

**AGENDA**  
**March 7, 2023**  
**Wadsworth City Council**

Regular Meeting of the Wadsworth City Council, Tuesday, March 7, 2023, at 5:30 p.m., in-person in City Council Chambers:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of City Council Minutes for the:  
*Regular Meeting of February 21 & the Special Meeting of March 1, 2023*
6. Visitors
7. Correspondence

8. **READING OF LEGISLATION:**

**ORDINANCE NO. 23-031 (1<sup>st</sup> RDG.): AN ORDINANCE TO REPEAL EXISTING SECTIONS 154.365 THROUGH 154.368 AND TO ENACT NEW SECTIONS 154.365 THROUGH 154.373 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH REPEAL THE EXISTING HIGH STREET ARTERIAL DISTRICT AND ESTABLISHING THE HIGH STREET TRANSITIONAL BUSINESS OVERLAY DISTRICT**

*Public Hearing to be Set for April 18, 2023 @ 5:30 p.m. if no Council Member Objects*

- Sponsored by Council Member Thomas Stugmyer
- Discussed in Economic Development & Planning Committee January 9 and February 13, 2023
- Approved by the Planning Commission February 13, 2023

**ORDINANCE NO. 23-016 (2<sup>nd</sup> RDG.): AN ORDINANCE TO APPROVE THE EXECUTION OF A SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. FOR PARTICIPATION IN THE COMMUNITY ENERGY SAVINGS SMART THERMOSTAT PROGRAM AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee February 13, 2023, with recommendation for three readings

**ORDINANCE NO. 23-019 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS FOR, AND AWARD CONTRACTS FOR THE 2023 STREET IMPROVEMENT PROGRAM PROJECTS CONSISTING OF THE CONSTRUCTION OF IMPROVEMENTS OF CERTAIN CITY STREETS AND ALL APPURTENANCES AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

**ORDINANCE NO. 23-020 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE STATE STREET RESURFACING PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023, with three readings suggested

**ORDINANCE NO. 23-021 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE 2023 STREET STRIPING PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

**ORDINANCE NO. 23-024 (2<sup>nd</sup> RDG.): AN ORDINANCE DETERMINING TO PROCEED WITH REPAIRING, REPLACING OR CONSTRUCTING OF CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023, with at least two readings

**ORDINANCE NO. 23-025 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO GRANT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION DIVISION OF AVIATION FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS, FOR DESIGN SERVICES FOR PRECISION APPROACH PATH INDICATORS (PAPI), DESIGN SERVICES FOR AIRPORT PARKING APRON, DESIGN AND CONSTRUCTION OF OBSTRUCTION REMOVAL, AND DESIGN OF AN AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) AT THE WADSWORTH MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

**ORDINANCE NO. 23-026 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE AIRPORT TAXIWAY & FUEL FARM CONCRETE PAVEMENT REPAIR PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 13, 2023

**ORDINANCE NO. 23-012 (3<sup>rd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS FOR THE WADSWORTH MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee January 23, 2023

**ORDINANCE NO. 23-013 (3<sup>rd</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE PURCHASE OF SNOW REMOVAL CARRIER VEHICLE AND ATTACHMENTS, FOR DESIGN SERVICES FOR PRECISION**

**APPROACH PATH INDICATORS (PAPI), AND DESIGN SERVICES FOR THE CONSTRUCTION OF ADDITIONAL AIRPORT APRON AREA AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee January 23, 2023

9. Other Business: *Executive Session / Land Acquisition*

10. Recess or Adjournment

**ORDINANCE NO. 23-031**  
**Sponsored by Council Member Thomas Stugmyer**

**AN ORDINANCE TO REPEAL EXISTING SECTIONS 154.365 THROUGH 154.368 AND TO ENACT NEW SECTIONS 154.365 THROUGH 154.373 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH REPEAL THE EXISTING HIGH STREET ARTERIAL DISTRICT AND ESTABLISHING THE HIGH STREET TRANSITIONAL BUSINESS OVERLAY DISTRICT**

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

**Section 1.** That existing sections 154.365 through 154.368 of the Codified Ordinances of the City of Wadsworth are hereby repeal.

**Section 2.** That new sections 154.365 through 154.373 of the Codified Ordinances of the City of Wadsworth are hereby enacted and shall read as follows:

**HIGH STREET TRANSITIONAL BUSINESS OVERLAY DISTRICT**

**§154.365 PURPOSE**

The purpose of the High Street Transitional Business Overlay district is to allow for the conversion of residential uses and properties, which may no longer be appropriate in the High Street corridor near the I-76 interchange, to low-impact non-residential uses. The overlay provision allows the properties to maintain their current residential zoning so that if an approved non-residential use is ceased, the property could be returned to its previous residential use.

**§154.366 LOCATION**

The High Street corridor shall consist of the properties between #630 through 660 High Street, inclusive and #647 through 743 High Street, inclusive, as noted on the map in §154.372(B).

