

CITY COUNCIL AGENDA

November 21, 2022

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**
- II. EXECUTIVE SESSION – ORC 121.22 (G)(3)**
- III. APPROVAL OF MINUTES**
- IV. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
- V. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- VI. COMMITTEE REPORTS; PUBLIC HEARINGS**
Law and Ordinance Committee Report
- VII. UNFINISHED BUSINESS**
- VIII. NEW BUSINESS**
 - 1. First Reading – ORDINANCE NO. 2022-33
AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)
 - 2. First Reading – RESOLUTION NO. 2022-51
A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES (Sanders)
 - 3. First Reading – ORDINANCE NO. 2022-34
AN ORDINANCE TO APPROVE AND ADOPT THE RECOMMENDATIONS OF THE PLANNING COMMISSION AND AMEND THE CODIFIED ORDINANCES IN ACCORDANCE WITH THOSE RECOMMENDATIONS (Reynolds)
 - 4. First Reading – RESOLUTION NO. 2022-52
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT WITH W.W. WILLIAMS FOR THE SUPPLY AND INSTALLATION OF EMERGENCY GENERATOR CONTROLS AND SWITCH GEAR UPGRADES FOR THE WASTE RECOVERY RESOURCE FACILITY AND ALLOWING FOR IMMEDIATE ENACTMENT (Ansel)
 - 5. First Reading – RESOLUTION NO. 2022-53
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT FOR THE PURCHASE OF A FINANCIAL MANAGEMENT INFORMATION SYSTEM AND ALLOWING FOR IMMEDIATE ENACTMENT (Sanders)

6. First Reading – RESOLUTION NO. 2022-55
A RESOLUTION INITIATING THE AMENDMENT OF CHAPTER 1107, ZONING DISTRICTS,
OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO BY SUBMITTING
SAID AMENDMENT TO PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION
(Myers)

IX. MISCELLANEOUS

X. ADJOURNMENT

ORDINANCE NO. 2022-33

AN ORDINANCE APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the Charter of the City of Wooster provides, at §6.04, that no later than the second regular meeting of November the Mayor will prepare and present to the City Council for adoption an annual Appropriation Ordinance providing for the expenses of the municipal government for the coming fiscal year.

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

SECTION 1. To provide for the current expenses and other expenditures of the City of Wooster for the Fiscal Year ending December 31, 2023, the following appropriations (detailed copy attached hereto) are hereby authorized.

SECTION 2. The budget approved by Council and the appropriation of funds to implement the budget represent the estimated expenditures needed to administer programs approved for the coming fiscal year. The budget is a work plan of future estimated needs for a given program as determined by Council when the budget is adopted.

In adopting the budget, Council recognizes that conditions may change during the fiscal year that may call for staff reductions or increases depending upon the facts in each instance.

In recognition of this fluid, constantly changing condition, the Mayor shall review requests for additional positions and for filling vacant positions within the limitations of the budget. After making a study of each request, he shall have the authority to approve, disallow or postpone such requests for additional personnel. In addition, he shall be responsible for resolving questions related to the staffing pattern of each department and division as determined by Council action on the annual budget.

Personnel requests in excess of the annual budget shall be studied and recommendations developed for the consideration of Council.

The Mayor shall be responsible for ascertaining that personnel requirements do not exceed those included or implied in the budget and/or Appropriation Ordinances.

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 law.

RESOLUTION NO. 2022-51

A RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS APPLICANTS FOR THE USE OF ECONOMIC DEVELOPMENT MONIES

WHEREAS, economic development serves important community interests by providing commercial and industrial development, thus improving the municipal tax base; and

WHEREAS, in an effort to improve the tax base, this City Council dedicated a portion of the proceeds from the transient occupancy tax toward entities which would utilize the monies for economic development purposes; and

WHEREAS, after reviewing applications from interested parties, the Council hereby recommends that awards be made to three applicants, subject to the execution of agreements on the use of funds.

