

Chapter 1117: General Development Standards

1117.01 Performance Standards

No land or structure in any zoning district shall be used or occupied in any manner to create a dangerous or objectionable condition, substance or element, in such a manner or in such amount to adversely affect the adjoining premises or surrounding area.

(a) Compliance with State and Federal Regulations

All uses shall comply with all applicable state and federal Environmental Protection Agency, Occupational Safety and Health Administration (OSHA), Americans with Disabilities Act, and all other state and federal regulations that pertain to the applicable use.

(b) Enclosures

- (1) The repainting, rebuilding, overhauling or dismantling of a vehicle or the storage of tires, motor, or body parts in a right-of-way or an open yard is prohibited.
- (2) All uses and operations, except off-street parking and loading facilities, shall be performed wholly within enclosed buildings in all districts except the I-1, 1-2, or I-3 Districts, unless specifically permitted otherwise.

(c) Overhead Utility Lines

All utility lines, electric lines; telephone or telecommunication lines, cable lines; etc., shall be placed underground. Exceptions shall be made for high-voltage power lines that cannot feasibly be located underground.

(d) Fire Hazards

Any industrial processing that involves flammable or explosive materials shall only be permitted in the I-2 District and only as a conditional use (See Section [1105.04.](#)).

(e) Noise

All uses shall comply with the following noise standards.

- (1) A sound-level meter shall be used to measure decibel level.
- (2) Noise levels shall be measured at the lot line.
- (3) No use shall emit noise which exceeds the decibel limits set forth in [Table 1117-1.](#)

TABLE 1117-1: MAXIMUM NOISE LEVELS			
Property with Noise Source	Property Receiving/Affected by Noise		
	Residential or Institutional Use	Commercial or Office Use	Industrial Use
Daytime Limits (7:00 AM to 10:00 PM)	60 dBA	65 dBA	70 dBA
Nighttime Limits (10:00 PM to 7:00 AM)	50 dBA	60 dBA	65 dBA

(4) Exemptions

The following uses and activities shall be exempt from noise level regulations:

- A. Noises of safety signals, warning devices and emergency pressure relief valves;
 - B. Noises resulting from any authorized emergency or public safety vehicle, when responding to an emergency call or acting in time of emergency;
 - C. Noises resulting from emergency work;
 - D. Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the department who has been authorized this responsibility by City Council; and
 - E. Noises resulting from sports events authorized by the Board of Education, private schools, colleges, or universities.
- (f) Heat**
- (1) In all zoning districts except the I-2 District, no use shall generate heat that is perceptible without the aid of instruments at any point beyond the lot occupied by the use.
 - (2) In the I-2 District, no use shall generate heat or glare that is perceptible without the aid of instruments at any point beyond the zoning district boundary.
- (g) Vibration**
- (1) In all zoning districts except the I-2 District, vibrations, which are perceptible without the aid of instruments, shall not be permitted beyond the lot occupied by the use generating such vibration.
 - (2) In the I-2 District, all activities shall be set back from and controlled in such a manner as to prevent transmission of vibrations that are perceptible without the aid of instruments beyond the zoning district boundary.
- (h) Odors**
- (1) In all zoning districts except the I-2 District, the emission of odorous matter in such quantities as to produce a public nuisance or hazard outside the building is prohibited.
 - (2) In the I-2 District, the emission of odorous matter in such quantities as to produce a public nuisance or hazard shall not be detectable beyond the lot occupied by the use generating the emission.
- (i) Noxious, Toxic or Corrosive Fumes**
- Noxious, toxic or corrosive fumes or gasses shall not be emitted which shall be injurious to the property, vegetation, or health of people residing or doing business in any adjacent lot.
- (j) Air Pollution**
- (1) The emission of smoke, soot, fly ash, fumes and dust shall be controlled by precipitation devices, height of stack, rate of emission or other manner so that the quantity deposited in any zoning district shall not be detrimental to or endanger the public safety, comfort, welfare or adversely affect property values. In addition, no use shall emit fly ash, dust, vapors or other substances that are harmful to health, animals, vegetation or other property or which can cause excessive soiling.
 - (2) Dust and other types of air pollution borne by the wind from sources such as parking areas, storage areas, or yards shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable treatment.

