use in the General Commercial (C-3) district and Medical Marijuana Cultivation, Testing and Processing are allowed as a conditional use in the Office/Limited Manufacturing (I-1) district and as a permitted use in the General Commercial (I-2) district.
- The use-specific standards include regulations to ensure certain uses are compatible and appropriate. Some of the more extensive use-specific standards relate to Cluster Residential Developments, Adult Uses, and Wireless Telecommunication Facilities.

Chapter 1111 – Planned Districts

The chapter is a complete rewrite of the current planned development chapter which is somewhat unclear, lengthy (28 pages), and difficult to apply. The proposed planned development chapter is simplified, significantly shortened, and allows more flexibility. It includes development standards and guidelines, review procedures, and review criteria.

Chapter 1113 – Accessory and Temporary Use Regulations

The chapter integrates all accessory and temporary use regulations into one single chapter. Columns of Tables 1113-1 and 1113-2 include all accessory and temporary uses, zoning districts, permitted placement, and the location of use-specific standards (if applicable).

- The tables include regulations for a number of minor accessory uses and structure which are currently not regulated, or where regulation is not clear. Such uses/structures include basketball hoops, accessibility ramps, community gardens, solar panels, etc.
- Fencing regulations, which are scattered throughout the current code, were consolidated in this chapter. There were a number of adjustments to fencing regulations, including the following:
 - The current code requires that fences on a single lot must be the same style, color and finish. Due to challenges with practical application and effectiveness, revised regulations include a similar requirement when fencing is visible from a public street.
 - Changes were made to allow industrial fence types in industrial districts and remove unnecessary buffering of fences.
 - Regulations for retaining walls were added.
- Raising of small livestock was incorporated allowing up to 6 such animals at a single-family residence.

Chapter 1115 – Site Development Standards

The chapter incorporates extensive details regarding types of lots and how they are regulated, which is not found in the current code. Many graphics were incorporated to assist the user, which is extremely helpful. In addition, the chapter also includes development standard tables for all zoning districts. These tables contain regulations for lot size, setbacks, building height, etc. Changes to development standards include:

- Single Family Residential Districts – Lot and building coverage maximums were increased. There have been a number of variances granted to the relatively stringent lot coverages in the current code, particularly in the R-T district.
- Multi-Family Residential Districts – Minimum lot size was reduced from an arbitrarily large size found in the current code.
- Commercial Districts – Current C-2 and C-3 districts were combined to the new C-2 district. Standards of the new district are a hybrid of the former districts.
- Industrial Districts – The current code incorporates a confusing and unnecessary format of regulating industrial developments on “Existing Streets” and “New Streets”. The proposed code uses the “Existing Streets” regulations and combines the former M-2 and M-4 districts into the new I-2 district.

Chapter 1117 – General Development Standards

The chapter incorporates a number of general standards that are currently located in various other chapters of the code:

- Performance Standards – Includes revisions to public safety and nuisance regulations. Many of these standards are currently only noted in industrial districts, but have been revised to apply to all districts.
- Environmental Protection – Regulations regarding such environmental subjects as wetlands, steep slopes, and floodplain were included with minimal changes. Regulations for a riparian corridor setback, required by the City’s Engineering Division, have been incorporated by reference.
- Exterior Lighting – Regulations for exterior lighting have been modified and simplified.

Chapter 1119 – Architectural and Historic Preservation Standards

The chapter incorporates architectural standards applicable to standard zoning districts and specific regulations for Landmark Districts:

- Architectural Standards – Architectural standards for properties in the R-T district were considerably strengthened. In addition, new standards for multi-family dwellings were added which address focus

on requirements for design features on front facades. Architectural standards for buildings in commercial districts were revised from current requirements and incorporate a number of graphics.

- Historic Preservation Standards – Review standards and guidelines were relocated to this chapter and revised. A new section was incorporated that affords the Design and Review Board flexibility for non-historically significant buildings located in Landmark Districts.

