



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	December 16, 2020
COUNCIL MEETING DATE:	January 5, 2021
AGENDA TITLE:	Ordinances Accepting Utility Easements from Veer Investment, LLC and Hotel Development Services, LLC
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 12-31-20</i>

Discussion:

In the area of Southpointe Boulevard and Millville Oxford Road (US27), Hotel Development Services has transferred ownership of the corner lot (see Exhibit "A") to Veer Investment, LLC for the construction of a fueling station and convenience store. In order to construct the sanitary sewer to serve this lot (#3991), three easements are required for the construction and maintenance of a new sanitary sewer system to serve this property.

Easement #1 will be granted by **Veer Investment, LLC** to the City of Oxford for a 20' wide utility easement as shown on Exhibit "A".

Easements #2 and #3 will be granted by **Hotel Development Services, LLC** to the City of Oxford for two 20' utility easements as shown on Exhibit "A".

Once the sanitary sewer is constructed by the developers, it will become part of the utility system; these easements will give the City access to the system should future maintenance or repair become necessary.

Staff recommends the City Council authorize the City Manager to sign the Easement Agreements and take all steps necessary to have such recorded with the Butler County Recorder.



ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT BETWEEN THE CITY OF OXFORD AND HOTEL DEVELOPMENT SERVICES, LLC FOR A PERMANENT EASEMENT OVER PORTIONS OF REAL PROPERTY AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND LABELED EASEMENT #3 TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF A NEW SANITARY SEWER SYSTEM TO SERVE SAID PROPERTY.

WHEREAS, Hotel Development Services, LLC has transferred ownership of the corner lot in the area of Southpointe Boulevard and Millville Oxford Road (US27) to Veer Investment, LLC for the construction of a fueling station and a convenience store; and

WHEREAS, three easements are required for the construction and maintenance of a new sanitary sewer system to serve said property; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to enter into an easement agreement between the City of Oxford and Hotel Development Services, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" and labeled Easement #3 attached hereto to allow the construction and maintenance of a new sanitary sewer system to serve said property.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Service Director and further authorizes the City Manager to enter into an easement agreement between the City of Oxford and Hotel Development Services, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" attached hereto and labeled Easement #3 to allow the construction and maintenance of a new sanitary sewer system to serve said property.

SECTION 2: Council further directs the Clerk of Oxford City Council to cause the same to be recorded with the Butler County, Ohio Recorder's Office.

SECTION 3: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

EASEMENT AGREEMENT

In consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, Hotel Development Services, L.L.C., an Ohio limited liability company, with a mailing address of 125 West Spring St., Oxford, OH 45056 ("Grantor"), hereby grants to City of Oxford, Ohio, an Ohio municipal corporation, with a mailing address of 15 South College Ave., Oxford, OH 45056, and its successors and assigns (collectively, "Grantee"), a perpetual, nonexclusive easement (the "Easement") in, upon, over, along, under, through and across the following described real estate (the "Easement Area"):

See Exhibit A attached hereto and made a part hereof,

to construct, reconstruct, operate, patrol, maintain, repair, replace, add to, modify and remove underground: (a) electric, gas, sanitary sewer, storm sewer, water and other utility lines; and (b) appurtenances for those lines for the underground transmission and distribution of utility services, including, but not limited to, all necessary and convenient supporting structures, grounding systems and all other appurtenances, fixtures and equipment. The items described in clauses (a) and (b) in the preceding sentence are collectively hereinafter referred to as the "Facilities". The Easement Area is located on the following property ("Grantor's Property") owned by Grantor:

See Exhibit B attached hereto and made a part hereof.

This Easement Agreement ("Agreement") shall be subject to the following terms and conditions which shall be binding on Grantor and Grantee, as applicable:

1. Grantee shall have the right of ingress and egress over the Easement Area and a temporary construction easement ("the Temporary Construction Easement") over the area of Grantor's Property, not to exceed ten (10) feet in width, on the side of the Easement Area located on the Grantor's Property (the "Temporary Construction Easement Area"). Grantee shall have the right to use the Temporary Construction Easement Area solely for purposes of constructing the Facilities and to perform subsequent repair, maintenance, replacement and modification activities thereon.

2. The use of the Easement Area and the Temporary Construction Easement Area by Grantee, its employees, agents and contractors shall at all times comply with this Agreement and all applicable law, rules and regulations.

3. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation located in the Temporary Construction Easement Area, but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities. All trimming activities shall be performed at the sole cost and expense of Grantee.

4. During those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, modifying, or removing the Facilities, Grantee shall have the right to temporarily: (a) pile dirt and other material on the Easement Area and the Temporary Construction Easement Area; and (b) operate equipment on the Easement Area or the Temporary Construction Easement Area.

5. Excluding the removal of vegetation and the like provided for in this Agreement, any damage caused by Grantee, its employees, agents and contractors to Grantor's Property shall be promptly repaired or restored, at no cost or expense of Grantor, to a condition which is reasonably close to the condition it was in prior to the damage.

6. Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area in any manner which is consistent with the rights granted herein to Grantee. Grantor shall not, without the prior written consent of Grantee, construct or install, or permit the construction or installation of any above-ground structure upon the Easement Area. Notwithstanding anything to the contrary contained in this Agreement, Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area for ingress and egress purposes and for the construction of ingress and egress improvements [not to exceed three (3) feet in height] thereon.

7. The rights and duties of Grantor and Grantee set forth in this Agreement shall inure to the benefit of and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees or tenants of Grantor and Grantee. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, Grantor and Grantee have signed this Easement Agreement as of the ____ day of _____, 2020.

Hotel Development Services, L.L.C.

By: _____

City of Oxford, Ohio

Approved as to Form:

City Law Director

By: _____
Douglas R. Elliott, Jr., City Manager

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2020, by _____, the authorized Member of and on behalf of Hotel Development Services, L.L.C., an Ohio limited liability company.

Notary Public

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2020, by Douglas R. Elliott, Jr., the City Manager of the City of Oxford, an Ohio municipal corporation, on behalf of the municipal corporation.

Notary Public

MILLIKIN & FITTON LAW FIRM
A Legal Professional Association
Hamilton, Ohio

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EXHIBIT A

Date: November 11, 2020
Description: Twenty Foot (20.00') Sanitary Sewer
Easement #2
Hotel Development Services, LLC
Location: Oxford Township
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of The Miami River, Section 35, Town 5, Range 1, Oxford Township, Butler County and being a Twenty Foot (20.00') Sanitary Sewer Easement in part of the lands of Hotel Development Services, LLC, (Parcel I) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office and being further described as follows;

Beginning at the southwest corner of Lot #3709 (Open Space) of Southpointe Crossings, Section One as recorded in Plat Envelope 4020, Pages A-B of the Butler County, Ohio Recorder's Office and being on the northwest corner of Lot #3991 as recorded in Official Record 9542, Page 567 of the Butler County, Ohio Recorder's Office and being on the easterly boundary of said lands of Hotel Development Services, LLC (Parcel I) and being the **True Point of Beginning**;

thence, leaving the southwest corner of Lot #3709 (Open Space) and with the westerly boundary of said Lot #3991 and with the easterly boundary of said lands of Hotel Development Services, LLC, (Parcel I), South 01° 44' 12" West, 20.00 feet;

thence, leaving the westerly boundary of said Lot #3991 and said easterly boundary of said lands of Hotel Development Services, LLC, (Parcel I) and through said lands of Hotel Development Services, LLC, (Parcel I) for the following two courses:

- 1) North 87° 14' 09" West, 20.00 feet;
- 2) North 01° 44' 12" East, 118.29 feet to the southerly boundary of the lands of Hotel Development Services, LLC, (Parcel II) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office;

thence, with the southerly boundary of said lands Hotel Development Services, LLC, (Parcel II), North 68° 53' 42" East, 21.70 feet to the westerly boundary of said Lot #3709 (Open Space);

