

Ordinance No. 7675

AN ORDINANCE ADOPTING THE 2030 COMPREHENSIVE LAND USE PLAN, REPEALING PART ELEVEN OF THE CODIFIED ORDINANCES ENTITLED “PLANNING AND ZONING CODE” AND ENACTING PART ELEVEN OF THE CODIFIED ORDINANCES ENTITLED “PLANNING AND ZONING CODE”

WHEREAS, Haphazard growth of urban areas inevitably results in serious problems with respect to the physical development of municipalities; and,

WHEREAS, The City has adopted a Comprehensive Land Use Plan to facilitate long range budgeting of capital expenditures to assure that future streets are adequately designed and properly located to create a well coordinated transportation system and assure that water distribution and sewage collection facilities are appropriately sized to serve anticipated populations; and,

WHEREAS, The Comprehensive Land Use Plan has traditionally been reviewed and revised at 20-year intervals; and,

WHEREAS, Planning Commission has completed a detailed review of the “2010 Comprehensive Land Use Plan” and recommends adoption of a proposed “2030 Comprehensive Land Use Plan” to effect incremental changes to the Comprehensive Land Use Plan that are:

- a. supportive of priorities established by the Municipal Strategic Plan for economic development;
- b. consistent with amendments to the District Map previously enacted in response to landowners’ petitions for changes to the zoning district designation assigned to specific parcels;
- c. responsive to changes in traffic volumes and circulation patterns resulting from improvements to U.S. Route 24 including the expansion and anticipated future expansion of commercial activity in areas proximate to highway interchanges;
- d. reflective of a well-documented trend toward higher density development of residential districts;
- e. necessary to provide for orderly development of territories annexed to the municipality since adoption of the 2010 Comprehensive Land Use Plan; and,
- f. required to achieve compliance with Federal laws, State laws and Federal and State regulatory requirements pertaining to the management of storm water to reduce non-point source pollution of the Maumee River; and,

WHEREAS, Responsible exercise of Police Powers vested in the municipality by Article XVIII of the Ohio Constitution is essential to effective implementation of the Comprehensive Land Use Plan; and,

WHEREAS, Planning, platting and zoning regulations heretofore enacted as Part Eleven of the Codified Ordinances and comprised of: Title One–Planning, Chapters 1121 and 1123; Title Three–Subdivision Regulations, Chapters 1141, 1143, 1145, 1147 and 1149; and Title Five–Zoning, Chapters 1161, 1163, 1165, 1167, 1169, 1171, 1173, 1175, 1177, 1178, 1179, 1181 and 1183 were adopted in piecemeal fashion over a period of many years and contain inconsistent provisions and antiquated language that make it unnecessarily difficult for citizens to comprehend and comply with the regulatory requirements established to implement the Comprehensive Land Use Plan; and,

WHEREAS, Council appropriated funds to engage the services of McBride-Dale-Clarion to assist the Planning Commission with comprehensive revision of the Planning and Zoning Code; and,

WHEREAS, The Planning Commission recommends repeal of Part Eleven of the Codified Ordinances as currently enacted and adoption of the “2014 Planning and Zoning Code-City Council Adoption Draft” now on file with the Clerk of Council as a replacement Planning and Zoning Code containing the planning, platting and zoning regulations

needed to assure development in conformity with the Comprehensive Land Use Plan; and,

WHEREAS, All Meetings and Hearings of the Planning Commission were properly advertised, open to the public and often well attended; and,

WHEREAS, Council has conducted all Public Hearings required by Law and finds that the revisions to the Comprehensive Land Use Plan designated by the Planning Commission as the "2030 Comprehensive Land Use Plan" should be adopted; and,

WHEREAS, Council further finds that comprehensive revision of the municipality's planning, platting and zoning regulations is necessary to protect public health and safety and promote the general welfare of the city and its inhabitants;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The revisions to the Comprehensive Land Use Plan designated as the "2030 Comprehensive Land Use Plan" are adopted as recommended by the Planning Commission and the Zoning Commissioner is directed make all necessary revisions to the District Map to conform the same to the district designations assigned by the Comprehensive Land Use Plan.

Section 2: The Planning and Zoning Code enacted as Part Eleven of the Codified Ordinances and comprised of: Title One--Planning, Chapters 1121 and 1123; Title Three--Subdivision Regulations, Chapters 1141, 1143, 1145, 1147 and 1149; and Title Five--Zoning, Chapters 1161, 1163, 1165, 1167, 1169, 1171, 1173, 1175, 1177, 1178, 1179, 1181 and 1183, as enacted and in effect on the effective date of this Ordinance, is Repealed. The repeal of said Ordinances shall not affect the legality of any action taken nor impair the enforcement of any civil, criminal or regulatory liability or obligation created or incurred in accordance with said Ordinances prior to the effective date of this Ordinance.

Section 3: The "Planning and Zoning Code-- City Council Adoption Draft" now on file with the Clerk of Council is hereby approved and the following Chapters and Sections of the Codified Ordinances are hereby enacted in form and substance as therein recited:

Chapter 1161 comprised of Sections 1161.01-1161.14, inclusive;
Chapter 1163 comprised of Sections 1163.01-1163.08, inclusive;
Chapter 1165 comprised of Sections 1165.01-1165.12, inclusive;
Chapter 1167 comprised of Sections 1167.01-1167.25, inclusive;
Chapter 1169 comprised of Sections 1169.01-1169.11, inclusive;
Chapter 1171 comprised of Sections 1171.01-1171.08, inclusive;
Chapter 1173 comprised of Sections 1173.01-1173.07, inclusive;
Chapter 1174 comprised of Sections 1174.01-1174.17, inclusive;
Chapter 1175 comprised of Sections 1175.01-1175.11, inclusive,
Chapter 1177 comprised of Sections 1177.01-1177.09, inclusive,
Chapter 1179 comprised of Sections 1179.01-1179.10, inclusive,
Chapter 1181 comprised of Sections 1181.01-1181.05, inclusive,
Chapter 1183 comprised of Sections 1183.01-1183.06, inclusive; and,
Chapter 1185 comprised of Sections 1185.01-1185.02, inclusive.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: November 11, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: November 11, 2014

Bob Armstrong
Mayor

Ordinance No. 7676

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH C.R. HUNT, INC., FOR REHABILITATION OF WATER TREATMENT PLANT CLARIFIER #3

WHEREAS, provision was made in the 2014 annual budget for necessary maintenance and repair of Water Treatment Plant clarifier #3; and,

WHEREAS, competitive quotes were solicited from local contractors to remove and replace industrial coatings that have reached the end of their normal life cycle and are failing due to age; and,

WHEREAS, C.R. Hunt, Inc., submitted the lowest responsive and responsible proposal;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is authorized to award a contract to C.R. Hunt, Inc., of Defiance, Ohio, to supply all labor, materials and equipment needed to perform the services specified by the accepted proposal dated October 29, 2014.

Section 2: The Finance Director is authorized to pay the contract price of \$33,820.00 from 2014 Budgetary Line 591-537-5-2-980-880.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: November 11, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

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Bob Armstrong
Mayor