Chapter 1121 – Open Space Standards

The chapter incorporates a number of open space standards which are currently found throughout the code. Open space standards for large single-family developments have been incorporated.

Chapter 1123 – Landscaping and Buffering

The chapter has been reorganized and modified including the following:

- The Site Landscaping section includes regulations found in a number of existing sections. Changes allow Commercial Districts to require slightly less landscaping and Industrial Districts to require significantly less landscaping than the existing code. Interior parking lot landscaping sections were rewritten and modified for usability.
- A section allowing modifications to buffering and screening requirements was included to allow flexibility.

Chapter 1125 – Parking, Access and Mobility Standards

The chapter modifies and reorganizes the current similar chapter of the Planning and Zoning Code. Notable changes or additions include:

- Changes were made to setbacks due to the reorganization of zoning district (C-2 and C-3 were combined to the proposed C-2 district and M-4 was incorporate into the proposed I-2 district).
- The number of off-street parking spaces required was modified for many uses to reflect real-world conditions. To allow for flexibility, a 10% reduction of parking space requirements was permitted and uses which vary greatly in their parking demand were allowed to be adjusted by the Zoning Administrator with provided documentation.
- Sidewalks requirements were altered and relocated from the current code to apply clearly to all subdivisions and developments.

Chapter 1127 – Signage

The chapter includes significant changes, much of which stems from the previously noted Reed v. Town of Gilbert case, which has affected the ways in which jurisdictions may regulate signage. In general, the physical characteristics of a sign can be regulated (size, height, lighting, etc.), while the content of the message conveyed in a sign is limited. Therefore, sections related to signs which are instructional, related to real estate, related to garage sales, etc. were removed.

- Administrative sections were revised, but maintain the majority of the current code language. The requirement of all nonconforming signs to comply with the applicable code at a predetermined date was removed.
- Sections regarding electronic message center signs (EMC) were altered as necessary, per the noted Reed case.
- Graphics were added to assist users in the calculation of sign area.
- Permanent nonresidential building signs (Wall, window, awning, etc.) requirements were revised to allow signage on any elevation and the requirement for window signs to obtain a sign permit was removed. General area and height requirements for building signs remain unchanged, other than the combination of C-2 and C-3 district requirements.

- Permanent nonresidential freestanding sign regulations were revised to include provisions for “signs at driveway entrances or intersections” and “drive-thru signs” rather than content based regulations. General area and height requirements for freestanding signs were unchanged.
- The temporary sign sections saw significant revisions due to the Reed case.
 - Limited regulations were incorporated for Temporary signs without a commercial message, such as political signs. Such signs without a commercial message were permitted to be displayed without a time limit or sign permit.
 - Requirements for temporary signs in nonresidential districts allow a small amount of signage without a time limit and additional larger temporary signage on a limited basis.

Chapter 1129 – Subdivision Design

The chapter incorporates standards from a number of existing chapters such as circulation, utilities, and subdivisions. Most changes are reorganization or due to technical or procedural issues.

Chapter 1131 – Nonconformities

Though reorganized, the chapter is similar to the current chapter of the code. Regulations were revised to allow nonconforming single-family homes to be rebuilt in any district, which will alleviate concerns from lending institutions when mortgaging such homes.

Chapter 1133 – Enforcement and Penalties

With the exception of relocating and restructuring, minimal changes were made to this chapter.