(k) Solid and Liquid Waste

- (1) Solid waste, including empty packing crates and other excess materials, shall be regularly disposed of, stored in buildings, screened by solid walls or fences, or completely enclosed in containers or dumpsters, and shall not be permitted to accumulate on any lot.
- (2) Large waste receptacles shall be:
 - A. Located in a side or rear yard in compliance with the minimum parking setbacks established in Section [1125.03\(b\)](#). This requirement may be waived in the C-4 District if the Zoning Administrator determines that compliance is infeasible due to the property's size, configuration, access, or other relevant factor;
 - B. Placed on a hard surface suitable for off-street vehicular use areas established in Section 1125.03(h)(3); and
 - C. In compliance with the screening requirements set forth in [Chapter 1123: Landscaping and Buffering](#).
- (3) If liquid wastes are disposed of in containers, they shall be appropriate containers, and the wastes shall be removed from the site on a regular basis.
- (4) Liquid waste or sewerage shall not be discharged into a reservoir, stream, or other open body of water or into a storm or sanitary sewer except as allowed by other codes of the City of Wooster, County, State or similar jurisdictional authority.

(l) Radioactive or Electrical Disturbances

- (1) No activity shall emit dangerous radioactivity at any point or electrical discharges affecting the operation, at any point, of any equipment other than that of the creator of such disturbances.
- (2) Such disturbances shall be confined to the use and lot from which they originate and shall not occur across any lot line.
- (3) The handling of radioactive materials, the discharge of such materials into the air and water, and the disposal of radioactive wastes shall be in conformity with the applicable regulations of the Nuclear Regulatory Commission and the Ohio Environmental Protection Agency.

(m) Infectious and Medical Waste Materials

The storage, incineration or disposal of infectious or medical waste materials in such a manner or in such quantities as to produce a public nuisance or a hazard to the public health and welfare of the community shall not be permitted.

(n) Stormwater Facilities

Detention/retention facilities that are visible from a public street shall be integrated into a landscaped area. Such landscaped areas shall contain any combination of the following elements: shade and ornamental trees, evergreens, shrubbery, hedges, and/or other planting materials as well as ornamental fencing.

(o) Erosion

No erosion, by either wind or water, which will carry objectionable substances onto neighboring properties shall be permitted

(p) Enforcement

Where determinations can be made by the Zoning Administrator or other authorized City employee, using equipment normally available or obtainable without extraordinary expense, such determinations or evaluation shall be made whenever possible before a notice of violation is issued. Where technical complexity or extraordinary personnel or equipment is required to make the determination, the Zoning Administrator may, in the case of the offenses under this section, require the owner to either obtain and pay for an independent survey or share in the cost of an independent survey from a professional engineer experienced in the particular specialty.

1117.02 Environmental Protection

(a) Purpose

It is hereby determined that the natural environment within the City of Wooster contributes to the health, safety, and general welfare of the residents of Wooster, and therefore, should be protected. These regulations are enacted in order to:

- (1) Protect and preserve designated wetlands, riparian corridors, and steep slopes; and
- (2) Protect residents of Wooster from property loss and damage due to flooding.

(b) Compliance with Regulations

No approvals required by this code or zoning certificates shall be issued by the City to any applicant whose lot falls within the jurisdiction of these regulations without full compliance with the terms of these provisions.

(c) Wetland Regulations

Wetlands that are required to be retained by the Army Corps of Engineers or the Ohio Environmental Protection Agency (OEPA) shall be protected by the following:

- (1) A buffer area shall be established having a minimum width of 20 feet measured from the edge of the designated wetland. The area within this buffer shall not be disturbed and shall be retained in its natural state. During construction, this buffer shall be fenced off to prevent disturbance of this required buffer area.
- (2) All buildings and pavement shall be set back a minimum of 35 feet from the edge of the designated wetland.