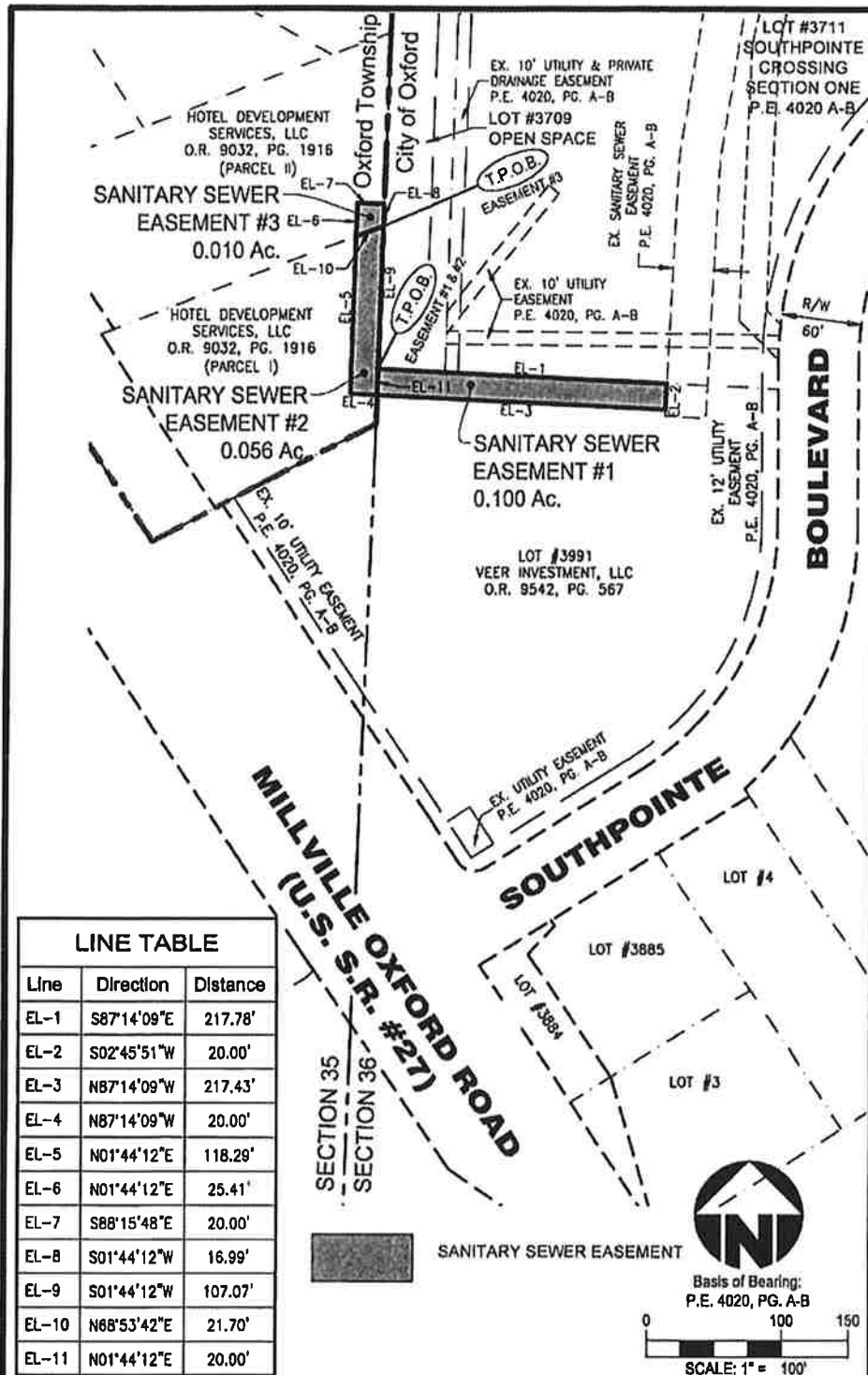
thence, leaving the southerly boundary of said lands of Hotel Development Services, LLC, (Parcel II) and with the westerly boundary of said Lot #3709, South 01° 44' 12" West, 107.07 feet to the **True Point of Beginning**.

The above description was prepared from an exhibit by Bayer Becker, Brian R. Johnson, Professional Land Surveyor #8484 in the State of Ohio, November 11, 2020.

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>



Note: This exhibit was prepared from existing deeds and surveys of record. It does not represent a boundary survey.

Drawing: 19-0052 EX
 Sheet 1/1
 Drawn by: DDS
 Checked By: BRJ
 Issue Date: 11-11-20

LOT #3991 AND HOTEL DEVELOPMENT SERVICES, LLC CONGRESS LANDS WEST OF THE MIAMI RIVER SECTION 35 & 36, TOWN 5, RANGE 1 OXFORD TOWNSHIP, CITY OF OXFORD, BUTLER COUNTY, OHIO
EXHIBIT

bayer becker
 www.bayerbecker.com
 110 S. College Avenue, Suite 101
 Oxford, OH 45056 - 513.523.4270

EXHIBIT B

Situate, lying and being a part of Section 35, Town 5 North, Range 1 East, Oxford Township, Butler County, Ohio, and being more particularly described as follows

Beginning at the northeast corner of said Section 35, thence south along the east line of said Section a distance of 762.43 feet to a point, which point is the northeast corner of a $\frac{3}{4}$ acre tract formerly owned by Harriet Forbus, which point is also the true point of beginning, thence from the point of beginning so found South 66 deg. 33' West along the northerly line of the Forbus tract a distance of 280.5 feet to a point in the center line of the U S Highway Number 27, thence North 35 deg. 48' West along the center line of the U S Highway 27 a distance of 138 feet to a point, thence North 66 deg. 33' East parallel to the northerly line of the Forbus tract a distance of 368.5 feet to a point in the east line of said Section 35, thence south along the east line of said Section a distance of 146.95 feet to the true point of beginning, containing 1 acre of land, more or less

Together with an easement for a water line as set forth in Volume 564, Page 291 of the Deed Records of Butler County, Ohio

As per survey made by E E Erickson, Ohio Surveyor No 2828

Subject to easements, conditions and restrictions of record and to all legal highways

SAVE AND EXCEPTING THEREFROM the following described property conveyed to the City of Oxford by Warranty Deed recorded in Volume 8606, Page 1715 of the Butler County, Ohio Official Records

Situated in the State of Ohio, County of Butler, Township of Oxford, Section 35, Township 5, Range 2, being part of a 1.000 acre tract conveyed to Springpeeper Hill Properties, LLC, an Ohio Limited Liability Company as recorded in Deed Book 7853, Page 2336 and Deed Book 7853, Page 2338, Butler County Recorder's Office, and being more particularly described as follows

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10 92 and being located within the following described points in the boundary thereof



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File# 2017-00018590

BK 9032 PG 1918

Commencing for reference at a point at the northeast corner of said Section 35, said point be witnessed by an iron pin (found) that bears South 86 deg 05'40" East 59 89 feet thence, with the east line of said Section 35, South 02 deg 15'21" West, for a distance of 868 61 feet to a point, said point being 219 53 feet right of centerline of survey station 210+83 39, thence, with the east line of said Section 35, South 01 deg 44'12" West, for a distance of 41 72 feet to a point, said point being 195 42 feet right of centerline of survey station 210+49 34, thence, with the east line of said Section 35, South 02 deg 04'18" West, for a distance of 325 33 feet to a point, said point being 5 82 feet right of centerline of survey station 207+84 90, thence, North 33 deg 30'43" West, for a distance of 282 50 feet to a point, said point being 6 14 feet right of centerline of survey station 210+67 43, thence, North 33 deg 31'19" West, for a distance of 164 14 feet to a point at the grantor's southwest corner, said point being 6 25 feet right of centerline of survey station 212+31 57 and also being the TRUE POINT OF BEGINNING for the parcel herein described,

Thence, North 33 deg 31'19" West, along the grantor's west line, for a distance of 138 03 feet to a point at the grantor's northwest corner, said point being 6 34 feet right of centerline of survey station 213+69 61,

Thence, North 68 deg 53'38" East, along the grantor's north line, for a distance of 65 19 feet to an iron pin, said pin being 70 00 feet right of centerline of survey station 213+55 55,

Thence, South 33 deg 33'41" East, across the grantor's tract, for a distance of 138 06 feet to an iron pin on the grantor's south line, said pin being 70 00 feet right of centerline of survey station 212+17 49,

Thence, South 68 deg 53'42" West, along the grantor's south line, for a distance of 65 29 feet to the TRUE POINT OF BEGINNING, containing 0 202 acres

It is understood that the parcel of land described contains 0 202 acres, more or less, including the present road occupies 0 075 acres, more or less, is located in Butler County Auditor's permanent parcel number H3610-038 000-005

All iron pins set are 5/8" x 30" rebar with an orange cap stamped LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC "

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc under the supervision of Richard F Mathias, P S #7798, November, 2011

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83)

Volume 55, Page 185 of the Butler County Engineer's Record of Land Surveys

REGISTERED PROFESSIONAL ENGINEER



By AMM at 9 37 am May 04 2017



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	January 8, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	Authorization for Improvements to Two Culverts on College Corner Pike (US27)
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 1-15-21</i> <i>WGT 1/11/21</i>

Discussion: The City has encumbered \$175,000 in the Capital Improvement Fund for the improvement of two culverts running under College Corner Pike on US27 between Hester Rd. and Ringwood Road. These culverts are significant drainage conduits in the City's stormwater system with one being 42" in diameter and the other being 72" in diameter. Improvements are necessary due to conduit corrosion and scouring at the inlets and outlets.

