

JRAP-2-6-2020

Sponsor: McWilliams

ORDINANCE NO. 2020-08

**AN ORDINANCE BY THE CITY OF WELLSTON LEGISLATIVE AUTHORITY
AMENDING RELEVANT SECTIONS OF CHAPTER 153 OF THE WELLSTON CODE
AND DECLARING AN EMERGENCY**

WHEREAS the City of Wellston Council has established Planning and Zoning regulations for the City of Wellston and have codified those Rules as Chapter 153 of the Wellston Codified Ordinances

WHEREAS the legislative authority for the City has received recommended amendments to various rules and regulations for Chapter 153 of the Wellston Codified Ordinances, specifically Section 153.308, a copy of the proposed amended sections is attached hereto as Exhibit A

WHEREAS the Council has reviewed and given input on the Rules and

WHEREAS the Council has determined that it is in best interest of the health safety and welfare of the inhabitants of the City to adopt the proposed amended Sections of Chapter 153, specifically Section 153.308, a copy of which is attached as Exhibit A

NOW THEREFORE BE IT ORDAINED by the Council that:

Section One: Section 153.308 of Chapter 153 of the Wellston Codified Ordinances as detailed in the attached Exhibit A shall be adopted and hereby codified as Section 153.308 of the Wellston Codified Ordinances and that any prior versions of Sections Section 153.308 are hereby repealed and replaced by the language in the attached Exhibit which is incorporated herein. All other Sections of Chapter 153 shall remain unchanged.

Section Two: This Ordinance is hereby declared to be an emergency, necessary for the immediate preservation of the public peace, health or safety of the City of Wellston. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in the Ohio Revised Code Section 731.30.

Section Three: In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

Section Four: It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 6th day of February, 2020.

U P Pres Tom Clark
Council President

ATTEST:

Amy Skerson
Clerk of Council

Approved this 6th day of February, 2020.

[Signature]
Mayor

Posted 2-7-2020 through 2-21-2020 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Post Office.

Prepared by: Randy H. Dupree, Law Director, City of Wellston

Exhibit A

§ 153.308 DEVELOPMENT STANDARDS.

(A) Lot area. No minimum lot area is required.

(B) Lot width. No minimum lot width is required.

(C) Setbacks. The distance between any building or structure and the right-of-way line of any public street shall be not greater than that of the most proximate building on the same side of the street. No minimum side yard setback shall be required, unless the building or structure is located adjacent to the UR District, in which case the setback shall be 20 feet.

(D) Maximum building size. Individual uses within the DE District shall have a usable floor area of not more than 5,000 square feet, unless the use is located in an existing building, in which case such restriction shall not apply.

(E) Parking and loading. Uses within the DE District shall be required to provide only 25% of the number of parking spaces required in §§ 153.410 through 153.413, provided at least one parking space is provided for each employee during any one business shift.

(F) Manufactured/modular buildings. The use of manufactured and/or modular buildings for business purposes shall be prohibited.

(G) Property maintenance. No owner of a property or structure in the DE District shall, by willful neglect, fail to provide sufficient and reasonable care, maintenance and upkeep to such property or structure. For the purposes of this division (G), MAINTENANCE AND UPKEEP shall include keeping exterior surfaces free from debris, garbage and noxious weeds, or free from hazardous objects or conditions such as holes, broken concrete, broken glass and dead or dying trees or vegetation.

(H) Trash and garbage control. All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view.

(I) The use of the first floor of any structure within the district as a residence or residential rental unit shall be prohibited except pursuant to 153.306(B) or 153.307(B) as approved.