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

SECTION 1. That after deduction of the administrative charges provided in W.C.O. §1705.02(a) (3), the economic development funds are hereby appropriated and awarded for 2023 to the following entities and in the following increments:

(a) Of the first \$50,000

Main Street Wooster	57.5%
Wooster Area Chamber of Commerce	37.5%
Wayne County Convention and Visitors Bureau	5.0%

(b) Of all funds over \$50,000

Main Street Wooster	50%
Wooster Area Chamber of Commerce	30%
Wayne County Convention and Visitors Bureau	20%

SECTION 2. Subject to the execution by each entity of an agreement on the use of funds, and also to the availability of funds, the Director of Finance is hereby authorized to issue payment to each entity in the designated 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 law.

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

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2022 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2022 _____
Mayor

Introduced by: Craig Sanders

ORDINANCE NO. 2022-34

AN ORDINANCE TO APPROVE AND ADOPT THE
RECOMMENDATIONS OF THE PLANNING
COMMISSION AND AMEND THE CODIFIED
ORDINANCES IN ACCORDANCE WITH THOSE
RECOMMENDATIONS

WHEREAS, the Planning Commission held a public hearing for the proposed amendments on November 3, 2022, and voted unanimously to recommend approval of the amendments to City Council; and

WHEREAS, the proposed amendments will expand allowed uses in the R-5 zoning district to allow multi-family residential uses; and

WHEREAS, A public hearing has been held in accordance with the W.C.O. 1105.03; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wooster, Ohio:

SECTION 1. That following a public hearing the following sections are hereby amended, in accordance with the recommendations of the Planning Commission and as more fully described below and in the documents attached and incorporated into this Ordinance:

1109.03(c)(2) Dwellings, Multi-Family

- A. Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- B. Vehicular entrances to the multi-family development shall be minimized and designed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.
- C. Multi-family dwellings in the C-2 District shall meet all requirements of the R-3 District and all other sections of this code applicable to multi-family dwellings.
- D. Multi-family dwellings in the C-3 District and the R-5 District shall meet all requirements of the R-4 District and all other sections of this code applicable to multi-family dwellings.
- E. Multi-family dwellings in the C-4 District shall meet all requirements of the C-4 District and all other sections of this code applicable to multi-family dwellings. The maximum density shall be 15 units per acre.

Table 1109-1: Permitted Principle Uses shall be amended as described in the attached Exhibit A incorporated and made a part of this Ordinance.

SECTION 2. The complete text of the sections of the Codified Ordinances listed above are set forth in full in the documents attached to this Ordinance as Exhibit A. As provided in Section 2.19 of the Charter, notice of the proposed revision of the Codified Ordinances shall be published one time in a newspaper of general circulation in the City at least seven days prior to its final approval and no other publication thereof shall be required.

EXHIBIT A

Proposed Text Amendment

Permitted Principal Uses

Description: Table 1109-1 includes Permitted Principal Uses in each zoning district. The table lists uses which are Permitted (P), Permitted with Standards (PS), Conditionally Use (C), or Prohibited (X). The following changes are proposed to the table:

Multi-family dwellings is proposed to be changed from a non-permitted use to a permitted use within the R-5 District. The discontinued R-5 District remains as a district to limit non-conformities associated with manufactured and mobile homes. Allowing for multi-family dwellings will provide an option for undeveloped land within the R-5 District. The permitted use will have specific standards found in Section 1109.03(c)(2).

TABLE 1109-1: PERMITTED PRINCIPAL USES																
P = Permitted PS = Permitted with Standards C = Conditional Use X = Prohibited																
Use Type	R-1	R-2	R-T	R-3	R-4	R-5	C-1	C-2	C-3	C-4	I-1	I-2	I-3	AG	CF [1]	Use-Specific Standards
Agricultural Uses (No Change)																
Residential Uses																
Dwellings, Multi-Family	X	X	X	X	P	X P	X	C	C	C	X	X	X	X	X	1109.03(c)(2)

1109.03(c)(2) Dwellings, Multi-Family

- A. Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- B. Vehicular entrances to the multi-family development shall be minimized and designed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.
- C. Multi-family dwellings in the C-2 District shall meet all requirements of the R-3 District and all other sections of this code applicable to multi-family dwellings.
- D. Multi-family dwellings in the C-3 District **and the R-5 District** shall meet all requirements of the R-4 District and all other sections of this code applicable to multi-family dwellings.
- E. Multi-family dwellings in the C-4 District shall meet all requirements of the C-4 District and all other sections of this code applicable to multi-family dwellings. The maximum density shall be 15 units per acre.