Engineering Staff has secured grant funding for this project from the Ohio Public Works Commission. The grant will pay 59% of approved costs of the project with a total award not to exceed \$103,250. Timing for the project would be summer 2021 to minimize impact on local vehicular traffic and bus operations by Butler Co. RTA and Talawanda School District.

Staff developed specifications for the project including new structural liners for the culverts, grout injection of the annular space, and rock channel protection for inlets / outlets. The project was advertised for bids in the Journal News and several plan clearinghouses. Bids were opened on December 4, 2020 with the following results:

Larry Smith, Inc.	\$ 167,990.00
Temple & Temple	195,800.00
Cobalt Civil	199,498.86
Turn-Key Tunneling	217,104.00
SmithCorp, Inc.	220,741.06
Brackney, Inc.	274,170.00



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The City has not worked directly with Larry Smith, Inc. in the past. The City investigated several past projects constructed by this firm; all references were very good with no issues for concern.

It is Staff's recommendation the City Council authorize the City Manager to enter into an agreement with Larry Smith, Inc. for the improvement of two culverts under College Corner Pike at a cost of \$167,990.00. Staff is also requesting a contingency of 4.17% - \$ 7,010.00, therefore the contract cost not to exceed shall be **\$175,000.00.**



RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LARRY SMITH, INC. FOR THE IMPROVEMENT OF TWO CULVERTS UNDER COLLEGE CORNER PIKE AT A COST OF \$167,990.00 PLUS A CONTINGENCY AMOUNT OF \$7,010.00 FOR A TOTAL COST NOT TO EXCEED \$175,000.00.

WHEREAS, on September 3, 2019 Oxford City Council adopted Resolution No. 7103 authorizing staff to apply for Ohio Public Works Commission (OPWC) funding for the improvement of two culverts under College Corner Pike; and

WHEREAS, the City was awarded grant funding for the project with terms of OPWC paying 59% of the project costs not to exceed \$103,250.00. The City shall pay 41% of the project costs and any amount exceeding the OPWC maximum limit; and

WHEREAS, the Capital Improvement Budget includes \$175,000.00 for the implementation of this project; and

WHEREAS, the City developed plans and specifications for this project and advertised for bids in the *Journal News* and with several plan clearing houses; and

WHEREAS, the lowest and best bid for this project was provided by Larry Smith, Inc. in the amount of \$167,990.00; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid of Larry Smith, Inc. for the improvement of two culverts under College Corner Pike at a cost of \$167,990.00 plus a contingency amount of \$7,010.00 for a total cost not to exceed \$175,000.00.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the bid of Larry Smith, Inc. for the improvement of two culverts under College Corner Pike at a cost of \$167,990.00 plus a contingency amount of \$7,010.00 for a total cost not to exceed \$175,000.00.

SECTION 2: Council further authorizes the City Manager to enter into a contract with Larry Smith, Inc. for the improvement of two culverts under College Corner Pike at a cost of \$167,990.00 plus a contingency amount of \$7,010.00 for a total cost not to exceed \$175,000.00.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 7103

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$103,250.00 TO BE USED FOR THE REPAIR AND RELINING OF STORM-WATER CULVERTS ON US 27 NORTH.

WHEREAS, Ohio Public Works Commission Issue One Funds, administered by the Butler County Engineer's Office, are available to local governments for safety improvement projects; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the repair and relining of storm-water culverts on US27 North.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council, having determined the repair and relining of storm-water culverts on US27 North to be beneficial to the City, hereby supports the use of grant funds to assist with the cost.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the repair and relining of storm-water culverts on US27 North.

SECTION 3: The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 4: This resolution shall take effect at the earliest date allowed by law.


MAYOR

ADOPTED: September 3, 2019

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	January 12, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	Honorably naming University Park Boulevard "Mike Davis Way".
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 1-15-21</i>

DISCUSSION:

Council adopted Resolution No. 7224 on October 6, 2020. The Resolution established a Naming Review Committee composed of seven persons including three citizens; two former Oxford Mayors; one current member of City Council and the City Manager or designee as follows: Kevin McKeehan, Kate Rousmaniere, Mary Jane Roberts, Jim Squance, Dan Umbstead, Mike Smith and Doug Elliott. The naming committee was charged with providing a recommendation to City Council for naming or renaming a street after the late Mr. Mike Davis, Treasurer/CFO, of the Talawanda School District. The naming review committee held two virtual meetings, one on December 10, 2020 and one on January 4, 2021. After much discussion, the committee unanimously voted at the January 4 meeting to recommend to City Council that University Park Boulevard additionally be honorably named "Mike Davis Way". I recommend adoption of this Resolution. If adopted by Council, the City will provide a sign with a brown color background and install it. I will work with the committee and the family members to schedule a date for a formal presentation of the sign.

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE RECOMMEDATION OF THE FACILITY NAMING REVIEW COMMITTEE AND HONORABLY NAMING UNIVERSITY PARK BOULEVARD AS MIKE DAVIS WAY.

WHEREAS, pursuant to Oxford Codified Ordinance Chapter 149 entitled Facility Naming and/or Renaming, City Council appointed the Facility Naming Review Committee on October 6, 2020 to provide a recommendation to City Council for naming or renaming a street after the late Mr. Mike Davis, Treasurer/CFO of the Talawanda School District; and

WHEREAS, the Facility Naming Review Committee held two virtual public meetings, one on December 10, 2020, and one on January 4, 2021; and

WHEREAS, after much discussion, the Committee unanimously voted to recommend to City Council that University Park Boulevard additionally be honorably named as Mike Davis Way.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the Facility Naming Review Committee and hereby honorably names University Park Boulevard as Mike Davis Way.

SECTION 2: This resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1149 ENTITLED PARKING AND SITE ACCESS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1149 ENTITLED PARKING AND SITE ACCESS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on December 8, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1149 entitled Parking and Site Access, and adopting new Oxford Codified Ordinance Chapter 1149 entitled Parking and Site Access.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby repeals Chapter 1149 entitled Parking and Site Access and adopts new Chapter 1149 entitled Parking and Site Access as follows:

CHAPTER 1149 Parking and Site Access

1149.01 PURPOSE.

- (a) The regulations of this section are intended to minimize the traffic impacts of development on public streets and to assure that all developments adequately and safely provide storage and movement of vehicles in a manner consistent with good site design and site engineering practices without creating excessive amounts of parking spaces. This section regulates off-street parking and loading, handicapped accessibility, and both vehicular and pedestrian access from public streets.
- (b) This section includes provisions that are intended to minimize potential nuisance to adjacent properties by limiting light pollution, minimizing dust and debris, improving public safety and managing storm water run-off.
- (c) This section includes provisions which are intended to benefit the community by minimizing vehicular and pedestrian conflicts in parking lots, reducing the urban heat island effect, fostering air and water quality, promoting alternative modes of transportation and maximizing the efficient use of land.

1149.02 APPLICABILITY.

- (a) New Uses
No new building or new land use shall be authorized unless the standards of this Chapter, including the minimum number of required parking spaces, are met.
- (b) Change of Use
No change of use shall be authorized unless the new use meets the standards of this Chapter, including the minimum number of required parking spaces.
- (c) Expanded Uses
 - (1) Whenever a building or use created prior to the effective date of this provision is changed or enlarged in floor area, number of units, seating capacity, or otherwise that will create a need for an increase in the number of parking spaces, loading spaces, or vehicle stacking spaces, the additional spaces shall be provided on the basis of the new demand created by the area of the alteration, addition, or change.
 - (2) If the proposed expansion or enlargement will increase the floor area, number of units, seating capacity, or other area to an extent larger than twenty five (25) percent of the building or use prior to the effective date of this provision, then the entire site must come into compliance with the requirements of this Chapter.
 - (3) Any expansion or enlargement smaller than that established in subsection (2) above shall comply with the requirements of this Chapter for any new parking, loading, or stacking space areas required for the expansion. In cases where these small expansions or enlargements occur over a period of time after the effective

date of this provision, the site shall come into full compliance with the requirements of this Chapter once the total expansion or enlargement of the floor, number of units, seating capacity or other area exceeds twenty five (25) percent of the original size at the time this provision became effective.