(d) Steep Slopes

- (1) No roadway or driveways shall be constructed on land having a slope greater than 25 percent.
- (2) No buildings or parking areas shall be constructed on land having a slope greater than 20 percent.
- (3) The Zoning Administrator shall have the authority to waive the application of these requirements when grading, special construction practices, or the use of a retaining wall will address any safety issues and where the character of the surrounding neighborhood will not be substantially altered because of changes in building design or the natural grade.
- (4) Slopes shall be determined by dividing the vertical rise in elevation by the horizontal run of the same slope and converting the result into a percentage value.

(e) Flood Hazard Areas

- (1) No residential dwelling or part thereof, except for approved campgrounds, shall be erected within the 100-year floodplain as designated on the most recently adopted Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA).
- (2) In the event a recreational dwelling is built within the floodplain, then the dwelling shall be built above the base flood elevation, or if the recreational dwelling is stilted, then the main structure of the dwelling shall be built above the base flood elevation.
- (3) Any residential dwelling or part thereof within the 100-year floodplain at the time of enactment of this code may be altered or expanded if:
 - A. The alteration or expansion conforms with all applicable regulations of this code; and
 - B. There is not an increase in the number of dwelling units in the building.
- (4) Any nonresidential building, or part thereof, which is constructed within the 100-year floodplain is encouraged to be flood proofed.

(f) Riparian Corridor Setback

All development subject to review under this code shall comply with the riparian corridor setbacks established by the Wooster Engineering Division in the Site Development and Improvement Manual.

1117.03 Exterior Lighting

(a) Purpose

The purpose of this section is to control the installation of exterior lighting fixtures to prevent light pollution in the forms of light trespass and glare and to preserve, protect, and enhance the character of the City and the lawful nighttime use and enjoyment of property located within the City. Appropriate site lighting, including lights for signs, buildings and streets, shall be arranged so as to provide safety, utility and security; control light trespass and glare on adjacent properties and public roadways.

(b) Applicability

The standards of this section shall apply to all development activities, subject to review under this code, with the following exceptions:

- (1) Lighting related to single-family and two-family dwellings are exempt, however, all lighting for these uses, with the exception of low-voltage landscaping lighting, which shall be completely shielded from adjacent properties.
- (2) Decorative outdoor lighting fixtures with bulbs of less than 25 watts, installed seasonally, are exempt from the requirements of this section.
- (3) Fully shielded decorative lighting attached to a building or placed in landscaping and directed onto a building shall be exempt from the requirements of this section, provided direct light emissions are not intended to be visible above the building line roof. This shall not include decorative lighting used to illuminate a sign, which is regulated by [Chapter 1127: Signage](#).
- (4) Light fixtures used to illuminate flags, statutes, and any other objects mounted on a pole, pedestal, or platform shall be exempt from the requirements of this section, provided these objects are illuminated using a narrow cone beam or light fixtures designed to minimize light spillage beyond the illuminated object.

- (5) Lighting for certain outdoor recreational uses because of their unique requirements for nighttime visibility and their limited hours of operation. However, such uses, which includes, but is not limited to, ball diamonds, playing fields, tennis courts and other similar outdoor recreational uses shall be required to meet the following standards:
 - A. Cutoff from a lighting source that illuminates an outdoor recreational use may exceed an angle of 90 degrees from the pole, provided that the luminaries are shielded to prevent light and glare to spill over to adjacent residential properties.
 - B. The maximum permitted illumination at the lot lines shall be two footcandles.
 - C. Exterior lighting for an outdoor recreational use shall be extinguished no later than 11:00 p.m.
- (6) Temporary construction or emergency lighting is exempt from the requirements of this section. Such lighting shall be discontinued immediately upon completion of the construction work or abatement of the emergency necessitating such lighting.
- (7) Nothing in this Chapter shall apply to lighting required by the FAA or any other federal regulatory authority.