#3

ORD
2022-34

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Planning and Zoning	Meeting Date Requested November 21, 2022
Project Name Text Amendment, R-5 Use	Estimated Total Funds/Costs \$0.00
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request Amending Chapter 1109 of Planning and Zoning Code to allow multi-family dwellings within the R-5 Zoning District. A full description of the proposed amendment can be found within the attached memo. The Planning Commission held a public hearing for the proposed amendment on November 3, 2022 and voted unanimously to recommend approval of the amendment to City Council. The application will also require a public hearing before City Council.	
Justification / Benefits Upon examination of the R-5 District, there are approximately 60 acres of land available for development. Amending Chapter 1109 to permit multi-family development within the R-5 District will create an option for development that is harmonious and consistent with adjacent land uses while maintaining existing code objectives.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives Not expanding the permitted uses within the R-5 District to include multi-family limits options for development.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Vince Marion	Date: November 10, 2022

Approved for Agenda Yes No



CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street, Wooster, OH 44691

Phone: 330-263-5238 Fax: 330-263-5274

MEMORANDUM

DATE: November 10, 2022

TO: City Council

FROM: Vince Marion, Planning and Zoning Manager

RE: Amendments to section 1109 of the Planning and Zoning Code

It has been brought to the staff's attention that permitted uses within the R-5 zoning district are limited. Permitted uses within the R-5 zoning district include the replacement of existing manufactured or mobile homes and the addition of passive parks/open spaces. Upon examination of the R-5 District, approximately 60 acres of land is available for development. Upon these findings, an amendment was prepared to address the limited uses. The amendment seeks to be consistent with established language within the code concerning the R-5 district and present an option for development that is harmonious with adjacent uses and zoning districts. To achieve these goals, amending Chapter 1109 to permit multi-family development within the R-5 District is recommended.

Per the procedural requirements of the code, the Planning Commission unanimously voted to initiate the text amendment on October 6, 2022. The amendment was then drafted, and a public hearing was held on November 3, 2022. Following the hearing, the Planning Commission voted unanimously to recommend approval of the amendment to City Council.

Attached you will find the information and proposed text amendment presented to the Planning Commission. If you should have any questions regarding the proposed amendment, do not hesitate to contact me.

Thank you.



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

November 10, 2022

Dear Vince Marion,

At the November 3, 2022 meeting of the City of Wooster Planning Commission, a motion was made to recommend approval of application PC-22-23, The City of Wooster requesting an approval recommendation from the Planning Commission to City Council for Text Amendments to Chapter 1109 (Principal Use Regulations) of the Planning and Zoning Code to allow Multi-Family Residential in a R-5 zoning district., to City Council.

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

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

Sincerely,

A handwritten signature in black ink that reads "Vince A. Marion". The signature is fluid and cursive, with a long horizontal flourish at the end.

Vince Marion
Planning and Zoning Manager



CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street, Wooster, OH 44691

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

MEMORANDUM

DATE: October 25, 2022

TO: Planning Commission

FROM: Vince Marion, Planning and Zoning Manager

RE: Amendments to section 1109 of the Planning and Zoning Code

The R-5 zoning district remains a district in order to limit nonconforming uses and structures. Permitted uses within the District include the replacement of existing manufactured or mobile homes and the addition of parks. Upon examination of the R-5 District, there are approximately 60 acres of land available for development. Attached you will find a zoning map indicating the location of existing R-5 districts. To allow development that will be harmonious with the adjacent uses, amending Chapter 1109 to permit multi-family development within the R-5 District is recommended.

The current application before the Planning Commission is a request to recommend approval of the amendments to the City Council for approval after the required public hearing.

Following the Planning Commission's vote on the proposed amendments, the amendments and the Commission's recommendation will be forwarded to City Council for their review. To note, City Council's review will also include a public hearing.

Please let me know if you have any questions regarding the proposed amendments to the Planning and Zoning Code or the text amendment process.

Proposed Text Amendment

Permitted Principal Uses

Description: Table 1109-1 includes Permitted Principal Uses in each zoning district. The table lists uses which are Permitted (P), Permitted with Standards (PS), Conditionally Use (C), or Prohibited (X). The following changes are proposed to the table:

Multi-family dwellings is proposed to be changed from a non-permitted use to a permitted use within the R-5 District. The discontinued R-5 District remains as a district to limit non-conformities associated with manufactured and mobile homes. Allowing for multi-family dwellings will provide an option for undeveloped land within the R-5 District. The permitted use will have specific standards found in Section 1109.03(c)(2).