(d) Changes or Expansions to Parking Areas

- (1) So long as no expansion is proposed to any building or structure on a site, an existing parking area may be expanded, improved, or otherwise made more conforming in accordance with the design standards of this Chapter, except as provided in subsection (2) below.
- (2) In the UP and RO districts, any new off-street parking areas, or expansions to existing parking areas greater than twenty five (25) percent as compared to the area existing on the effective date of this provision, are subject to Conditional Use review as provided in Chapter 1147. This provision shall not apply to any new or expanded off-street parking provided to comply with minimum requirements for single-, two-, or three-family dwellings on individual lots.

(e) Existing Uses

The requirements of this Chapter shall not apply to buildings and uses legally in existence on the effective date of this provision unless modified in a manner as stated in subsections (a) – (d) above. Furthermore, any facilities regulated by this Chapter that serve such existing buildings or uses shall not be reduced below the requirements established in this Chapter in the future. Notwithstanding these provisions, Utilization standards shall always apply to existing uses.

1149.03 GENERAL REGULATIONS.

- (a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials, including gravel, are not permitted. The Zoning Administrator in collaboration with the City Engineer may allow alternative standards, such as for porous paving, if they satisfy the general intent of all other provisions of this section.
- (b) Pre-existing parking areas of any material which straddle a property boundary may be paved or resurfaced with a compliant hard surface material without needing to comply with setback requirements, so long as each property can maintain its own accessibility from a public street or alley without having to use any other property. In cases where separate access for each property cannot be achieved, a shared-access easement may be recorded as a way of satisfying applicable setback provisions.
- (c) All off-street parking shall be located on the same site as the use for which it is required or intended, except that off-site parking may be permitted by a Conditional Use Permit according to procedures set forth in Chapter 1147. Shared-use parking may also be permitted by Conditional Use Permit according to procedures in Chapter 1147.
- (d) All off-street parking spaces shall contain a minimum sized rectangular area. Standard spaces are 9 feet wide by 18 feet long. Compact spaces are 8 feet wide by 16 feet long.

1149.04 DIMENSIONAL STANDARDS.

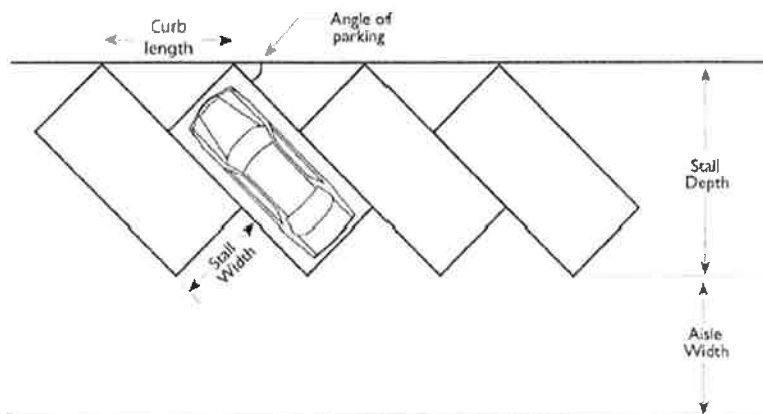
- (a) Tables 1149.04-1 and 1149.04-2 below outline nonresidential and multi-family parking lot minimum dimensional requirements for spaces and aisles based on angle.

Table 1149.04-1 Min. Standard Parking Space and Aisle Dimensions

Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width
Parallel	9'-0"	22'0"	9'0"	12'	20'
30 deg	9'-0"	18'0"	17'4"	11'	20'
40 deg	9'-0"	14'0"	19'2"	12'	22'
45 deg	9'-0"	12'9"	19'10"	13'	24'
50 deg	9'0"	11'9"	20'5"	15'	25'
60 deg	9'0"	10'5"	21'0"	18'	24'
70 deg	9'-0"	9'8"	21'0"	10'	24'
90 deg	9'0"	9'0"	18'0"	24'	24'

Table 1149.04-2 Min. Compact Parking Space and Aisle Dimensions

Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width
Parallel	8'-0"	22'0"	8'0"	11'	20'
30 deg	8'-0"	18'0"	14'11"	11'	20'
40 deg	8'-0"	14'0"	16'5"	11'	22'
45 deg	8'-0"	12'9"	17'0"	11'	24'
50 deg	8'-0"	11'9"	17'5"	13'	24'
60 deg	8'-0"	10'5"	17'10"	16'	24'
70 deg	8'-0"	9'8"	17'9"	16'	25'
90 deg	8'-0"	8'0"	16'0"	21'	24'



- (b) **Computation Rules:**
- (1) Any mixed-use structures or lots must provide parking in an amount equal to the sum of all the individual uses combined.
 - (2) Any fractional spaces required shall be rounded up to the next whole number.
- (c) One-way drive aisles that do not provide direct access to parking spaces shall be at least 12 feet wide. Two-way drive aisles that do not provide direct access to parking spaces shall be at least 20 feet wide.
- (d) Parking spaces for motorcycles and scooters shall be at least 5 feet wide by 9 feet long.
- (e) Compact spaces must be clustered but clusters must be dispersed in parking lots with over 40 spaces. Compact spaces can take up to 25% of the required number of spaces. Compact spaces must be clearly marked.

1149.05 REQUIRED PARKING SPACES.

- (a) Table 1149.05-1 below outlines the minimum number of parking spaces required by land use. The maximum number of spaces is limited to no more than 150% of the minimum unless approved by Conditional Use Permit. Single, Two and Three-Family uses on individual lots are exempt from the maximum.

Table 1149.05-1 Schedule of Required Parking Spaces by Use	
Residential Uses	Minimum Number of Spaces Up to Maximum of 150%
Single-Family	2 per dwelling unit (exempt from max)
Two-Family	2 per dwelling unit (exempt from max)
Three-Family	2 per dwelling unit (exempt from max)
Multi-family in District other than R-3 District	2.5 per dwelling unit
Multi-family in R-3 District	1 per 2 permitted occupants
(EDITOR'S NOTE: The following items 1 through 5 are exemptions only applicable to multi-family uses in the R-3 Districts.	
1. For R-3 District, the minimum number of off-street parking spaces may be reduced based on the following criteria, but not less than 25% of the permitted occupants.	
2. Building distance to transit stops. (R-3 only)	
a. Less than 500 feet	10% reduction
b. Less than 1000 feet	5% reduction
c. Less than 2000 feet	1% reduction
d. More than 2000 feet.	No reduction
3. Sheltered bike facility (R-3 only)	
a. Each 10 bike shelter parking facility qualifies for 1% reduction	
4. Building distance to the MU campus (R-3) only	
a. Less than 500 feet	10% reduction
b. Less than 1000 feet	5% reduction

c. Less than 2000 feet	1% reduction
d. More than 200 feet	no reduction
5. Numbers of on-street parking: Each legal, adjacent, on-street parking space would reduce one required off-street parking space (R-3 only).	
Efficiency	1 per dwelling unit
Fraternity and Sorority	2 per each 5 beds permitted by a valid City of Oxford rental permit
Family community residence	1 plus 1 per each 2 support staff members
Group community residence	1 plus 1 per each 2 support staff members
Community residence	1 plus 1 per each 2 support staff members
Family day-care home, Type A	1 per each 6 children potentially enrolled
Family day-care home, Type B	1 per each 6 children potentially enrolled
Child day-care center	1 per each 6 children potentially enrolled
Auditoriums, churches, temples & other places of public assembly	1 per each 8 seats in main auditorium (for bench seating 20 inches equals one seat)
Hotel, Bed & Breakfast	1 per guest room
Bowling alley	5 per each alley
Car wash	1 per 6 wash bays
Club or lodge	1 per each 5 members
Community center, library, museum, art gallery	1 per each 250 square feet of floor area plus 1 per each employee on largest shift
Funeral home	1 per each 100 square feet of usable visitation and funeral service area plus 1 per each employee on largest shift plus 1 per each funeral vehicle
Golf facility	4 per each hole plus 1 per tee at a driving range plus 50 percent of the spaces required for other on-site accessory uses
Hospital	1 per each 2 beds (excluding infant beds); plus 1 per each employee based on largest shift
Industrial warehousing & manufacturing uses	2 per each 3 employees on largest shift for which building is designed plus 1 per each motor vehicle routinely stored on premises or in ratio of 1 space for every 1,000 square feet of total building area; provided, however, that if the number of spaces required by the building ratio is greater than that required by the employee ratios, additional parking spaces need not be provided physically but sufficient spaces shall be reserved for future physical development
Miniature golf facility	1.5 per each hole
Nursing home	1 per each 3 beds plus 1 for each employee based on

	largest shift
Other	As determined by Zoning Administrator based upon similarity to requirements for listed uses
Professional offices	3 plus 1 additional per each 400 square feet of usable floor area over 1,000 square feet
Restaurant	1 per each 150 square feet of usable floor area. If a drive-through is present, each 20 feet of queuing between the points at which the order is taken and where the food is served shall count as 1 space toward the total requirements, up to a maximum of 3 spaces.
Retail store , personal service establishment	1 per each 300 square feet of usable floor area.
School, elementary	1 per employee on largest shift plus 1 per classroom.
School, high	1 per employee on largest shift plus 1 per each four students potentially enrolled
School, Junior High	1 per employee on largest shift plus 1 per classroom
Skating rink	1 per each 300 square feet of floor area
Stadium or spectator arena	1 per each 10 seats (for bench seating 22 inches equals one seat)
Swimming pool	1 per each 75 square feet of water surface area.

