



**WORK SESSION AGENDA
PLANNING COMMISSION
TUESDAY, September 10, 2024
7:00 P.M.**

MEMBERS

Corey Watt, Chair, HAPC Rep.

Shana Rosenberg, Vice Chair, HAC Rep.

Jason Bracken, Council & Environmental Commission Rep.

David Prytherch, Council Rep.

Ann Kaufman Webster, CASC Rep.

Matt Arbuckle, OPTAB Rep.

Jeffrey Kruth, CIC Rep.

STAFF

Sam Perry, Director, Community Development

Zachary Moore, City Planner / GIS Coordinator

Christopher Conard, Law Director

MEETING PROCEDURE: Work sessions are for the purpose of studying appropriate matters pertinent to the duties of the Planning Commission. The public is invited to attend the entire work session and may participate at the discretion of the Chair.

I. Call to Order

II. Approval of Agenda

III. Discussion

a. Alley Lot Development

IV. Adjournment



MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission

FROM: Sam Perry, AICP
Director

MEETING DATE: September 10, 2024

RE: Alley Lot Development

City Council adopted a moratorium on Alley Lot Development on April 2, 2024 that is due to expire on October 2, 2024. The purpose is for staff to study the public service impacts of building on land parcels without direct street access. Staff provided an update to City Council on September 3, 2024 at a Council work session. The slides are attached. Staff discussed the possibility of a moratorium extension at a future City Council meeting. Members of Council would like for staff to assemble a recommended policy package as soon as possible, so that the moratorium extension would be as short as possible as well.

A portion of the recommended policy will include changes to building placement requirements within the Zoning Code. These will need to be submitted and processed as Zoning Code text amendments, which are reviewed and voted upon by members of the Planning Commission. Staff plans to initiate the Zoning Code text amendment process by the end of September, for the November 12 Planning Commission review and recommendation to Council vote.

The purpose of this work session is for staff to bring the Commission up to speed on the history of alley lots, the challenges for providing services to them, and potential options for building and parking placement requirements. Staff will then take the Commission feedback and put it in the form of a Zoning Code text amendment application for review at a future meeting, most likely November 12.

RESOLUTION NO. 7587

A RESOLUTION PLACING A MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON ALLEY DEVELOPMENT WITHIN THE CITY OF OXFORD, OHIO.

WHEREAS, pursuant to the Ohio Constitution and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality; and

WHEREAS, Ohio Revised Code Section 713.09 enables a municipal legislative authority, in the interest of the promotion of the public health, safety, convenience, comfort, prosperity, or general welfare, to regulate the bulk and location of buildings and other structures including percentage of lot occupancy, set back building lines, and area of yards, courts, and other open spaces; and

WHEREAS, per Section 8.04 of the City of Oxford Charter, the Planning Commission may act as the Platting Commission of the municipality, and as such shall provide for planning and zoning regulations, carry out the comprehensive plan, and make such investigations, reports and recommendations relating to planning and the physical development of the city as it finds necessary and desirable; and

WHEREAS, the City of Oxford Planning and Zoning Code (constituting Part Eleven of the Codified Ordinances) currently permits development of single-family dwellings on nonconforming alley lots which are at least 3,000 square feet in size and also possessing at least 33 feet in overall lot width, provided there is conformance with height, lot coverage, vehicular access and yard or setback requirements per the underlying zoning district; and

WHEREAS, the City of Oxford Planning and Zoning Code was amended in September 2017, by Ord No. 3430, to exempt development on alley lots from the requirement that any principal public entrance be *upon a street* bordering such lot [emphasis added]; and

WHEREAS, the change to the Zoning Code in 2017 has provoked the development of several detached dwelling units on sites fronting exclusively on public alleys, which in contrast to standard developments fronting upon public or private streets, have shown to pose unique challenges in terms of obstructions to emergency access, public infrastructure improvements; proper drainage; and appropriate off-street parking arrangements; and

WHEREAS, the Oxford Tomorrow Comprehensive Plan lays out a number of objectives to promote quality development, enhanced character, and service excellence; and