TABLE 1109-1: PERMITTED PRINCIPAL USES																
P = Permitted PS = Permitted with Standards C = Conditional Use X = Prohibited																
Use Type	R-1	R-2	R-T	R-3	R-4	R-5	C-1	C-2	C-3	C-4	I-1	I-2	I-3	AG	CF [1]	Use-Specific Standards
Agricultural Uses (No Change)																
Residential Uses																
Dwellings, Multi-Family	X	X	X	X	P	X P	X	C	C	C	X	X	X	X	X	1109.03(c)(2)

1109.03(c)(2) Dwellings, Multi-Family

- A. Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- B. Vehicular entrances to the multi-family development shall be minimized and designed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.
- C. Multi-family dwellings in the C-2 District shall meet all requirements of the R-3 District and all other sections of this code applicable to multi-family dwellings.
- D. Multi-family dwellings in the C-3 District **and the R-5 District** shall meet all requirements of the R-4 District and all other sections of this code applicable to multi-family dwellings.
- E. Multi-family dwellings in the C-4 District shall meet all requirements of the C-4 District and all other sections of this code applicable to multi-family dwellings. The maximum density shall be 15 units per acre.

#4 Res. 2022-52

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Utility – WRRF	Meeting Date Requested 11/21/22
Project Name Generator & Switch Gear Upgrades	Estimated Total Funds/Costs \$125,000
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? 	
Description of Request This is a request to enter into a contract with W.W. Williams for the supply and installation of emergency generator controls and switch gear upgrades at the WRRF. This contract is in excess of \$50,000, thus requiring Council approval for execution without bidding. W.W. Williams is currently under contract with the City for service and maintenance of the emergency back-up generator, however, this contract does not cover the cost of repairs needed to the equipment. The cost for the parts and equipment itself is \$119,330, and would come for the original equipment supplier, the labor to install and repair is \$5,162, for a total of \$124,492. This is specialized equipment and can only come from one supplier to maintain compatibility with our existing equipment. The labor cost portion of this work is less than \$6,000, and W.W. Williams is an authorized installer of the equipment.	
Justification / Benefits W.W. Williams is our current service provider and is familiar with our system. They were also the only firm to respond to service requests for both the generator and the switchgear. A different firm would still be purchasing the equipment from the same supplier, unless we accepted bids for other equipment, which would require a complete system replacement, costing hundreds of thousands more.	
Will this Project affect the City's Operating Costs – no	
What Alternatives Exist and what are the Implications of the Alternatives Other vendors exist, but the City already has a service contract with W.W. Williams, and majority of the contract is equipment only. We also had difficulty getting other vendors to respond to service requests.	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: This is specialized equipment and can only come from one supplier to maintain compatibility with our existing equipment. The labor cost portion of this work is less than \$6,000, and W.W. Williams is an authorized installer of the equipment.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons The lead time for this equipment is over 60 weeks at present. This equipment is needed for back-up power.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Joel Montgomery	Date: 11/10/22

Approved for Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

RESOLUTION NO. 2022-53

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO RENEW A PROFESSIONAL OR TECHNICAL SERVICES CONTRACT FOR THE PURCHASE OF A FINANCIAL MANAGEMENT INFORMATION SYSTEM AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the enterprise resource software from Tyler Technologies has been an efficient and cost-effective tool to track the accounting, finance, and budgeting functions of the City of Wooster; and

WHEREAS, the cost of the renewal will be budgeted in the 2023 appropriations budget.

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

SECTION 1. That the Director of Administration is authorized to enter into a professional or technical services contract with Tyler Technologies for the use of software as a financial management and human resources information system.

SECTION 2. The cost of such purchase will not exceed the amount that will be budgeted for this renewal in 2023.

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 law.