(b) Unlisted Uses

- (1) Upon receiving an application for a use not specifically listed in Table 1149.05-1 above, the Zoning Administrator shall apply the parking standard specified for the listed use that is deemed most similar to the proposed use in regard to use, size and intensity of use.
- (2) If the Zoning Administrator determines that there is no listed use similar to the proposed use, intensity, or size, he or she may refer to the estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE).

(c) Exceptions

- (1) In the UP District, all uses are exempt from parking requirements.
- (2) All non-residential uses in the RO District are exempt from parking requirements.
- (3) A deviation from the number of parking spaces provided may be permitted through a Conditional Use for shared use parking or off-site parking.

1149.06 RESIDENTIAL REGULATIONS.

(a) Applicability.

The design-related standards and other regulations of this section shall apply to lots where the principal use is a single-family, two-family, or three-family dwelling. Structures with more than three (3) dwelling units, as well as mixed use sites that may contain single-, two-, or three-family dwellings, are subject to the Nonresidential Regulations in Section 1149.07.

(b) Location.

- (1) 1 parking space may be located in a required front yard. All other parking spaces required or provided in excess of the minimum requirement shall not be located in the required front yard.
- (2) 1 required parking space may be a stacked space. All other required off- street parking spaces shall have direct access to a driveway or alley, without crossing another space.
- (3) Parking spaces shall not be located within 3 feet of any lot line.

- (4) All driveways, including any areas to be utilized as unenclosed parking spaces, shall not be located within 3 feet of any lot line. Unenclosed parking spaces shall be located at least 3 feet from any principal structure.
- (c) Access and Maneuvering.
- (1) Curb cuts shall be a minimum of:
 - A. 30 feet from the intersection of two local roads
 - B. 50 feet from any intersection with a collector road
 - C. 70 feet from any intersection with an arterial road
 - (2) Where a lot is adjacent to an alley, access may be from any location along the lot line except in a required front yard.
 - (3) A residential use shall have a maximum of one curb cut per 100 feet of frontage, or fraction thereof (e.g. a lot with 101 feet of frontage may have two curb cuts).
 - (4) A residential use on a corner lot shall have its access from a local street, if available.
 - (5) Driveways shall be a maximum of 18 feet wide at the street right-of-way line and shall flare no greater than 30 degrees from perpendicular with the right-of-way line.
 - (6) Parking and maneuvering areas shall be designed so that vehicles can enter and exit the area without driving over non-paved areas. When necessary, turn-arounds and appropriate radii shall be used. Tables 1149.04-1 and 1149.04-2 may be used for guidance.
 - (7) The City Engineer may vary any of the above regulations in subsections (1) through (6) where the City Engineer determines that public safety or professional engineering design practice makes it acceptable to vary these regulations.
- (d) Utilization.
- (1) No vehicle or trailer shall be parked in any off-street parking area to warehouse or distribute goods, except for loading and temporary sales.
 - (2) Off-street parking spaces for a non-residential use shall not be used by commercial vehicles that do not fit entirely within the parking space.
 - (3) Vehicles with signs attached to them shall not be parked in a manner such that they circumvent the Sign provisions (see Chapter 1151).
 - (4) Off-street parking areas shall not be used to display vehicles for sale, except when associated with a legal principal use for vehicle sales.
 - (5) The off-street parking of any recreational vehicle, boat and/or boat trailer, dual purpose truck camper or converted van, pickup camper or coach (designed to be mounted on automotive vehicles), motorized dwelling, tent trailer, travel trailer, utility trailer, bus or semi-tractor or commercial vehicle designed or used for carrying merchandise or freight shall be permitted in a residential district only under the following conditions:
 - A. All such vehicles must be parked on a permanently hard surface.
 - B. No more than one camping or recreational vehicle may be parked in a residential district on a front driveway that is permanently hard-surfaced or at the curb in front of the residence of the owner of such recreational vehicle for a period of time not to exceed 48 hours for the purposes of loading and unloading and/or preparation, except where specifically prohibited by other parking regulations.
 - C. No more than one commercial vehicle having empty weight of less than 4,000 pounds and not more than seven feet in height may be parked on any lot in a residential district provided that it is on a driveway that is permanently hard-surfaced.
 - D. No more than one vehicle less than 8,000 pounds empty weight and/or ten feet in height, or buses, boats and trailers less than 30 feet in length may be parked or stored on any lot in a residential district. However, such parking or storing shall be prohibited in any front yard provided that it is parked on a permanently hard surface.
 - E. The conditions set forth in Subsections 2 through 4 above shall not apply

to commercial vehicles making service calls, including vehicles being used for moving personal goods.

- (6) Vehicles owned, rented or leased by a church, school or other institutional use, provided that such vehicle is parked or stored only on the property where such use is located and that the location and screening of such storage or parking area complies with the provisions of Subsection 3 above.
- (7) All permitted camping and recreational vehicles and equipment and commercial vehicles shall be kept in good repair and carry a current year's license and/or registration. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.
- (8) Parked or stored camping and recreational vehicles and equipment or other similar habitable vehicles shall not be permanently connected to electricity, water, gas or sanitary sewer facilities; and at no time shall these vehicles or equipment be used for living, sleeping or housekeeping purposes. No person shall permanently remove the wheels or similar transporting devices of any habitable vehicle parked in any residential district, nor shall such vehicle be otherwise fixed to the ground by any person in any manner that would prevent the ready removal of said habitable vehicle.

1149.07 NONRESIDENTIAL REGULATIONS.

(a) Applicability.

The design-related standards and other requirements of this section shall apply to all nonresidential and multi-family land uses and developments, including mixed use sites.

(b) Location.

- (1) Parking Spaces shall not be located within the required front setback.
- (2) All paved areas of an off-street parking area shall be a minimum of 6 feet from any lot line or 10 feet from any lot line in a residential zoning district.
- (3) In the GB District, the maximum total number of off-street parking spaces provided on-site in front of the principal structure shall not exceed 70% of the total number of required off street spaces.

(c) Access and Maneuvering.

- (1) Curb cuts shall be a minimum of:
 - A. 40 feet from the intersection of two local roads
 - B. 50 feet from any intersection with a collector road
 - C. 70 feet from any intersection with an arterial road
 - D. 30 feet from any other curb cut (measured at the lot line)
- (2) Driveways shall be a maximum of 13 feet wide per lane at the right-of-way line.
- (3) The City Engineer may vary any of the above regulations in subsections (1) through (2) where the City Engineer determines that public safety or professional engineering design practice makes it acceptable to vary these regulations.

(d) Utilization.

- (1) No vehicle or trailer shall be parked in any off-street parking area to warehouse or distribute goods, except for loading and temporary sales.
- (2) Off-street parking spaces for a non-residential use shall not be used by commercial vehicles that do not fit entirely within the parking space.
- (3) Vehicles with signs attached to them shall not be parked in a manner such that they circumvent the Signs provisions (see Chapter 1151).
- (4) Off-street parking areas shall not be used to display vehicles for sale, except when associated with a legal principal use for vehicle sales.

(e) Additional Requirements.

- (1) Handicapped accessible. The design and construction of all new, expanded, or comprehensively redesigned off-street parking areas shall comply with applicable requirements of Chapter 11, Accessibility, of the Ohio Building Code.

(2) Loading Spaces.

- A. Number.