(c) Exterior Lighting Plan

- (1) A lighting plan is required for all uses that are required to file a development plan and shall be approved according to the procedures set forth in Section [1105.07](#). The lighting plan shall demonstrate compliance with the requirements of this section. However, a photometric study of the illumination shall only be required when a multi-family dwelling with 10 or more units or a nonresidential use is proposed to be located adjacent to a lot in a residential district or that is occupied by an existing residential use.
- (2) All existing uses on which exterior lighting is installed or changed shall conform to these standards.
- (3) The lighting plan shall demonstrate compliance with the exterior lighting standards of this section.

(d) General Requirements

- (1) All outdoor lighting fixtures regulated according to this section, including but not limited to those used for parking areas, buildings, building overhangs, canopies, signs, displays and landscaping, shall be full-cutoff type fixtures, unless specifically exempted by this section.
 - A. Full-cutoff fixtures shall be installed and maintained so that the shielding is directed downwards or at a downward angle as illustrated in [Figure 1117-A](#).

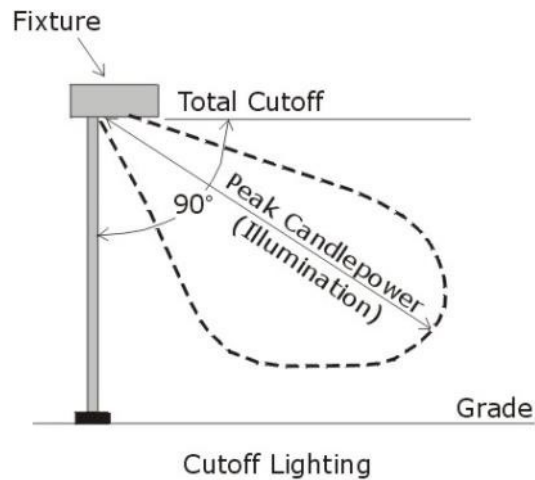


Figure 1117-A: Illustrative example of a cutoff light

- B. Any use that has a canopy with lighting fixtures attached to the bottom of the canopy shall utilize recessed ceiling fixtures.
 - C. Signs that are wholly illuminated from within and freestanding signs that are externally illuminated with an exposed incandescent lamp not exceeding 40 watts shall not require shielding.
- (2) All on-site lighting of buildings, lawns, parking areas and signs shall be designed so as not to shine onto any adjacent residential property or building, or to cause glare onto any public street or vehicle thereon.
 - (3) Illumination is required consistently across the site shall be designed so as not to create dark spots that may create safety issues in such areas as vehicular use areas and connecting pedestrian paths.
 - (4) For all nonresidential uses in the R-1, R-2, and R-T Districts, all nonessential outdoor lighting fixtures, including parking, sign, display, and aesthetic lighting, shall be turned off after business hours. Only that lighting needed for safety or security may remain lit after close of business, in which case the lighting shall be reduced to the minimum level necessary.
 - (5) There shall be a maximum illumination of 0.5 footcandles at the lot line in all residential districts and for any nonresidential use that abuts a lot in a residential zoning district or lot occupied by an existing residential use.
- (6) **Measurement**
- A. Light levels shall be measured in foot-candles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.
 - B. Measurements shall be taken at the property line, along a horizontal plane at a height of 3.5 feet above the ground.
- (7) **Maximum Height of Light Poles**
- The total height of exterior lighting poles shall not exceed the following height regulations. Height shall be measured from the average grade surrounding each light pole:

TABLE 1117-2: MAXIMUM HEIGHT OF LIGHT POLES	
Districts:	Maximum Height
AG, R-1, R-2, R-T, R-3, R-4, and R-5	20 feet
CF, C-1, C-2, C-3, C-4, I-1, and I-3	25 feet
I-2	28 feet
Planned Developments	To be determined during plan review.