



**TROY CITY COUNCIL
COMMITTEE MEETING
COUNCIL CHAMBERS, CITY HALL
100 S. Market Street, Troy, Ohio**

THURSDAY, AUGUST 3, 2023, 1:30 PM

Law & Ordinance Committee

(Snee [Chm.], Phillips, Severt)

1. Provide a recommendation to Council regarding establishing a moratorium of 270 days on specific uses in the DR-O, Downtown Riverfront Overlay District, to allow staff time to evaluate and recommend amendments to further protect the DR-O District. Consideration of emergency legislation is requested so that the moratorium is established without delay.

Other Committees/Items may be added.

8-1-2023

cc: Mayor
Mr. Titterington, Mr. Kerber
Mr. Frigge, Departments, Media

LAW & ORDINANCE COMMITTEE



MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick E. J. Titterington

DATE: August 1, 2023

SUBJECT: MORATORIUM ON SPECIFIC USES IN THE DOWNTOWN RIVERFRONT OVERLAY (DR-O) DISTRICT

BACKGROUND:

The Downtown Riverfront Overlay (DR-O) District encompasses twelve (12) zoning districts and entails some uses that are not desirable for the downtown area. In order to adequately evaluate appropriate regulations to protect the downtown, staff is proposing a two-hundred seventy day moratorium to evaluate appropriate land use regulations.

DISCUSSION:

The DR-O District was established in 2018 from a recommendation made by the Troy Downtown Riverfront Study. The DR-O District is designed to promote revitalization of Downtown Troy and nearby riverfront areas by providing an optional alternative to the regulations of the various underlying conventional Zoning Districts. It is intended to permit alteration and adaptive reuse of existing buildings and redevelopment of vacant lands in accordance with a coordinated plan which can be designed with greater flexibility and, consequently, more creative and imaginative redevelopment of this closely built and oldest area of Troy.

The DR-O Downtown Riverfront Overlay encompasses twelve (12) zoning districts; the PD Planned Development District, Wellhead Operation District, A-R Agricultural Residential District, R-5 Single Family Residential District, R-6 Two Family Residential District, R-7 Multiple Family Residential District, OR-1 Office Residence District, OC-1 Office Commercial District, B-1 Local Retail District, B-2 General Business District, B-3 Central Business District, and M-2 Light Industrial District.

Staff is requesting a moratorium on specific uses in the DR-O District that may be non-desirable uses in the district. These uses can be found on the attached "Exhibit A". The rationale for the requested moratorium is:

- The twelve (12) zoning districts include multiple uses that do not support the stated intent of the Downtown Riverfront Overlay (Exhibit A);
- Uses allowed in the underlying zoning district are not a desirable fit in the core of the community;
- The City has a legal right to pass a moratorium prohibiting land uses for a temporary, specific period of time, while the City investigates potential regulations;
- During the moratorium, no permits may be issued for any application received for this land use in the DR-O;
- The Zoning Code is not consistent in defining specific uses in various areas of the City;
- Staff is requesting a two-hundred seventy day moratorium due to the research and text amendment process being considered. This will provide staff time to adequately evaluate and recommend appropriate regulations.

REQUESTED ACTION:

It would be appreciated if you would assign to a committee of council a moratorium of two-hundred seventy days on the uses listed in "Exhibit A" within the DR-O boundary. To enable immediate review, consideration of emergency legislation is requested.

encl.





“Exhibit A”

- Agricultural Implement sales and service
- Agricultural Uses
- Automobile Fuel Dispensing Station
- Automobile Parking Garages
- Automobile Parking Lots
- Automobile Repair Garages
- Automobile Service Stations
- Automobile Wash
- Beverage Distributors and Bottling Plants
- Bone, Canvas, cellophane, clay, cloth, cork, feathers, felt - manufacturing, assembling, compounding, or treatment or any combination of these processes.
- Building material sale and storage facilities.
- Carpentry Shops
- Cement block and formed products manufacturing.
- Cold Storage Plants.
- Commercial Greenhouses and Nurseries.
- Contractor Sales, Storage and Equipment Yards
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver Training Schools (trucks).
- Dry Cleaning - Commercial.
- Electrical and electronic products, components and equipment - manufacturing, assembling or repair.
- Electrical Appliance Repair
- Equipment rental services, including cars, trucks, and trailers
- Exterminating services.
- Fiber, Fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco, wax, wire and wood, but not including as a principal operation, the manufacture of such substances.
- Food brokers - retail, wholesale and storage without processing.
- Frozen food lockers.
- Heating, A/C, electric and plumbing sales, service and repair.
- Hydroponic Farms.
- Kennels.
- Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations in accordance with Section 1143.18(g) hereof.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or product from previously prepared materials – manufacturing, compounding, assembling or treatment (or any combination of these processes).
- Motorcycle Sales and Service.
- Moving and storage companies.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops
- Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from raw materials or products previously prepared – manufacturing, compounding, assembling, or treatment (or any combination of these processes).
- Printing, publishing, binding and typesetting plants.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Trucking and motor freight terminals.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Wholesale houses, warehouse and other storage facilities.