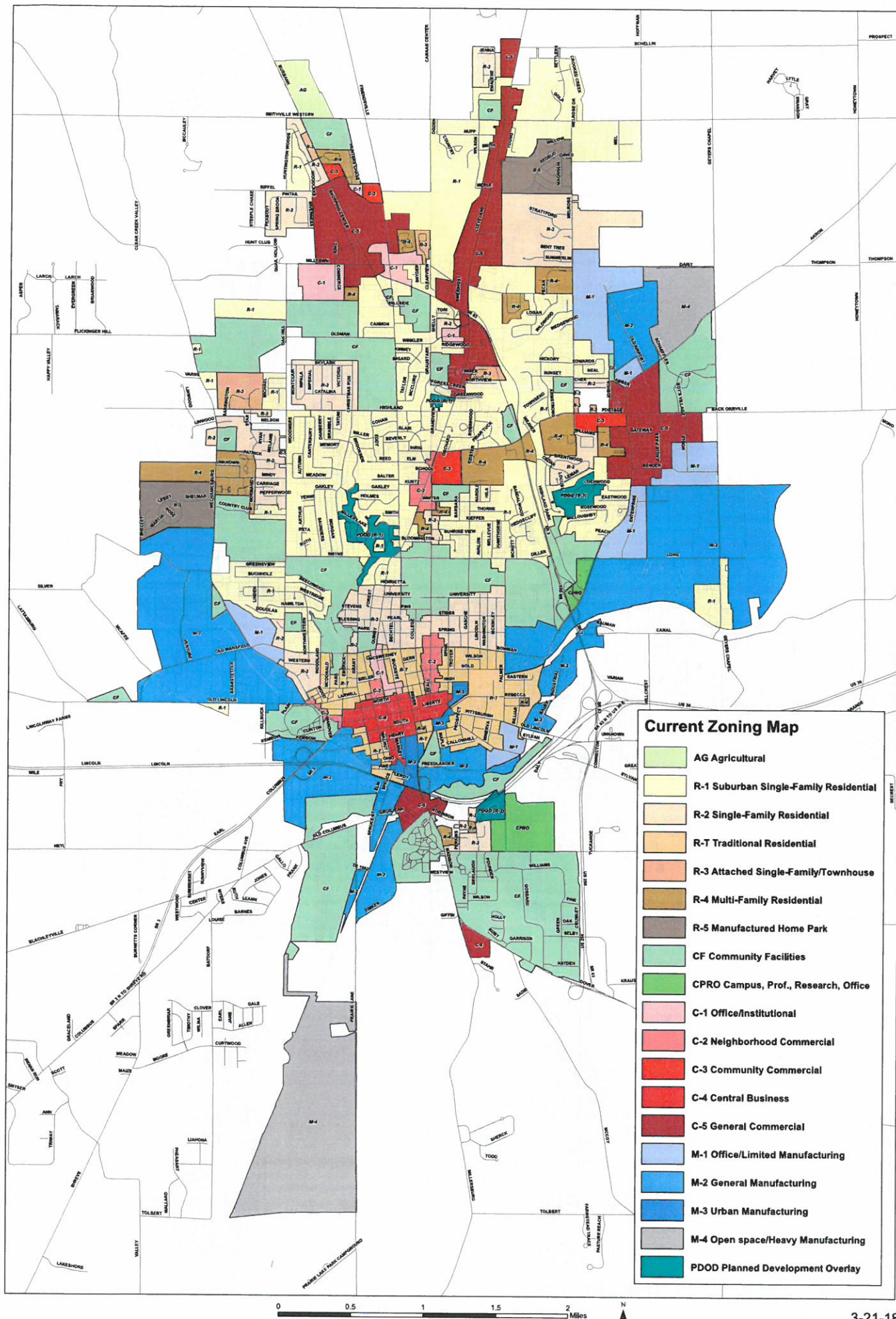
Chapter 1135 – Definitions

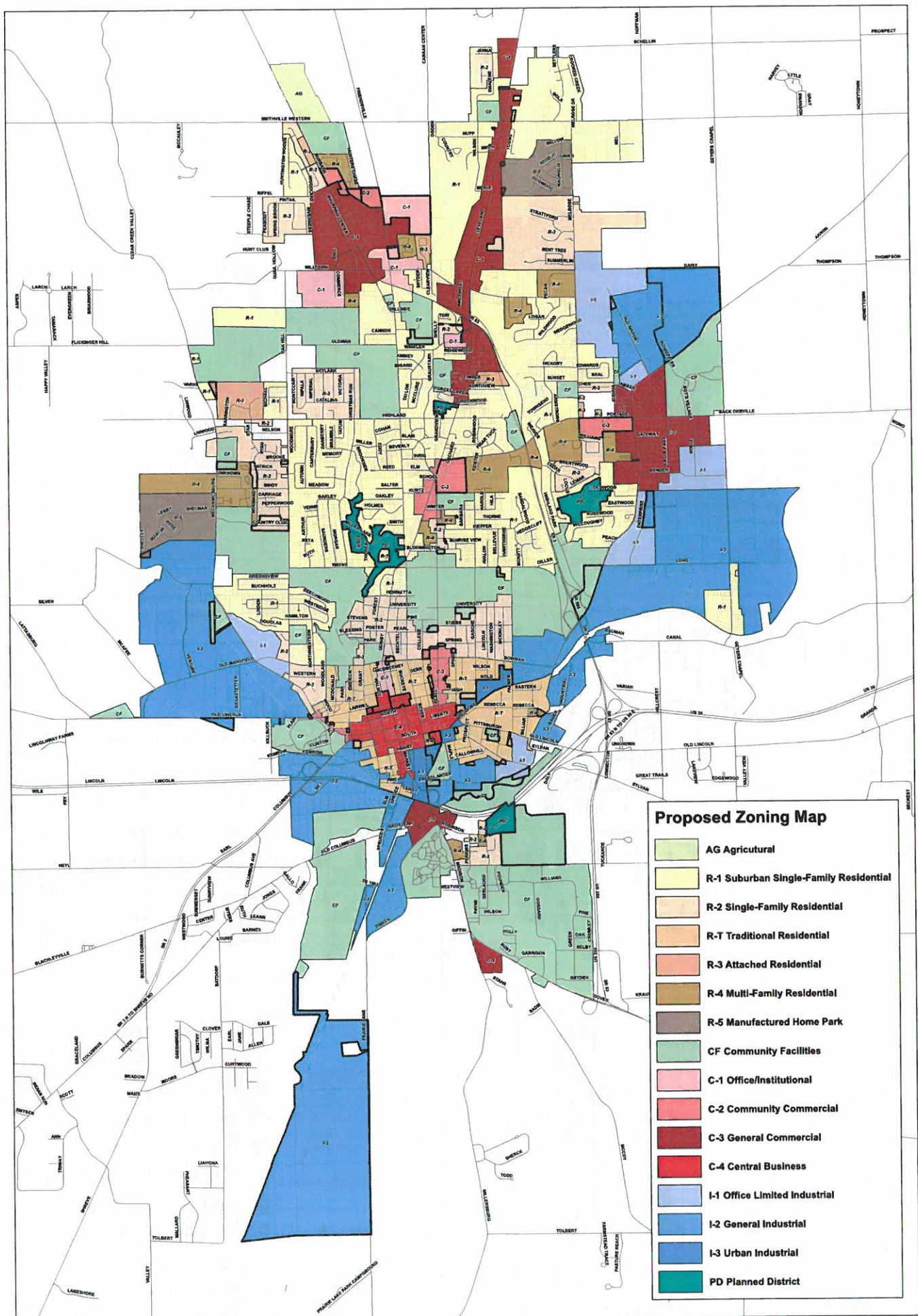
The definitions chapter was rewritten to correspond with terms used in the Planning and Zoning Code. Though lengthy at 41 pages, the chapter was needed to encompass all necessary terms. In particular, all uses were defined, which is a deficiency in the current code.