1. One loading space shall be required for all non-residential uses and for residential uses with greater than three dwelling units.
 2. One additional loading space shall be required for each 20,000 square feet or fraction thereof of floor area over the first 10,000 square feet.
 3. All residential and non-residential uses in the UP District are exempt from the loading space requirements.
- B. Location.
1. Loading spaces may be located anywhere on a lot.
- C. Design.
1. Loading spaces must be a minimum of 10 feet wide by 25 feet long.
- D. Utilization.
1. Loading spaces shall be utilized primarily for loading purposes. No vehicle shall occupy a loading space continuously for more than 48 hours.
- (3) Queue and Exit Spaces.
- A. Queuing and exiting spaces are required for drive-through and other uses that result in cars lining up to access a service.
 - B. Queuing and exiting spaces shall not interfere with required parking or adequate area for vehicle maneuvering.
 - C. All queuing and exiting spaces shall contain a rectangular area a minimum of 9 feet wide and 18 feet long.
 - D. Queuing spaces shall not be located in the required front setback.
 - E. The following uses require queue and exit spaces:

USE	QUEUE SPACES	EXIT SPACES
Car wash bays	3 per bay	1 per bay
Vacuum stations	1 per station	None
Drive-through convenience store	7 per bay	1 per bay
Drive-up banking	3 per bay	1 per bay
Drive-up pharmacy	3 per bay	1 per bay
Fuel pumps	1 per pump	None

- (4) Parking Lot Design.
- A. All non-residential parking areas shall be screened from an adjacent residential district by a 6-foot high visual screen.
 - B. Any parking space oriented in such a way as to have headlights shine into a residential structure shall have a fence, wall, or solid hedge of no less than 4' in height screening the headlights.
 - C. All off-street parking areas shall be designed, constructed, and maintained to ensure that stormwater, dust, and debris do not adversely impact any other lot. Storm water management shall be in compliance with Section 1141.04, Environmental Regulations.
 - D. Parking areas shall provide a minimum security lighting level of 1 foot candle. Light fixtures shall be a maximum height of 16 feet above the adjacent ground. Glare and light pollution is regulated by Section 1141.04, Environmental Regulations.
 - E. All unpaved areas adjacent to an off-street parking area shall be raised,

landscaped, and separated from the parking area by a minimum 6-inch high concrete curb. Openings shall be permitted in specific locations for storm water quality management.

- F. A raised, landscaped, and curbed island a minimum of 4.5 feet wide (including the width of the curb) shall be provided at the front and at the ends of each row of parking spaces and at every interval of 15 parking spaces in a row. End islands shall extend to within 3 feet of the end of the parking space. The width requirement can be shared between adjacent facing rows or by the setback requirement adjacent to lot lines. Openings in curbing shall be permitted for storm water management.
- G. Interior rows of parking shall have an access aisle between each 15 parking spaces.
- H. Visibility shall be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.
- I. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.
- J. Off-street parking and loading areas shall be provided with sufficient maneuvering room so that all vehicles can enter and exit from a public street by forward motion only. The maneuvering of vehicles necessary to enter or exit loading areas shall not occur on City streets.
- K. Parking lots shall be designed so that solid waste, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.
- L. Parking Lot Layout. No more than 200 parking spaces shall be allowed together in one group or cluster. Parking lot clusters shall be separated by landscaping, pedestrian connections, cross aisles, retention basins or similar features.
- M. In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 400 feet.
- N. In commercial and mixed use projects, a minimum of 50 percent of the required parking spaces shall be located within 300 feet of the building served.
- O. In multi-family residential projects, required parking spaces shall be arranged to provide at least one parking space per unit within 200 feet of the dwelling units they are intended to serve.
- P. Drive aisle intersections are to be perpendicular to each other.
- Q. Separate vehicular and pedestrian circulation systems shall be provided.
- R. Pedestrian Safety.

The design standards described below shall be provided for multi-family residential developments of 5 or more units and for commercial, mixed-use, and/or industrial developments that are 80 feet or more in depth and/or include 50 or more parking spaces.

1. Pedestrian Safety.
Parking lot design should be laid out in a way to minimize the times pedestrians would typically have to walk between parked cars and then cross a drive aisle to get to locations on the site. Internal circulations systems shall be clearly defined. For example, walkways should be incorporated into the median or landscape of some double loaded parking bays that terminate close to access points such as building entries or adjacent street intersections.
2. Materials and Width.
Walkways shall provide at least 5 feet of unobstructed width and

be hard-surfaced with a material that differs from the drive aisle by composition, texture, or through the use of a differing color that is integral to the material. For areas beyond ADA accessible spaces, a combination of stepping stones and landscaping can be used, however ADA compliance must also be demonstrated.

3. Identification.

Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method. Surface striping alone, is insufficient.

4. Separation.

Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least 6 inches high, decorative bollards, or other physical barrier.

(5) Bicycle and Motorcycle Parking.

A. Bicycle Parking.

1. Spaces Required.

a. Bicycle parking is required for multi-unit residential buildings and nonresidential development. Unless otherwise expressly stated, buildings and uses subject to bicycle parking requirements must provide the greatest of the following:

- i. At least 3 bicycle parking spaces; or
- ii. At least 1 bicycle space per 10 on-site vehicle parking spaces actually provided; or
- iii. At least 1 bicycle space per 10 vehicle parking spaces required by Section 1149.05.

b. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 1 space per 20 vehicle parking spaces. Covered spaces are strongly encouraged.

c. The requirements of subsection a, above, notwithstanding, the following minimum bicycle parking requirements apply to colleges, universities, schools and libraries:

- i. Elementary and junior high school: 1 bicycle parking space per 1000 square feet;
- ii. High school: 1 bicycle parking space per 1500 square feet;
- iii. Colleges and universities: 1 bicycle parking space per 5 vehicle parking spaces provided; and
- iv. Libraries: 1 bicycle space per 5 vehicle parking

spaces provided.

2. Design and Location.

a. General.

Required bicycle parking spaces must:

- i. Consist of racks or lockers anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, hammers, and saws;
- ii. Allow both the bicycle frame and the wheels to be locked using a standard U-lock;
- iii. Be designed so as not to cause damage to the bicycle;
- iv. Facilitate easy locking without interference from

- or to adjacent bicycles and maintain a separation of at least 24 inches from the nearest wall; and
 - v. Be located in close proximity to entrances and other high activity areas, highly visible, active, well-lighted areas without interfering with pedestrian movements.
 - b. Size.
Required bicycle parking spaces for nonresidential uses must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.
 - c. Location.
Required bicycle parking may be located indoors or outdoors. Such spaces must be located out of the ROW unless an encroachment agreement is approved. If required bicycle parking facilities are not visible from the abutting street or the building's main entrance, signs must be posted indicating their location.
- B. Motorcycle and Scooter Parking.
For any nonresidential use providing 50 or more off-street spaces, a maximum of 2 required off-street parking spaces per 50 vehicle spaces may be reduced in size or otherwise redesigned to accommodate parking for motorcycles and scooters. When provided, motorcycle and scooter parking must be identified by a sign. Motorcycle and Scooter parking shall be counted concurrently as part of the minimum number of vehicle spaces required for the development.

(6) Landscaping.

- A. Purpose and Applicability.
 - 1. Trees and other vegetation help to limit the negative effects of large, paved areas by improving stormwater control, reducing erosion, avoiding unnatural microclimates, and improving aesthetics.
 - 2. This section sets forth minimum landscaping requirements for parking areas containing more than 4 spaces to satisfy this purpose.
- B. Trees and Landscaped Areas
 - 1. Trees
 - a. A parking area shall have 2 trees per parking facility plus 1 tree for every 5 parking spaces or fraction thereof generally distributed throughout the parking area. Any dead or severely diseased trees used to fulfill these regulations shall be replaced at the request of the Zoning Administrator.
 - b. Trees shall be selected for the local soil and climate. The area and soil depth of the site shall be adjusted to sustain the tree. Immediately following planting, each tree shall be a minimum of 6 feet tall and have a minimum 2-inch caliper. At maturity, each tree shall have a clear trunk at least four feet above the adjacent parking surface and average mature crown greater than 12 feet.
 - c. Each existing healthy tree meeting the minimum caliper standard that is preserved may be counted as one (1) required tree, and each existing healthy tree with a diameter at breast height (DBH) of ten (10) inches or greater that is preserved may be counted as two (2) required trees, provided that any such trees are properly

documented in accordance with 1148.05(b) and are situated no further than ten (10) feet from the proposed parking area.

- d. Tree species shall be selected from the City's Tree List, or deemed by the Zoning Administrator (or his/her designee) to be an acceptable species for the location.