WHEREAS, presently, it is estimated there are 49 parcels totaling at least 3,000 square feet in size and fronting exclusively on one or more alleys without direct frontage on a public street, inclusive of those that are already developed with commercial or residential uses; and

WHEREAS, the procurement of alley sites throughout the Oxford Mile Square for additional residential development is ongoing and will likely continue in an undesirable and unsustainable fashion if a permanent legislative fix is not instituted; and

WHEREAS, City of Oxford staff in cooperation with the Planning Commission will research and develop amendments to the Planning and Zoning Code to more explicitly define regulations applicable to alley sites and/or rear portions of properties – including, but not limited to: setbacks, lot coverage, and building/entrance orientation – in an effort to address the objectives of the Oxford Tomorrow Comprehensive Plan in a balanced manner which does not compromise or critically endanger the public health, safety and general welfare of the citizens of Oxford; and

WHEREAS, as part of an effort to amend relevant Planning and Zoning Code standards, other amendments may also be proposed to the local Building Code, Property Maintenance Code, public infrastructure specifications, and the like, for the purpose facilitating development on alley sites and/or rear portions of properties in a more cohesive, safe and sensible manner; and

WHEREAS, the City Staff may make periodic reports to Council regarding the status of amending regulations which influence alley development; and

WHEREAS, the Moratorium will expire automatically after six (6) months unless extended for good cause by Council.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Oxford City Council hereby approves the moratorium, not to exceed six (6) months.

SECTION 2: For the purposes of applying the provisions contained in Sections 3 through 5 of this Resolution, the City of Oxford staff shall have the authority to reasonably determine which thoroughfares constitute “public alleys,” which may be inclusive of Heather Lane as well as any other unnamed and/or unimproved alley.

SECTION 3: No new single-family dwellings shall be authorized for construction on parcels that front exclusively on one or more public alleys or that have no frontage on a public right-of-way at all, and thus do not have frontage on a public or private street; for specificity, the map attached as Exhibit A identifies the exact areas of the city to which this restriction applies.

SECTION 4: No new minor resubdivisions, lot splits or consolidations shall be authorized by the Planning Commission, such that the final condition results in one or more parcels with frontage exclusively on a public alley.

SECTION 5: The restriction set forth in Section 4 does not apply in instances where one or more property owners voluntarily propose, or agree, to consolidate one or more pre-existing parcels such that the final condition results in none of the involved parcels having frontage

exclusively on a public alley, provided the proper approval process is followed pursuant to Chapter 1101 of the Planning and Zoning Code;

SECTION 6: It is hereby found and determined that all formal actions of this Council relating to the adoption of this Resolution have been taken at an open meeting of this Council; and that any and all deliberations of this Council and of any of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7: This Resolution is hereby declared to be a measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Oxford and shall be in full force and effect immediately upon adoption.



MAYOR

ADOPTED: APRIL 2, 2024

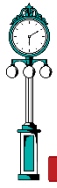
ATTEST:



CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MAYOR WILLIAM SNAVELY

PREPARED BY: COMMUNITY DEVELOPMENT (STAFF)
CHECKED BY: LAW (STAFF)