**§154.367 ALLOWABLE NON-RESIDENTIAL USES**

The following non-residential uses are permitted in the High Street Transitional Business Overlay District, subject to the Planning Commission's approval:

- (A) Professional offices for accountants, attorneys, architects, consultants, engineers, insurance, real estate and similar uses.
- (B) Studios for architectural, art, design, photography services and similar uses.
- (C) Personal Services, such as beauty salons, barbershops and day spas.
- (D) "Live-Work" Units, which shall be defined as a single-structure consisting of both a residential and commercial component. The live-work unit shall be the primary residence of the business operator.

- (E) Ancillary retail sales that do not exceed 200 sq. ft. of Gross Floor Area (GFA).
- (F) Other uses the Planning Commission determines to be of similar character and impact.

#### **§154.368 PROHIBITED USES**

The following non-residential uses shall be prohibited in the High Street Transitional Business Overlay District:

- (A) The sale of food and drink for carry-out or on-premise consumption.
- (B) Veterinary services, including grooming, boarding and breeding.
- (C) Retail sales in excess of 200 sq. ft., excluding internet and mail order sales.
- (D) Sexually-oriented businesses.
- (E) The sale, repair or maintenance of vehicles, including but not limited to automobiles, trucks, boats, motorcycles, recreational vehicles, all-terrain vehicles and similar items.
- (F) Any use with drive-through facilities.
- (G) All other uses not expressly noted in §154.367 and not determined by the Planning Commission to be of similar character and impact to the listed allowable non-residential uses.

#### **§154.369 LIMITATIONS ON NON-RESIDENTIAL USES**

The following restrictions shall apply to non-residential uses in the High Street Transitional Business Overlay District:

- (A) Limitation on Square Footage of Non-Residential Uses:
  - 1) When the original use is a permitted use, the floor area for the non-residential use shall not exceed the floor area of the primary structure as listed in the Medina County Auditor's records as of the date these regulations are adopted.
  - 2) When the original use is a conditionally-permitted use or a non-conforming use, the floor area for the non-residential use shall not exceed 2,500 sq. ft. or the actual floor area of the primary structure as listed in the Medina County Auditor's records as of the date these regulations are adopted; whichever is less.
- (B) New construction for a non-residential uses is discouraged. However, when new construction for a non-residential use is necessary, the structure shall be designed to look like other traditional single family dwellings found in the corridor and shall not exceed a floor area of 2,500 sq. ft. New construction shall comply with the underlying zoning district's setback and height requirements.

- (C) No building additions shall be permitted in order to expand an allowable non-residential uses beyond 10% of the structure's original size and no addition shall increase total building floor area above the limitations noted in paragraph (A) of this section.
- (D) No non-residential use may be conducted in a detached garage or other accessory structure.
- (E) No non-residential business use in this overlay district may employ more than five (5) persons, including the owner/operator, at any given time.
- (F) All structures built for a residential use and converted to an allowable non-residential or mixed residential/commercial use shall be required to demonstrate compliance with applicable commercial building, fire and health codes and provide evidence of such compliance to the Building and Planning Department.

### **§154.370 OFF-STREET PARKING/VEHICULAR ACCESS**

- (A) The Planning Commission may require shared access drive with adjacent properties.
- (B) Off-Street Parking:
  - 1) The site's dimensions should be adequate to accommodate parking for the business use without impacting the established subdivision pattern or requiring the use of adjacent properties.
  - 2) The number of proposed parking spaces shall be the minimum necessary to serve the proposed commercial use and the number of spaces may be restricted by the Planning Commission.
  - 3) Parking facilities shall be located in such a manner as to minimize impacts on adjacent residential uses. The Planning Commission may require parking areas to be screened or buffered with fencing, walls, landscaping mounds with plantings or a combination of the above techniques.
  - 4) Parking lots shall not be illuminated except by wall-mounted, shielded fixtures that direct light downward.

### **§154.371 SIGNAGE**

Signage for commercial uses shall be limited to the following:

- 1) One (1) non-illuminated wall-mounted plaque not exceeding three (3) square feet.
- 2) One (1) freestanding sign, subject to the following conditions:
  - (a) Signs shall be constructed of a natural material or a fabricated man-made material that simulates a natural material.

- (b) The maximum display area for the sign shall not exceed 15 sq. ft.
- (c) The maximum height of a freestanding sign shall not exceed five (5) feet.
- (d) Interior illumination shall be prohibited. A freestanding sign may be illuminated by exterior, ground-mounted lighting, which must be extinguished by no later than 10 pm; or otherwise be non-illuminated.

**§154.372 REVIEW AND APPROVAL PROCESS**

- (A) Any person who desires to convert an existing use to an allowable non-residential use within the boundaries of this overlay district must first submit an application for site plan review and approval to the Planning Commission in accordance to §154.070 of this Zoning Code.
- (B) The Planning Commission must find the proposed application conforms to these overlay provisions and §154.070 before issuing site plan approval subject to appropriate conditions.