SECTION 4. This Resolution is declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City. This Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2022 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2022 _____
 Mayor

Introduced by: Craig Sanders

#5
 Yes
 2022-53

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Finance	Meeting Date Requested 11/21/2022
Project Name Finance Software	Estimated Total Funds/Costs \$73,000
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? It is funded in the 2023 appropriations budget.	
Description of Request This is a request to renew our enterprise resource software (accounting/finance/budgeting) with Tyler Technologies, Inc. Tyler offered the City a 1-year renewal at \$72,912.67. This cost is 3% more than the City paid for calendar year 2022. For 2022, we paid \$70,789.	
Justification / Benefits It is very beneficial and efficient to have a software program to track the accounting, finance, and budgeting functions of our organization.	
Will this Project affect the City's Operating Costs Additional cost of approximately \$2,100 to the City's general fund.	
What Alternatives Exist and what are the Implications of the Alternatives Not many...ledger sheets and pencils.	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: Continuation of current contract that was bid 5-years ago.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Andrei Dordea	Date: 11/15/2022

Approved for Agenda Yes No

RESOLUTION NO. 2022-55

A RESOLUTION INITIATING THE AMENDMENT OF
CHAPTER 1107, ZONING DISTRICTS, OF THE CODIFIED
ORDINANCES OF THE CITY OF WOOSTER, OHIO BY
SUBMITTING SAID AMENDMENT TO PLANNING
COMMISSION FOR REVIEW AND RECOMMENDATION

WHEREAS, the City of Wooster desires to initiate the amendment of Section 1107.05 of the Codified Ordinances of the City of Wooster; and

WHEREAS, Pursuant to W.C.O. 1105.03(d)(1)(B), code text amendments of this type must, after initiation, be referred to Planning Commission for review.

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

SECTION 1. City Council wishes to initiate the amendment of Chapter 1107.05 of the Codified Ordinances, entitled, DISTRICT-SPECIFIC PURPOSE STATEMENTS AND REGULATIONS, and submit to Planning Commission the following proposed amendments for review and recommendation:

1107.05 DISTRICT-SPECIFIC PURPOSE STATEMENTS AND REGULATIONS.

(a) General Requirements. The following subsection establishes the purpose statement for each of the base zoning districts as well as any district specific requirements.

(1) The purpose statement and district-specific standards for Planned Development (PD) Districts are located in Chapter 1111: Planned Developments.

(2) In addition to all standards established within this chapter, development within the zoning districts shall also be subject to any other applicable standards of this code including, but not limited to, site development standards, architectural standards, open space requirements, landscaping, parking, signs, etc.

(b) Single-Family Residential Zoning Districts (R-1, R-2, and R-T). The single-family residential zoning districts are established in order to achieve, among other things, the following purposes:

(1) To regulate the bulk and location of dwellings, accessory buildings and other structures to obtain proper privacy and useable open spaces on each lot appropriate for the various districts;

(2) To regulate the density and distribution of population to avoid congestion and the overburdening of existing and proposed community facilities and public services;

(3) To foster a variety of residential living unit types while protecting the character of the City;

(4) To provide for proper location of dwellings in relationship to multi-family, commercial and industrial uses so as to increase the general convenience, safety and amenities within the community and to protect residents from nuisances;

(5) To provide for limited small-scale community facilities when such uses are designed and located to be compatible with the residential neighborhood;

(6) To provide proper spacing between buildings to ensure adequate access for fire and other emergency vehicles and equipment;

(7) To protect the desirable characteristics and promote the stability of existing residential development;

(8) To promote the most desirable and beneficial use of the land in accordance with the objectives of the City of Wooster's Comprehensive Plan; and

(9) To carry out the following specific district purposes:

A. The R-1 Suburban Single-Family Residential District is established to encourage the creation and preservation of low-density single-family residential neighborhoods and to limit the establishment of nonresidential uses to those that are compatible with the intended low-density neighborhood character. The stipulated density is intended to provide for areas of suburban character in the community. Suburban areas are typically located at the outer periphery of the city and are characterized by curvilinear streets, cul-de-sacs, and attached garages.

B. The R-2 Single-Family Residential District is established to promote, preserve and protect medium-low density predominantly single-family neighborhoods in the City. Two-family dwellings are restricted to locations where they are designed and located in a manner that is compatible with the existing or proposed residential neighborhood.

