

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30050

Ordinance No. 3638 Page 1 of 3 Passed 10/23, 2018

**AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 159 OF THE CODE OF ORDINANCES OF WEST CARROLLTON KNOWN AS "PLANNING AND DEVELOPMENT", AMENDING SECTION 159.01 "COMPREHENSIVE PLAN ADOPTED", REGARDING THE FUTURE LAND USE DESIGNATION OF PROPERTY LOCATED WEST OF UPPER RIVER ROAD AND SOUTH OF FARMERSVILLE-WEST CARROLLTON ROAD.**

**WHEREAS**, Section 9.02 of the Charter for the City of West Carrollton requires that the Planning Commission shall adopt and recommend to the City Council a comprehensive general plan for the city; and

**WHEREAS**, a comprehensive plan for the City of West Carrollton titled *West Carrollton Sustainable Comprehensive Plan: Destination Tomorrow* which was adopted by Ordinance 3418 on May 28, 2009 and serves as the official long-range vision for the city's future growth and development; and

**WHEREAS**, one of the areas of the city addressed in the plan is the west of Upper River Road and south of Farmersville-West Carrollton Road, which is currently zoned M-2 Manufacturing District and is designated in the Comprehensive Plan for future mixed-use development with a strong emphasis on developing new housing product and complementary commercial support uses; and

**WHEREAS**, City staff has received numerous inquiries regarding potential uses of property in this area which have been both consistent and inconsistent with the recommended future land use and with the existing zoning, and it has been suggested that the recommendation for mixed-use residential development may not be economically feasible due to the existing heavy industrial activity north of Farmersville-West Carrollton Road and the current lack of available infrastructure in this area necessary for development; and

**WHEREAS**, in December 2017 City Council adopted a moratorium on the issuance and processing of building or zoning permits and on the approval by Planning Commission of applications within this area, to allow staff adequate time to conduct a study assessing the land use and zoning designation for the area; and

**WHEREAS**, the City hired OHM Advisors and DiSalvo Development Advisors to conduct a market assessment of future land uses and appropriate zoning designations for this part of the city, and based on the conclusions of these studies it was determined that amendments to the Comprehensive Plan are necessary and desirable; and

**WHEREAS**, on October 1, 2018, the Planning Commission considered this matter at an open public meeting and unanimously recommends approval of the proposed amendments; and

# RECORD OF ORDINANCES

Ordinance No. 3638 Page 2 of 3 Passed 10/23, 20 18

**WHEREAS**, on October 9, 2018, the City Council considered this matter at an open public meeting; and

**WHEREAS**, the City Council has determined that approval of the proposed amendments to the Comprehensive Plan is in the best interest of the citizens of West Carrollton.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO:**

**SECTION I.** That by virtue of the authority vested in the City Council by the Charter for the City of West Carrollton, Section 159.01 of the Code of Ordinances of West Carrollton, Comprehensive Plan Adopted, be and hereby is amended to read as follows:

Section 159.01 Comprehensive Plan Adopted.

- (A) The *West Carrollton Sustainable Comprehensive Plan: Destination Tomorrow*, adopted in May 2009 and amended in October 2018, is hereby adopted as the official comprehensive general plan for the city.
- (B) The *West Carrollton Sustainable Comprehensive Plan: Destination Tomorrow*, adopted in May 2009 and amended in October 2018, does hereby replace the Comprehensive Plan adopted by Ordinance 3418 on May 28, 2009.

**SECTION II.** That the *West Carrollton Sustainable Comprehensive Plan: Destination Tomorrow*, adopted by Ordinance 3418 on May 28, 2009 be and hereby is amended as reflected in Exhibit A, attached hereto.

**SECTION III.** That as soon as possible following the effective date of the adoption of the proposed amendments, the City Council directs the City Manager to initiate a rezoning of the property as recommended in Exhibit A, attached hereto, to ensure the future use of the property will be consistent with the goals articulated in the Comprehensive Plan.

**SECTION IV.** That it is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and or any committees that resulted in formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

**SECTION V.** That this Ordinance shall take effect from and after the earliest period allowed by law.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

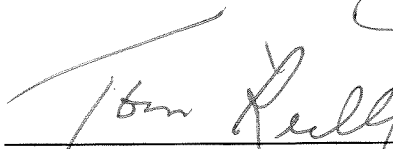
Form No. 30050

Ordinance No. 3638 Page 3 of 3

Passed 10/23, 2018

**PASSED** by the Council of the City of West Carrollton, State of Ohio, this 23 day of OCTOBER, 2018.

  
\_\_\_\_\_  
Mayor

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

Effective Date: 10/22/18

## CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio, hereby certifies the Ordinance to be a true and correct copy of Ordinance No. \_\_\_\_\_, adopted on the \_\_\_\_\_, day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Clerk of Council

Dated: \_\_\_\_\_

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30050

*Ordinance No.* \_\_\_\_\_

*Passed* \_\_\_\_\_, 20\_\_\_\_