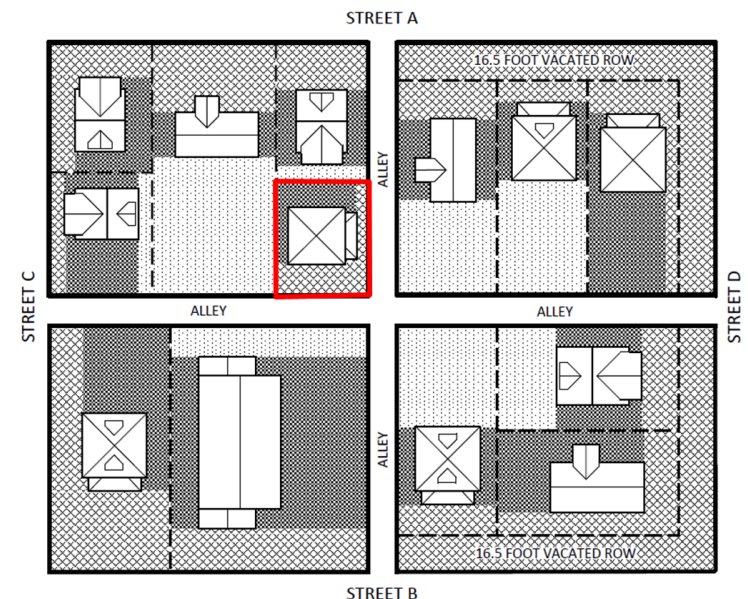
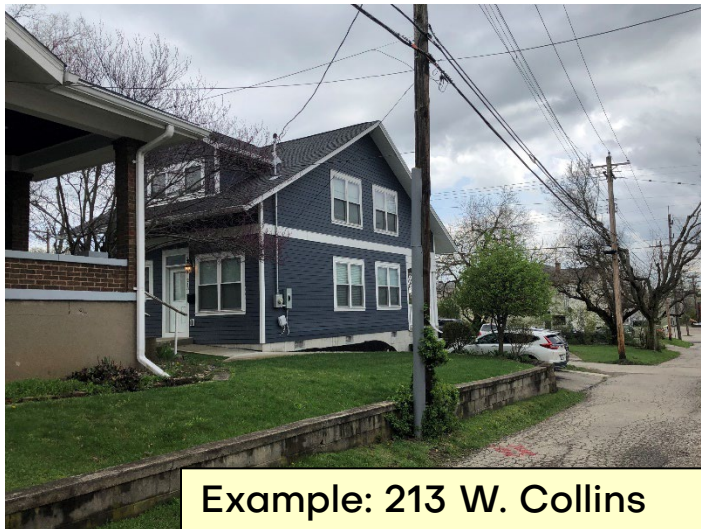
Alley Development

Considerations

Work Session – September 3, 2024

Alley Lot Development Background

- Rear/alley lots were split over one hundred years ago
- The lots began to be recognized as allowed to be built upon
- Until 2017, a regulation regarding the front entrance was in place
- Today there are 49 such lots that could be built upon
- On April 2, 2024, City Council passed resolution #7587, placing a 6-month moratorium on alley development
- What process should alley development be allowed in the future?



Alley Lot Map



Alley Development Moratorium

EXHIBIT A

- Parcel Boundaries
- Areas where Restrictions in Section 3 apply
- Railroads

750
Feet

Date: 3/25/2024
11:11 AM



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats, or a professional survey.

Related Comprehensive Plan Goals

- Quality Development –
 - Connectivity of developments with community services
- Enhanced Character –
 - Unique identity of vibrant college town
- Public Services Excellence – Efficient and effective delivery
 - Police services
 - Fire/EMS services
 - Public Utility and Street services –
 - Street, sidewalks, water, sewer, storm, telecom, electric, gas