C. The R-T Traditional Residential District is established to preserve and protect neighborhoods with traditional urban character. Traditional residential areas are the oldest, close-to-downtown residential areas in the City. Small, dense lots were generally developed before 1940 in a regular grid street pattern, with houses constructed with detached garages. As set forth in the Wooster Comprehensive Plan, traditional residential development will encourage historic preservation and construction/reconstruction that is similar in nature to the established pattern and character of development with a focus on single-family development and conversions of multi-family dwellings back to the original single-family uses.

(c) Multi-Family Residential Zoning Districts (R-3 and R-4). The multi-family residential zoning districts regulations are established in order to achieve, among other things, the following purposes:

(1) To regulate the bulk and location of dwellings to obtain proper privacy and useable open spaces appropriate for the various districts;

(2) To regulate the density and distribution of population to avoid congestion and the overburdening of existing and proposed community facilities and public services;

(3) To preserve the character of differing neighborhoods by providing different districts with different densities and development standards;

(4) To enable the development of attached single-family and multi-family dwellings in appropriate locations and with a minimum project size to ensure the creation of sustainable higher density neighborhoods;

(5) To promote the most desirable and beneficial use of the land in accordance with the objectives of the City of Wooster's Comprehensive Plan; and

(6) To carry out the following specific purposes:

A. The R-3 Attached Residential District is established to provide, preserve and protect medium density residential areas for small-scale attached dwellings arranged to provide good building site design and effective open space in areas adequately served by City sewer, water and streets.

B. The R-4 Multi-Family Residential District is established to provide, preserve and protect locations for high density apartment development in areas with appropriate levels of service.

(d) Manufactured Home Park District (R-5).

(1) Purpose. The Manufactured Home Park District and its regulations are established in order to achieve the following purposes:

A. To provide for orderly growth and development in the City of Wooster;

B. To preserve the character of differing neighborhoods by providing for the location of mobile homes and manufactured homes in manufactured home communities;

C. To regulate the bulk and location of dwellings to maintain privacy, safety and open spaces for each unit appropriate for the district; and

D. To provide certainty to property owners, developers and neighbors about the limits of what is allowed in a manufactured home park zoning district.

(2) Discontinued District. The R-5 District is a discontinued district and is maintained in this code to minimize the creation of nonconformities. Applications for amendments to the zoning map to create additional R-5 Districts shall be prohibited after the effective date of this code, or amendment thereto.

(3) R-5 District Standards. While new R-5 Districts may not be established after the effective date of this code, existing manufactured home parks may continue without being subject to the nonconformity standards of Chapter 1131: Nonconformities provided the existing uses comply with the following standards:

A. All manufactured homes, mobile homes, or accessory buildings shall be set back a minimum of 50 feet from any lot or right-of-way line bounding the manufactured home community. See Section 1115.01 for permitted obstructions within required setbacks.

B. The existing number of lots within any manufactured home park may be maintained **and expanded in conformity with the requirements of this code within existing R-5 Districts** unless a reduction is required by Wayne County or State of Ohio officials for the purposes of health and safety.

C. Existing manufactured homes or mobile homes may be replaced with new homes provided such homes comply with any applicable standard of this section. **Additional manufactured homes and mobile homes shall be allowed on any additional lots created pursuant to Section 1107.05(d)(3)(B).** Such replacement **or addition** shall require a zoning certificate approval.

D. Streets may be maintained ~~but~~ **and** new streets or drives, other than driveways accessing individual lots, may ~~not~~ be created within a manufactured home park **to serve new lots created pursuant to Section 1107.05(d)(3)(B).**

E. Existing permitted commercial, office, and recreational accessory uses may be maintained provided the uses and buildings are designed and located to protect the character of the district and surrounding residential uses **and additional such uses may be created to serve new lots created pursuant to Section 1107.05(d)(3)(B).** Such

facilities shall be screened and landscaped so as to be compatible with adjoining manufactured home lots.

F. A minimum of 15 percent of the total number of required parking spaces for any manufactured home park shall be maintained for guest parking.

G. All existing open spaces and recreational areas shall be maintained for such uses as long as the manufactured home park continues to operate **and additional such spaces and areas may be created to serve new lots created pursuant to Section 1107.05(d)(3)(B).**

H. All individual home lots/pads shall continue to maintain a minimum area of 3,600 square feet and a minimum width of 35 feet. Such width shall be increased to 50 feet for any individual home lots that are classified as corner lots.