C. Landscaped areas.

All areas that are not paved shall be landscaped and shall satisfy the following regulations:

1. Shrubs, vines, and ground cover shall be healthy stock.
2. Shrubs shall be a minimum of 1 gallon.
3. Shrubs shall be maintained so that their height does not exceed 3 feet above the adjacent parking surface.
4. Lawn grass shall be a species common to Southwest Ohio. Sod shall be used in areas subject to erosion.
5. Synthetic or artificial lawns or plants may not be used in lieu of plant requirements.
6. Concrete and asphalt shall not be used in landscaped areas. Decorative aggregate and other pervious surfaces may be used in landscaped areas if approved by the Zoning Administrator.

D. Alternate design plan.

If the design regulations in this chapter will not result in an appropriate parking area for the site on which a use is located or proposed, a property owner may apply to the Planning Commission for a Conditional Use Permit to approve an Alternate Design Plan per procedure in Chapter 1147.

(7) Pedestrian Access/Connectivity.

A. Required Sidewalks

1. A concrete sidewalk of appropriate width shall be required for all portions of a parcel that front along a public street. If the project is located in an area devoid of sidewalks, the minimum width is five (5) feet. The City Engineer shall have the authority to apply the standards of the City of Oxford Curb, Gutter, & Sidewalk Specifications Manual for the construction of any sidewalk.
2. Sidewalks shall be located within the public right-of-way wherever possible. When the right-of-way does not permit the location of a sidewalk, such sidewalk will be located on the property and recorded as a public access easement.
3. A paved bicycle/multi-purpose pathway may be permitted in lieu of the required sidewalk at the discretion of the City Engineer. The City Engineer may consult the City's latest plans for trails and pathways in making a determination as to whether a pathway is an appropriate substitute for a sidewalk.
4. In cases where sidewalk segment(s) already exist in the required locations, the City Engineer may require replacement of all or some of such segments due to being in a state of disrepair or lack of sufficient width.

B. Required Walkway Connection

1. Where a sidewalk exists in a public right-of-way adjacent to the site, or is required to be installed pursuant to subsection (A) above, a pedestrian walkway shall be constructed between the entrance(s) of the developed building/use(s) and the public sidewalk.
2. The pedestrian walkway shall be a durable hard surface path with a minimum width of five (5) feet.
3. The pedestrian walkway may consist of one or more crosswalks across drive aisles provided they are hard-surfaced with a material

that differs from the drive aisle by composition, texture, or through the use of a differing color that is integral to the material.

SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	January 8, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	Authorization for Improvements to High St. and Patterson Ave. in Conjunction with Miami University and Ohio Department of Transportation.
BUDGETED AMOUNT:	141.720.63130 \$ 600,000 147.490.64705 \$ 3,714,500
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	1-15-21  1/11/21

Discussion: In 2017, Miami University (Miami) conducted a comprehensive Traffic Engineering and Campus Circulation Study to identify traffic and circulation issues in the Oxford campus area. Two subject areas of great concern include E. High St. (Campus Ave. to Patterson Ave.) and Patterson Ave. Daily traffic on Patterson Ave. routinely exceeds 11,000 vehicles per day, while over 5,000 vehicles per day passed through the intersection of High and Tallawanda. Coupled with approximately 40,000 daily pedestrian crossings through the area (pre COVID), there is a great need to better manage how and where pedestrians cross US27 to increase safety as well as to better manage vehicle movements in the area. The City worked with Miami to apply for and win a \$1,000,000 safety grant from Ohio Department of Transportation (ODOT).

Miami University retained the firms of Bayer Becker (Engineers / Surveyors) and MKSK (Cincinnati Landscape Architects) to design improvements for these target areas. Improvements will include raised center medians with pedestrian refuge areas, landscape plantings and elements including irrigation, sidewalk replacement and widening, street and pedestrian area lighting, pedestrian crossing enhancements, traffic signal modifications, and construction of a bus pullout area. Rectangular Rapid Flash Beacons will be installed at crosswalks that are not signalized. Traffic signals will be equipped with modern GPS preemption systems to anticipate the movements of emergency vehicles through signalized intersections. They will also recognize Transit buses to prioritize service.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

Staff has also worked to dovetail a street resurfacing project with the planned pedestrian safety improvements. Once pedestrian improvements have been completed, all asphalt surfaces will be milled and resurfaced, and receive new thermoplastic markings. Staff has secured 50% funding from ODOT for this Urban Paving project in conjunction with Miami.

Plans and Specifications, approved by both Miami University and the City, were advertised for bids in the Journal News as well as several plan Clearinghouses on Oct. 30 and Nov. 6, 2020. Bids were opened and publically read on December 4, 2020 with the following results from four bidders:

Urban Paving – BUT-27-15.25 FY2020

Pedestrian Safety Improvements – BUT-27-15.70 (Re-bid II)

	<u>Sunesis Const.</u>	<u>Prus Const.</u>	<u>Ford Dev.</u>	<u>Barrett Paving</u>
ODOT Urban Paving	454,759.30	474,549.57	487,852.60	535,690.21
E. High St.	2,439,917.41	2,540,644.43	2,774,514.46	3,035,546.98
S. Patterson Ave.	437,657.03	412,985.36	528,316.45	497,285.47
Total	3,332,333.74	3,428,179.36	3,790,683.51	4,068,522.66
Spread - High / Low	19.22%			
Spread - First / Second	2.88%			

The low bidder for the three aspects of this project is **Sunesis Construction Co** with a total bid of \$3,332,333.74. The City has worked with Sunesis on multiple projects in the past and have been very satisfied with their work. Sunesis most recently completed Phase II construction of the OATS recreation trail connecting DeWitt Cabin & SR73 with US27 at Pepper Park.

Recap of Grant funding for this project:

ODOT will be paying ~ \$250,000 for the City's portion of the paving project.

ODOT will be paying \$1,000,000 for pedestrian safety improvements.

Miami will be paying for all other project costs except for the City's share of Urban Paving.

With City Council approval, this project will be constructed during the summer of 2021. It is Staff's recommendation that the City Council authorize the City Manager to enter into an Agreement with Sunesis Construction Co. for road improvements to US27 at a cost of \$3,332,333.74. Staff is also requesting a 10% contingency in the amount of \$333,233.00, therefore the total amount not to exceed for this contract shall be **\$3,665,566.74**.

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUNESIS CONSTRUCTION CO. FOR ROAD IMPROVEMENTS TO US27 AT A COST OF \$3,332,333.74 PLUS A CONTINGENCY IN THE AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE OR \$333,233.00 FOR A TOTAL COST NOT TO EXCEED \$3,665,566.74.

WHEREAS, in 2017, Miami University conducted a comprehensive Traffic Engineering and Campus Circulation Study to identify traffic and circulation issues in the Oxford campus area. Two subject areas of great concern include E. High Street and Patterson Avenue (US27); and

WHEREAS, Miami University retained two firms to design improvements for these targeted areas and staff worked to dovetail a street resurfacing project with the planned pedestrian safety improvements; and

WHEREAS, plans and specifications, approved by Miami University and the City of Oxford were advertised for bids in the *Journal News* and with several plan clearing houses on October 30, 2020 and on November 6, 2020; and

WHEREAS, four bids were opened and publically read on December 4, 2020 with Sunesis Construction Co. providing the lowest and best bid in the amount of \$3,332,333.74; and

WHEREAS, the City Manager and the Service Director recommend Council accept the bid of Sunesis Construction Co. for road improvements to US27 at a cost of \$3,332,333.74 plus a contingency in the amount of ten percent (10%) of the contract price or \$333,233.00 for a total cost not to exceed \$3,665,566.74.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Service Director and accepts the bid of Sunesis Construction Co. for road improvements to US27 at a cost of \$3,332,333.74 plus a contingency in the amount of ten percent (10%) of the contract price or \$333,233.00 for a total cost not to exceed \$3,665,566.74.

SECTION 2: Council further authorizes the City Manager to enter into a contract with Sunesis Construction Co. for road improvements to US27 at a cost of \$3,332,333.74 plus a contingency in the amount of ten percent (10%) of the contract price or \$333,233.00 for a total cost not to exceed \$3,665,566.74.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



INVOICE

Customer ID: 00016
Invoice Number: 0000001911
Service Date: 01/04/2021
Invoice Date: 01/07/2021
Due Date: 01/14/2021
PO Number:

Property Address:

Bill To:

Miami University
Physical Facilities Department
Oxford, OH 45056

Pay To:

CITY OF OXFORD
FINANCE DEPARTMENT
15 SOUTH COLLEGE AVENUE
OXFORD, OH 45056
(513) 524-5221

Code	Description	Quantity	Unit Price	Amount
Misc R	High St. Safety Imp.	1.00	2,079,004.65	2,079,004.65

Amount due for funding of Part 2: BUT-27-15.70 Pedestrian Safety
Improvements (See the attache memo).
REVISED

Total Invoice: 2,079,004.65
Credits Applied: 0.00
Payments Applied: 0.00
Last Payment Date:
Total Due: 2,079,004.65

Please detach bottom portion and return with your payment.