Zoning Map

The proposed Zoning Map incorporates the following significant changes:

- There were a number of changes in name only as the General Commercial District was changed from C-5 to C-3 and Manufacturing Districts were changed from M-1, M-2 and M-3 to I-1, I-2 and I-3.
- Existing C-2 and C-3 districts were combined into a new C-2 (Community Commercial) district. The two existing M-4 district properties were absorbed into the I-2 (General Industrial) district.
- Many minor changes were proposed to place various properties in a more appropriate zoning district. These modifications were necessary in order to correct errors in the current Zoning Map and to address changing conditions which have occurred since 2007.
- Based on steering committee recommendations, the C-4 (Central Business) district was expanded north and southeast of downtown.
- Two properties along Riffel Road were changed from current C-5 and C-1/C-5 (split zoned) to proposed C-2 (Community Commercial). The properties are adjacent to current C-5 zoning to the south and west and R-4 to the north and east. The C-2 zoning provides a better transition and accommodates current and likely future uses. Property on the east side of Friendsville Road was changed from R-1 to C-1 (Office/Limited Commercial). The proposed modification was due to changing conditions in the area, recommendations of the comprehensive plan, and likely future land uses.



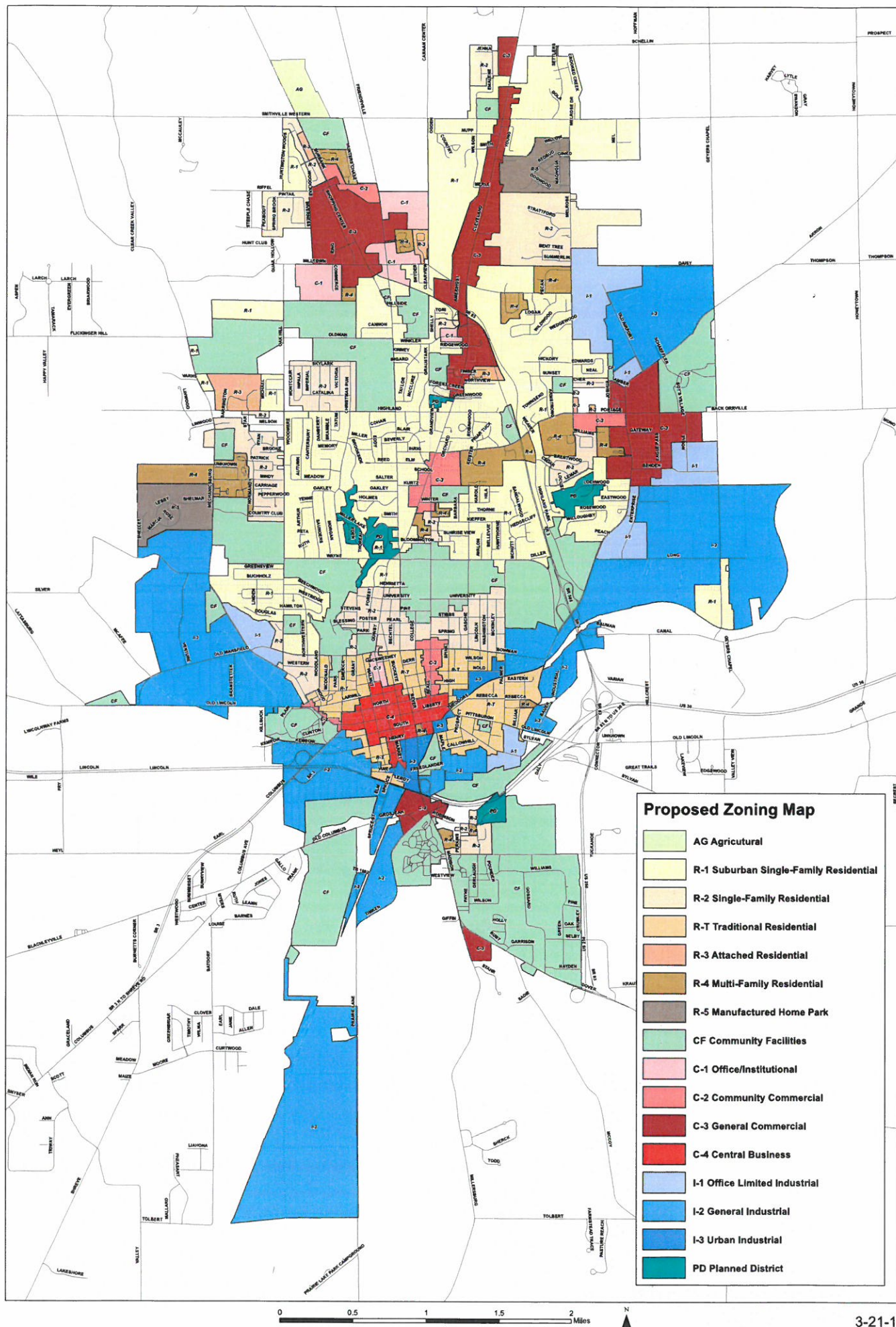


Zoning Changes (Does not include zoning district name changes)

0 0.5 1 1.5 2 Miles



3-21-18



RESOLUTION NO. 2018-028

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF SIDEWALKS AND CURB RAMPS ON NORTHWESTERN AVENUE, AND DECLARING AN EMERGENCY

WHEREAS, this City Council, in Resolution No. 2018-025, has previously declared the necessity of constructing sidewalks and curb ramps on Northwestern Avenue, north of Parkview Avenue and south of Hamilton Avenue, in order to provide for the safety of pedestrian and vehicular traffic in such areas. The City's portion of the project is budgeted from the Capital Improvements Fund and a portion will be assessed to the adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. The Director of Administration is hereby authorized to advertise according to law and enter into a contract with the lowest and best bidder for the construction of sidewalks and curb ramps on Northwestern Avenue, north of Parkview Avenue and south of Hamilton Avenue, in accordance with final plans and specifications on file in the office of the Director of Administration.