I. There shall be a minimum clearance of 20 feet between individual manufactured or mobile homes.

J. All principal buildings shall have a maximum height of 35 feet. Any accessory structure shall be subject to the standards of Section 1113.01.

K. All manufactured and mobile homes shall meet or exceed federal and state manufactured and mobile home codes, including OAC Ch-3701-27 inclusive, Ohio Sanitary Code, and any amendments or changes thereof.

L. All mobile homes within the park shall be served by the City water supply system and City sanitary sewer system. These utilities shall conform to all City, County, and State Health Department requirements.

M. Each manufactured or mobile home shall be securely skirted, entirely enclosing the bottom section at the time of occupancy. The skirting shall be of an impervious material and consistent with the characteristics of the manufactured home.

N. The outer boundaries of the manufactured home park shall contain a buffer zone planted and maintained by the park operator. The buffer zone shall be composed of a green strip, not less than 10 feet in width, planted and maintained with a continuous, evergreen hedge of densely planted evergreen trees and shrubs not less than six feet in height, located along all park boundaries, including the boundaries abutting a public right-of-way. This densely planted buffer zone shall completely obscure the manufactured home parking community within two years of its planting.

O. All uses and operations, except off-street parking, shall be performed wholly within enclosed buildings, unless specifically permitted otherwise.

(e) Commercial Zoning Districts (C-1, C-2, C-3, and C-4). The commercial zoning district regulations are established in order to achieve, among other things, the following purposes:

(1) To provide in appropriate and convenient locations of sufficient size for the exchange of goods and services;

(2) To protect residential neighborhoods adjacent to business uses by regulating the types of establishments, particularly at the common boundaries, that would create congestion, noise or other objectionable influences;

(3) To promote the most desirable and beneficial use of the land in accordance with the objectives of the City of Wooster's Comprehensive Plan; and

(4) To carry out the following specific purposes:

A. The C-1 Office/Institutional District is established to create an environment conducive to well-located and designed office building sites and to accommodate primarily office uses. This district may also provide a land use buffer zone to

some residential districts, thus providing protection from more intense business uses or major thoroughfares.

B. The C-2 Community Commercial District is established to create a district that permits a wide variety of retail and service establishments with development standards that ensure that development is compatible with adjacent land uses that create a more pedestrian-oriented environment.

C. The C-3 General Commercial District is established to accommodate a broad range of commercial services and activities in locations adequately served by major streets and other facilities and to provide a wide range of goods and services to a large consumer population from the larger regional area.

D. The C-4 Central Business District is established to provide a central business district that preserves, maintains and promotes Downtown Wooster as a core area for retail sales and to promote and enhance the existing historic, compact pedestrian orientation of the downtown by permitting buildings to be close to the street and to one another.

(f) Industrial Zoning Districts (I-1, I-2, and I-3). The industrial zoning districts are established in order to achieve, among other things, the following purposes:

(1) To promote the most desirable and beneficial use of the land and structures in accordance with the objectives of the City of Wooster Comprehensive Plan;

(2) To provide appropriate and convenient districts of sufficient size to carry on research, manufacturing processes, and distribution activities to serve the community, thereby promoting employment and strengthening the economy of the community;

(3) To improve the manufacturing environment by discouraging unrelated and incompatible uses in such areas, thereby making land more readily available for industry;

(4) To protect adjacent residential districts by restricting types of manufacturing uses nearby to only those which will not create objectionable influences beyond their district boundaries and will be properly buffered and screened;

(5) To protect manufacturing and related development against congestion by requiring setbacks and limiting the bulk and density of development in relation to adjacent buildings and available land and by requiring sufficient off-street parking and loading facilities; and

(6) To carry out the following specific purposes:

A. The I-1 Office/Limited Industrial District is established to provide for office and industrial uses in areas suitable for such development by reason of location, topography, soil conditions and the availability of adequate utilities and transportation systems. The intent is to permit office and other uses such as limited light industrial and warehouse activities that are office-like in physical appearance, service requirements, and operational characteristics; uses that can be carried on wholly within enclosed buildings and subject to those regulations necessary to reduce congestion and for the protection of adjacent residential and business activities. This district also permits accessory retail and service uses to serve as support services for the adjacent office/industrial uses. The uses allowed are those that because of their normally unobjectionable characteristics can be operated in relatively close proximity to residential districts.