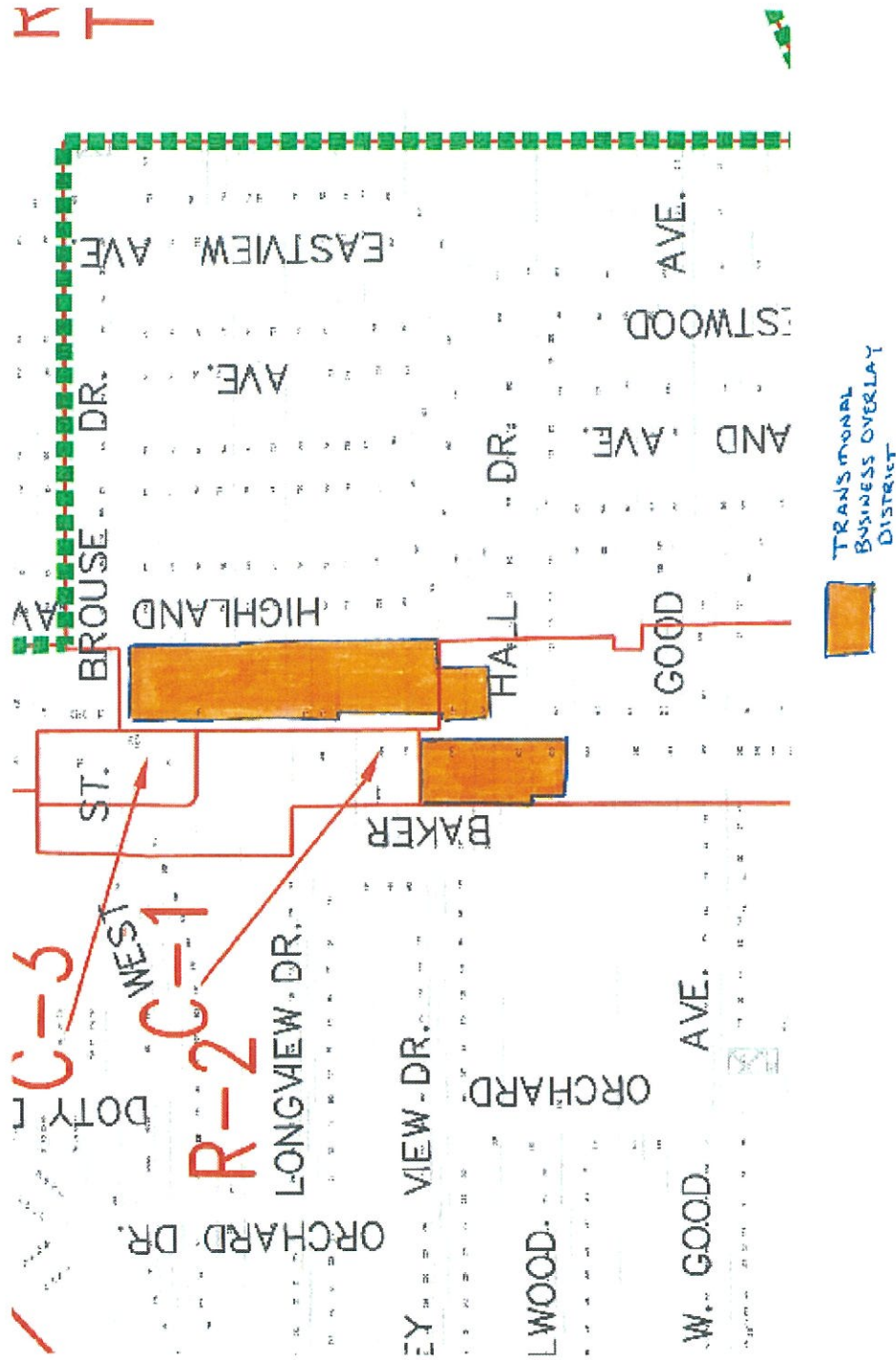
**§154.373 OVERLAY DISTRICT PROPERTY DATA & MAP**

- (A) Property Data

At the time of adoption of these provisions, the following properties are included in the transitional overlay district:

Address	CL No.	PPN	Zoning	Use Description	Use Type	Sq. Ft. (Main Structure)
630 High St.	3500	04020A09019	R-3	1-Family Dwelling	Permitted	2,378
650 High St.	3499	04020A09018	R-3	Medical Office	Conditional	2,625
660 High St.	3499	04020A09017	R-3	Vacant Land	---	---
660 High St.	3498	04020A09016	R-3	Charitable Org.	Conditional	4,284
647 High St.	3343	04020B08005	R-1	1-Family Dwelling	Permitted	1,458
657 High St.	3342	04020B08004	R-1	1-Family Dwelling	Permitted	2,020
675 High St.	9582	04020B08180	R-1	Medical Office	Conditional	5,548
701 High St.	3377 & 3378	04020B06196	R-1	1-Family Dwelling (Demolished)	Permitted	2,102
743 High St.	8168	04020B06106	R-1	Church	Conditional	28,990

(B) Overlay District Map





**Section 4.** That this Ordinance shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_ 2<sup>nd</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_ Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_ Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

CERTIFICATE OF PUBLICATION

I, Tammy Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in *The Gazette* and at <http://publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy Guenther  
Clerk of Council  
City of Wadsworth