SECTION 2. The cost of said project shall not exceed the appropriated amount.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____, 2018 Passed: _____, 2018 Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2018

Mayor

Introduced by: Bill Bostancic

**Request for Agenda Item
Authorization for Bid or Purchase Capital Item**

Division Engineering	Meeting Date Requested May 7, 2018
Project Name Northwestern Avenue Sidewalk Project	Approved for Agenda
Estimated Total Funds/Cost \$86,000.00 (\$83,340 Capital. Funds, \$2,660 Assessments)	
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
<p>Description Of Request This is a request to advertise for bids and to enter into a contract with the lowest and best bidder for the construction of sidewalks along the western side of Northwestern Avenue from Parkview Avenue to Hamilton Avenue. The City's portion of the project is budgeted from the Capital Improvements Fund and a portion will be assessed to the adjacent property owners. All of the engineering design, construction administration and inspection will be performed in-house by the engineering division staff.</p> <p>Council has previously passed a Resolution of Necessity 2018-25 on April 2, 2018</p>	
Justification / Benefits The project will complete the construction of sidewalks within the neighborhood.	
Will This Project Effect the City's Operating Costs This project will have little or no effect on operating costs since sidewalk maintenance is the responsibility of the individual property owners once constructed.	
What Alternatives Exist and What Are The Implications of The Alternatives We can do nothing and leave this section of sidewalk unconstructed.	
Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
If Yes, Explain The Circumstances	
Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow the opportunity to bid this project as early as possible.	
Division Manager Roger Kobilarcsik	Date April 25, 2018

RESOLUTION NO. 2018-029

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO RENEW CONTRACT FOR
SPECIALIZED TECHNOLOGY, TO WIT: AXON BODY
CAMERAS AND BODY CAMERA STORAGE FOR THE
POLICE DIVISION

WHEREAS, the Director of Administration, in consultation with the police chief, has recommended the purchase of items of specialized technology for the Police Division, to wit: AXON Body Cameras, storage fees for body camera footage and licensing fees; and the cost of this purchase is included in the operating budget for 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. The Director of Administration is hereby authorized to renew the contract with Axon/Evidence for a five year period which will include the storage of body camera footage and the purchase of specialized technology without competitive bidding: the Axon body camera.