Recent Alley Development Examples



Historical Comparison

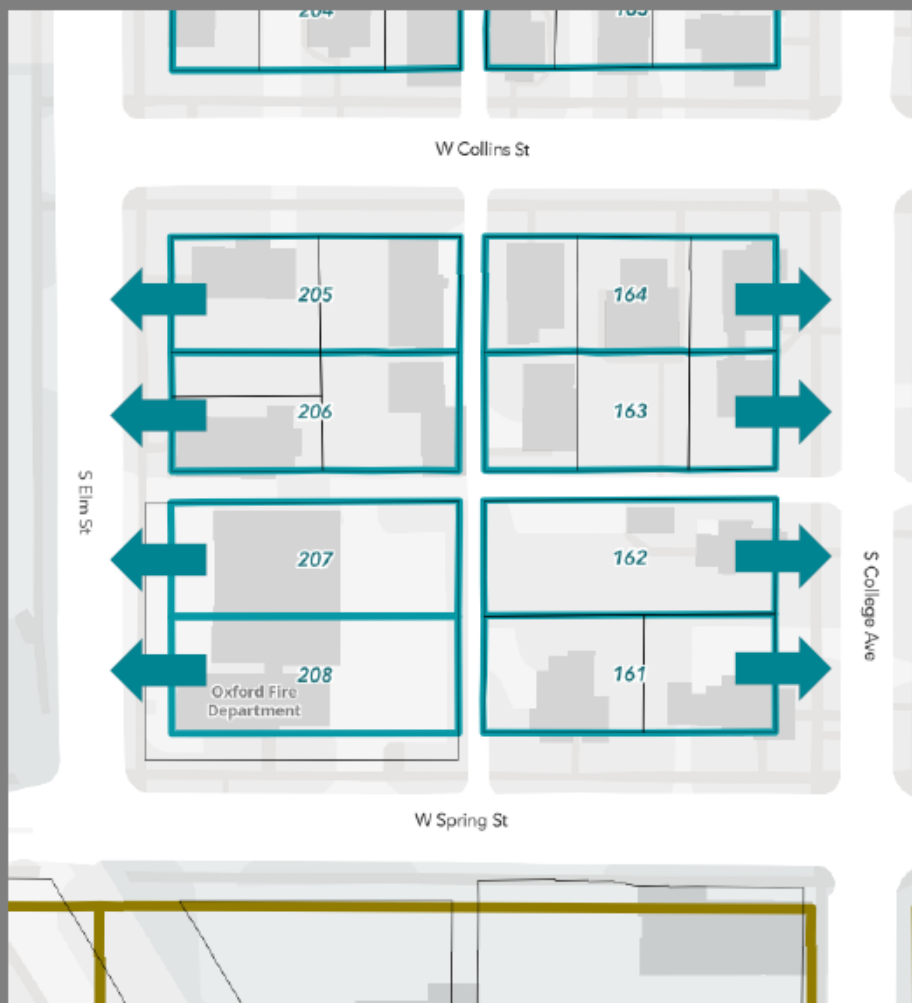


Original Lot Lines

010

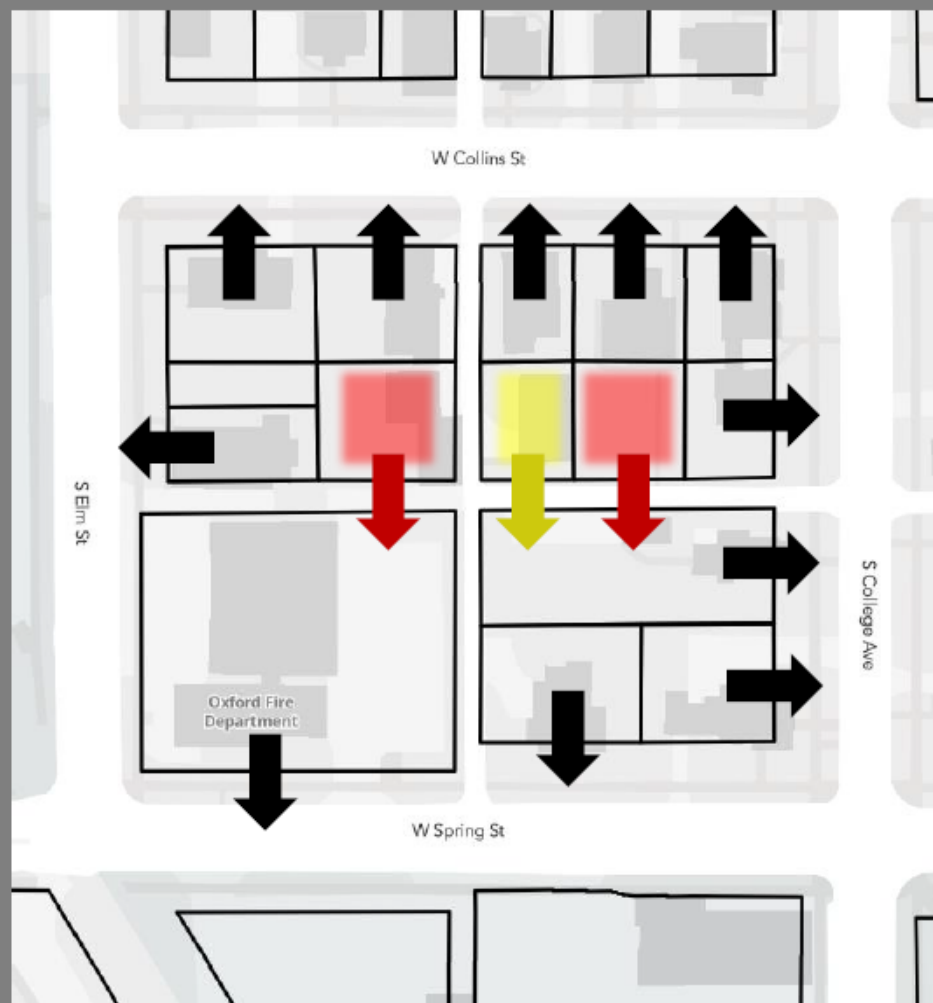
Current Property Lines

Competing Visions



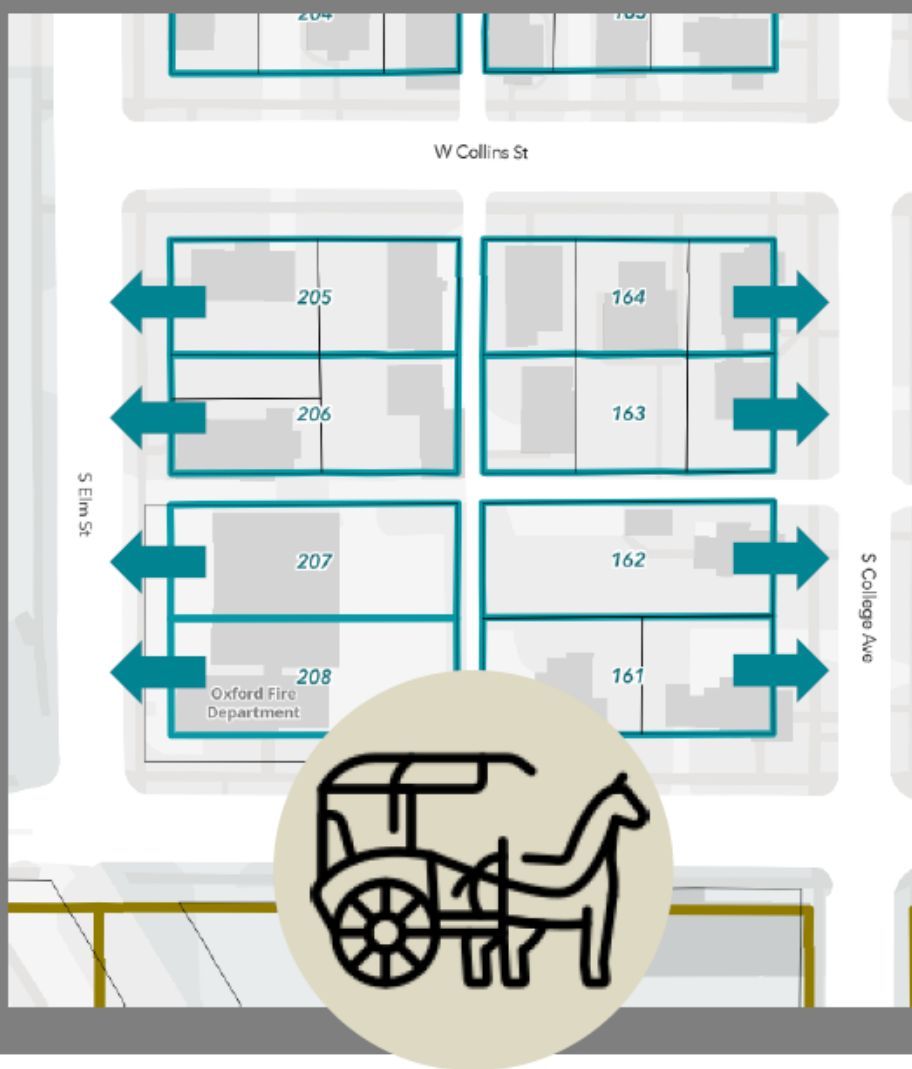
Original Lot Lines

011