B. The purpose of the I-2 General Industrial District is to provide for industrial and other uses that by virtue of their external effects, noise, glare, fumes, smoke, dust, odors, truck and/or rail traffic, should be isolated from residential and

commercial uses. These uses perform essential functions for the City, including employment, and should be provided for in areas that are best suited for industrial development by reason of location, utilities and transportation systems.

C. The purpose of the I-3 Urban Industrial District is to provide for the continuation and reasonable expansion of existing industries located in proximity to downtown, and to enable the establishment of new industries within the existing industrial area which can locate in the area in compliance with performance and development standards, in ways that are compatible with the existing urban nature of the downtown area.

(g) Agricultural District (AG). The purpose of this district is to protect active farmland from development, to provide areas for recreation and conservation purposes, to furnish areas for public and semi-public uses, to protect watersheds, to guide growth and development of the community, and to hold land from development of more intensive land uses until such time as adequate public facilities and services can be provided.

(h) Community Facilities District (CF).

(1) Purpose. The Community Facilities District (CF) and its regulations are established in order to accommodate governmental, civic, educational, recreational facilities and other institutional facilities and their associated uses in a manner that:

A. Provides for the proper location and development of community facilities;

B. Ensures that such community facilities are compatible with surrounding single-family neighborhoods by requiring development plan review and conditional use approval, as necessary, for proposed development;

C. Provides for the appropriate location of governmental, civic, educational, recreational, and other institutional uses throughout the city which may be utilized to provide a transition between zoning districts; and

D. Ensures that institutional uses comply with these objectives by establishing review requirements to ensure that all phases of a development are consistent with the regulations of this Planning and Zoning Code.

(2) CF District Standards. The following development and design guidelines are established to ensure that all proposed development in a CF District complies with the purpose and objectives of this code. The Planning Commission shall review plans for a proposed development with consideration given to the following:

A. Buildings, structures and landscaping should be designed and located on the site and be of a scale and massing to:

i. Enhance and protect the character of the surrounding area, especially adjoining residential areas; and

ii. Minimize any adverse influences.

B. Adequate screening, buffering, and landscaping shall be provided to limit the view of the proposed use, reduce the noise between incompatible land uses, and ease the transition from one zoning district to another.

C. Natural features, especially mature trees, shall be preserved and supplemented with landscaping to buffer and screen adjacent residential districts. The Planning Commission shall consider the setbacks, building mass and type when determining the extent of landscaping required.

D. When the proposed use abuts or is across the street from a residential zoning district boundary, a buffer yard shall be required in accordance with Chapter 1123: Landscaping and Buffering.

E. Delivery areas and loading zones shall not face a public street and shall comply with the screening requirements found in Section 1123.07.

F. All power plants, storage or maintenance buildings, which are visible from a public street, shall have a buffer yard of 20 feet. This buffer yard shall contain one major tree for every 30 lineal feet of frontage or as appropriate to provide a tree canopy over the landscaped area. In addition, four-foot-high shrubs are required per 30 lineal feet of frontage. Ground cover plants must fully cover the remainder of the landscaped area.

G. To provide connectivity, sidewalks shall be provided from facilities, which are meant for use by the general public like parks and playgrounds, to the sidewalks in the public rights-of-way.

H. All outdoor lighting shall be subject to the requirements of Section 1117.03.

I. Overnight parking and/or the outdoor storage of commercial motor vehicles, fleet vehicles, commercial motor vehicles, or buses shall be prohibited.

J. Design of Vehicular Use Areas

i. Ambulance and emergency areas shall not abut a single-family residential district. If an ambulance or emergency area is visible from a public street, it shall have a buffer yard of 20 feet. This buffer yard shall include screening per the requirements found in Chapter 1123: Landscaping and Buffering.

ii. The layout of parking areas, service areas, entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of residential areas adjacent to the development.

iii. Access from public streets to parking areas, service areas, and pedestrian walkways within the development shall be designed to minimize traffic hazards or congestion.

iv. Pedestrian connections from the community facilities development to adjacent parcels should minimize adverse intrusions into residential neighborhoods.

(i) Planned Development District (PD). The purpose, procedures, and regulations for planned developments is located in Chapter 1111: Planned Developments. (Ord. 2018-009. Passed 5-7-18.)

SECTION 2. 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.