SECTION 2. The cost of such contract will not exceed the amounts appropriated for this purpose in the Appropriations Budget adopted by this Council in Ordinance No. 2017-36. The anticipated costs of the contract for the contract years 2-5 will be budgeted for the appropriate budget years and will not exceed the contract costs.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____, 2018 Passed: _____, 2018 Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2018

Mayor

Introduced by: Mark Cavin

Request for Agenda Item Non-Capital

Division

Meeting Date Requested

Project Name

☐ Approved for Agenda

Description (be as descriptive as possible, given space limitations)

As of June 2018 our budgeted contract with the company we utilize to store our body camera footage, Axon/Evidence .com is up. Moreover, our body cameras are going on 5 years old and are intermittently malfunctioning and need replaced. Of equal significance, Axon has stopped production of the first generation camera's we currently have and will stop supporting them at the end of this year. Finally, it should be noted that the costs associated with Axon have gone up significantly due to several factors including the need to purchase new cameras that are high definition, increased storage fees, and new licensing procedures/fees. As such, terms were negotiated with Axon in an effort to renew our contract to ensure we have storage for the actual recordings and have the equipment we need. The terms are as follows:

YEAR 1 (2018-2019) \$15, 718.50

YEAR 2 (2019-2020) \$20,070.00

YEAR 3 (2020-2021) \$20,070.00

YEAR 4 (2021-2022) \$20,070.00

YEAR 5 (2022-2023) \$20,070.00

TOTAL 5 YEAR CONTRACT COST- \$95,998.50

Note: Total contract cost include 45 new HD body cameras

Year 1 fees were budgeted for in the Police Department 2018 Operating Budget. Additional years will be budgeted in the PD operating budget.

Is there a need for rules suspension or time limitation when this must be passed?

As our contract is up in June, we would respectfully ask for a suspension of the rules.

Manager Requesting

Date

Approved for Agenda

RESOLUTION 2018-030

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster (referred to as the “Political Subdivision”) submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid in accordance with Ohio Revised Code 5513.01(B) and agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision requests through this participation agreement a total of 4,000 tons of Sodium Chloride (Road Salt) in 2019, in order to maintain sufficient reserves depleted throughout the winter season, of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract’s effective period of September 1, 2018, through April 30, 2019; and
- f. The Political Subdivision agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Thursday, June 1, 2018. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this

**Request for Agenda Item
Non-Capital**

Division Public Properties Maintenance

Meeting Date Requested 5/7/2018

Project Name ODOT Winter Salt Contract

☐ **Approved for Agenda**

Description (be as descriptive as possible, given space limitations)

The PPM Division anticipates the need to purchase approximately 4000 ton of salt in 2019 to maintain sufficient reserves depleted throughout the winter season. The funding for the salt to be purchased in 2019 is not funded, but will be requested in the 2019 Budget.

In an unstable salt market it is difficult to predict and budget from year to year what the price of salt will be. So, partnering with the Ohio Department of Transportation (ODOT) will allow the City to purchase a total of 4000 ton of salt and minimize the risk of paying higher prices. The bidding process that ODOT uses keeps the salt vendors prices very competitive.

The reason this request is coming to Council in such short notice is because the City just recently was notified by ODOT that the City could join them in the Winter Fill Salt Contract (018-19).

Is there a need for rules suspension or time limitation when this must be passed?

Council will need to suspend the rules and pass this resolution in its final reading because of time constraints. The ODOT contract agreement for the Winter Fill Contract needs to be submitted by May 18, 2018.

Manager Requesting Curt Denning

Date 5/1/2018

Approved for Agenda