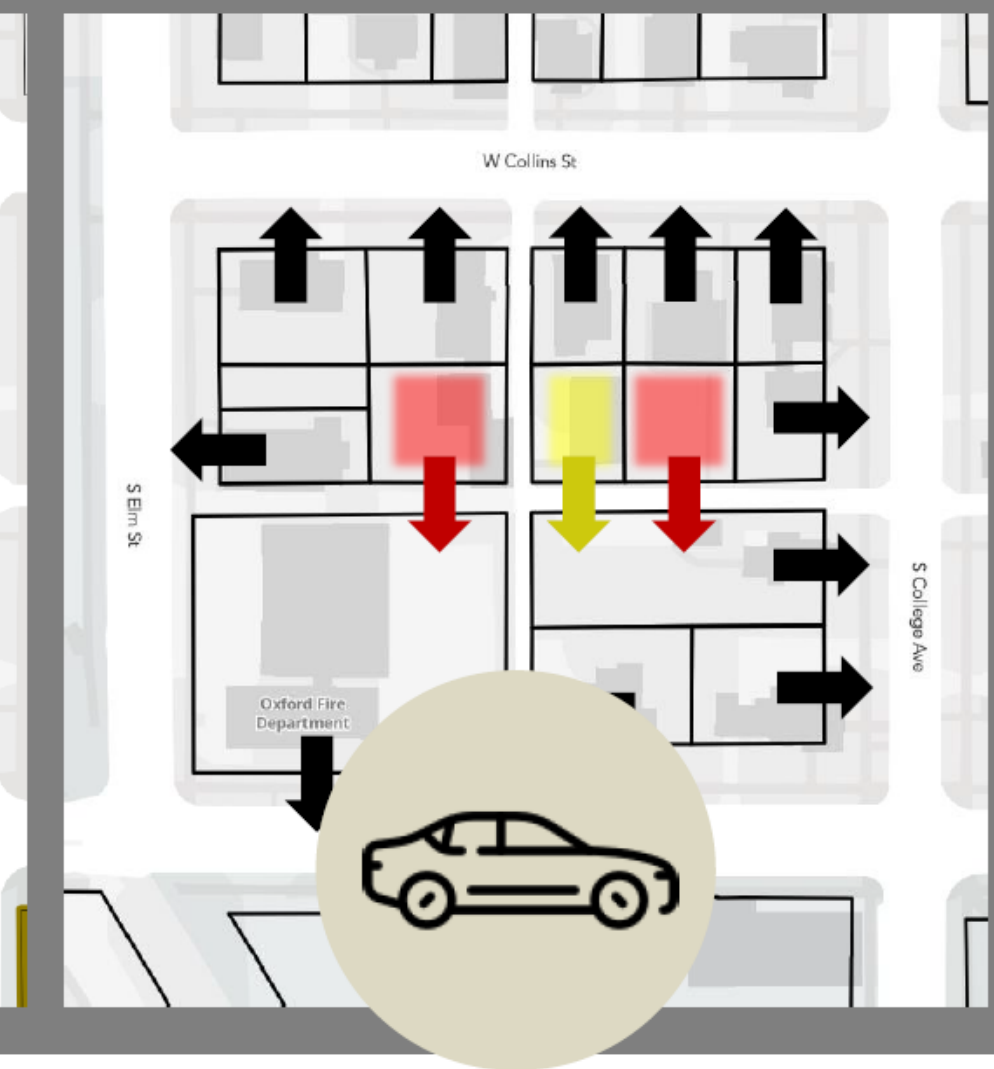


Current Property Lines

Competing Visions

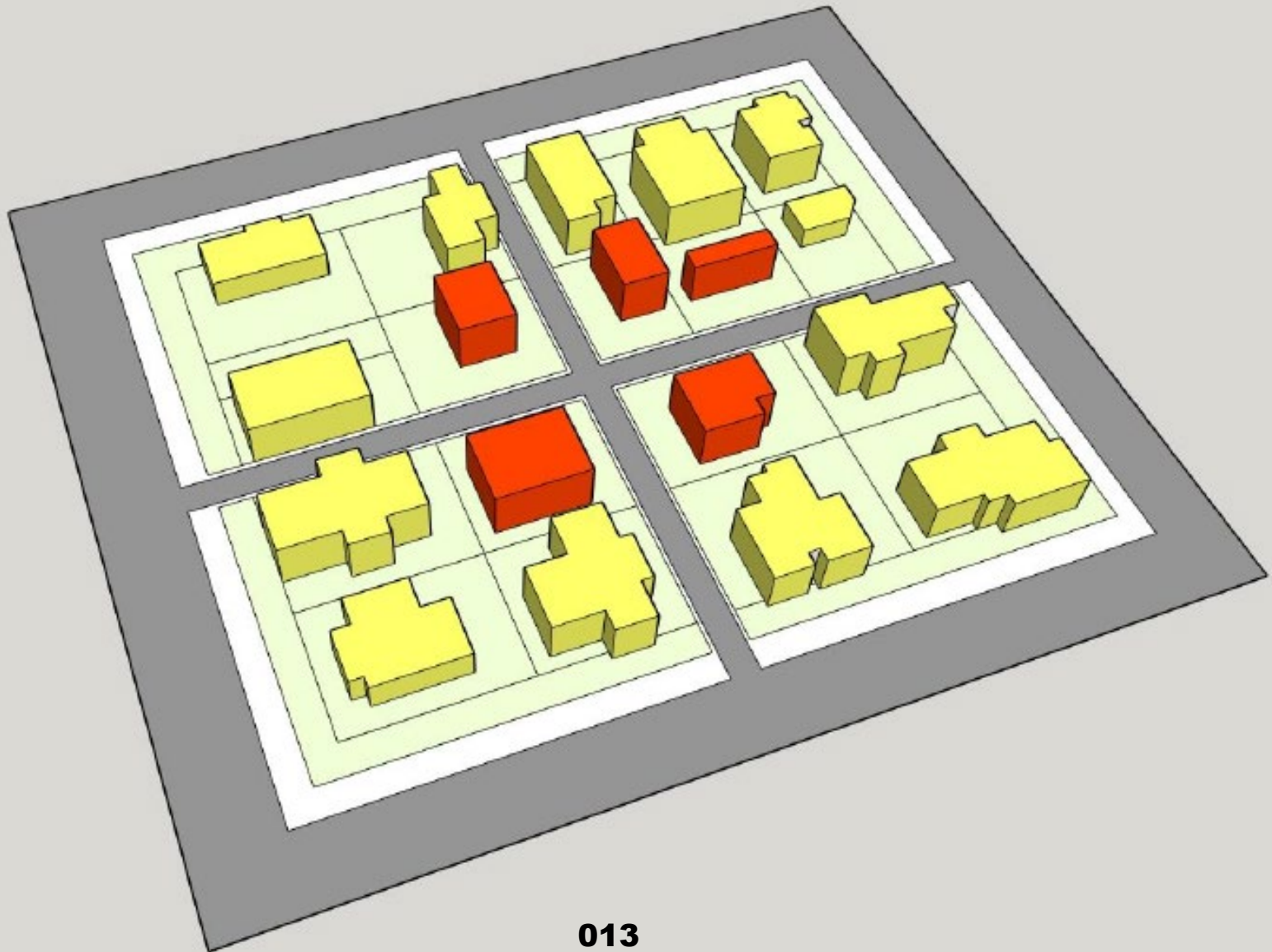


Original Lot Lines



Current Property Lines

Status Quo Policy Outcome



Public Services Challenges Identified

1. Storm Water Management -- (lack of infrastructure)
2. Additional parking demand -- (limited street parking)
3. Emergency services identification -- (behind other houses)
4. Trash and Recycling services -- (storage and access)
5. Emergency and Service vehicle – (narrow passage and topographic ground clearance)
6. Climate Goals – (loss of green space)
7. Overhead electric – (proximity danger)
8. Mile Square Architecture – (building proportions)
9. Infrastructure safety and access
 1. Lack of street lighting
 2. Lack of gas meter protection
 3. Lack of designated pedestrian path
 4. Lack of alley edge curbing
 5. Underground utility not in alley

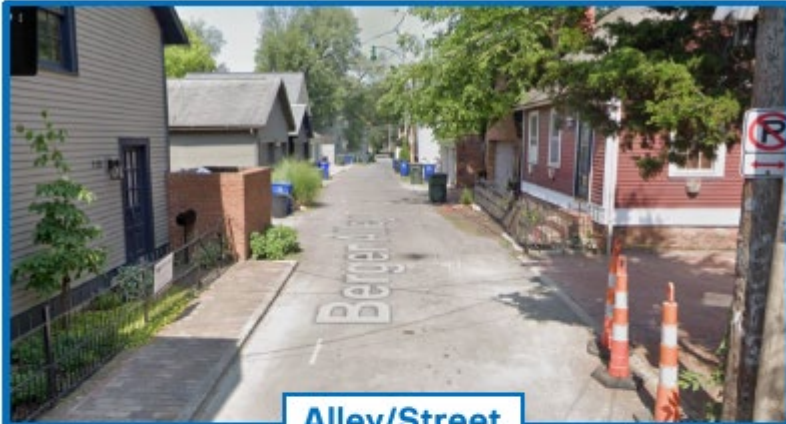
Outside Oxford Examples 1



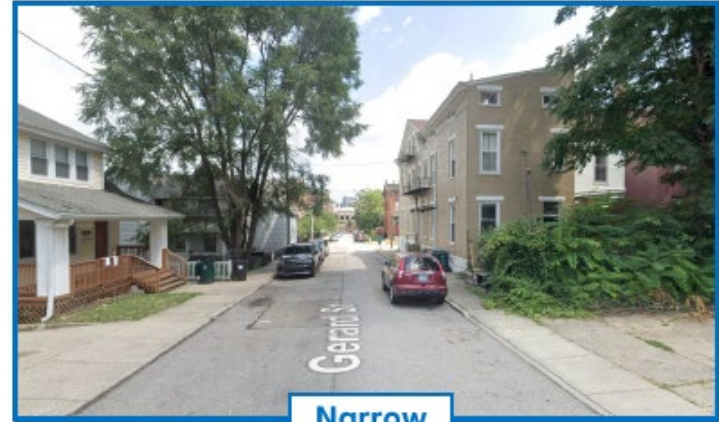
Bowling Green

Athens

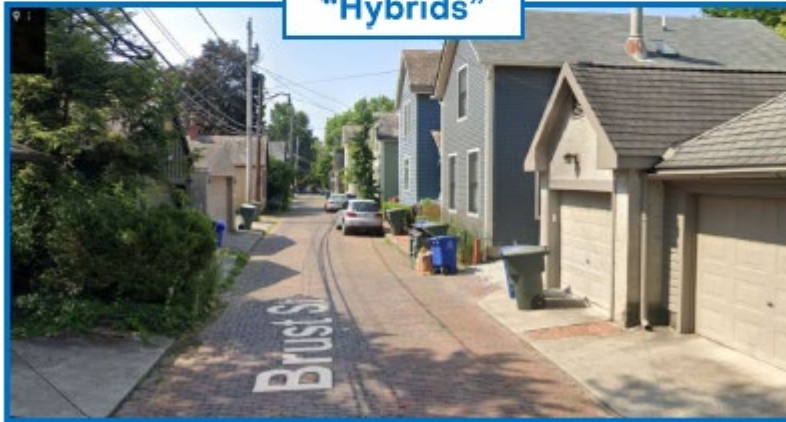
Outside Oxford Examples 2



Alley/Street
"Hybrids"



Narrow
Streets



German Village



Corryville (Cincinnati)

Considerations

A. What is Council's vision for the undeveloped alleys lots in the historic Mile Square of Oxford?

1. Medium-sized alley homes with parking?
2. Small accessory dwelling units with surrounding green space?
3. No buildings in alleys, only traditional green space?
4. Allow them to develop as status quo if legally required to, with minimal impact to public services?

B. What is Council's policy priority after the ending of the moratorium?

1. Re-open alley development opportunity, but with new requirements?
2. Restore previous policy, with no changes to requirements?
3. Re-think alley development potential to address housing shortage or other Council goals?

Next Steps

The moratorium automatically expires October 2, 2024

If Council desires new regulations to address public service challenges, staff will need additional time to develop recommendations.

Staff can place a resolution for moratorium extension on a future regular meeting agenda for discussion and vote.