CITY OF OXFORD
FINANCE DEPARTMENT
15 SOUTH COLLEGE AVENUE
OXFORD, OH 45056

Miami University
Physical Facilities Department
Oxford, OH 45056

INVOICE

Customer ID: 00016
Invoice Number: 0000001911
Service Date: 01/04/2021
Invoice Date: 01/07/2021
Due Date: 01/14/2021
Property Address:



Memo
Service Department
Engineering Division
513/524-5208

TO: John Porchowsky
Miami University Project Manager

FROM: Scott Otto, P.E.
City Engineer

RE: High Street Safety Improvements
Funds for Project Award

DATE: January 5, 2021

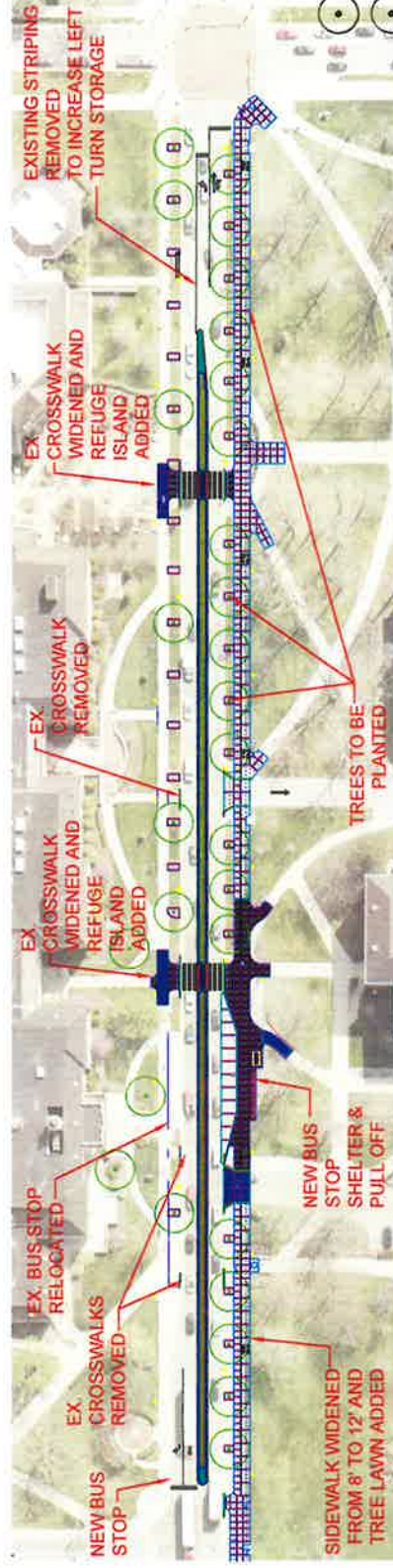
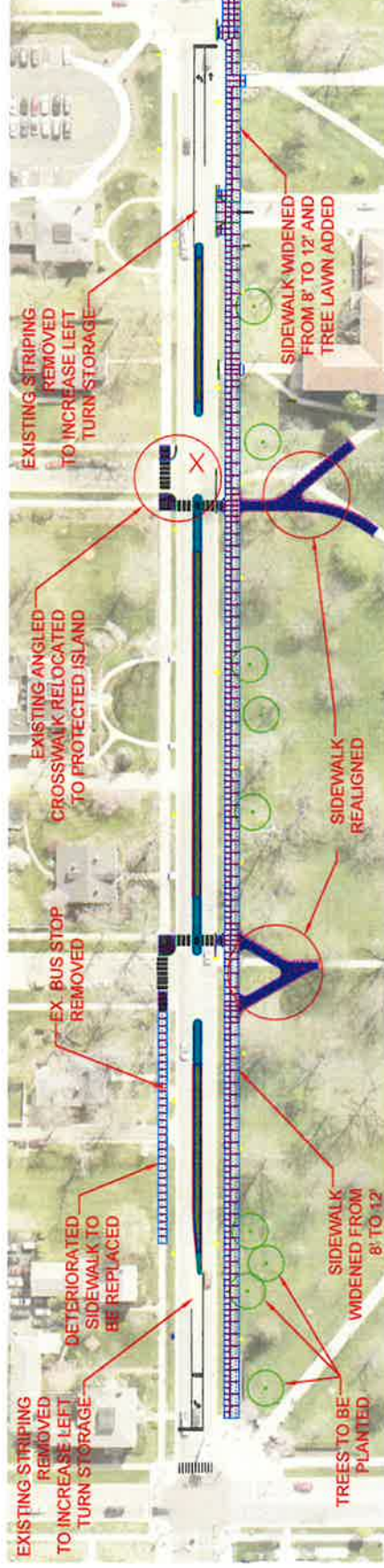
The following total amount is due for funding of Part 2: BUT-27-15.70 Pedestrian Safety Improvements:

Base Bid:	\$2,439,917.41
Alternate A	
(S. Patterson Ave.):	\$437,657.03
Contingency (7%)	<u>\$201,430.21</u>
Part 2 Total:	\$3,079,004.65
ODOT Share:	(\$1,000,000.00)

TOTAL AMOUNT DUE: \$2,079,004.65



HIGH STREET PEDESTRIAN SAFETY IMPROVEMENTS AREA MAP

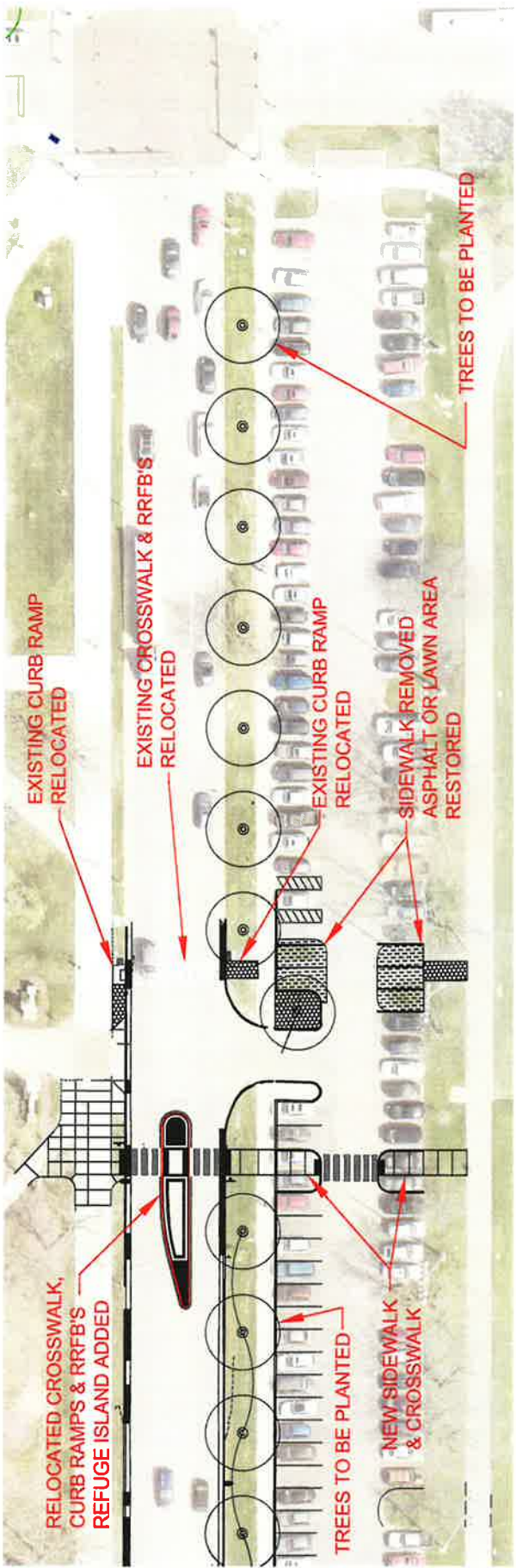


ADDITIONAL IMPROVEMENTS:

- GPS BASED EMERGENCY VEHICLE PREEMPTION AT 5 INTERSECTIONS (HIGH & CAMPUS, HIGH & TALLAWANDA, HIGH & PATTERSON, PATTERSON & SR 73, PATTERSON & SPRING)
- ALL CITY OF OXFORD POLICE & FIRE, & MIAMI U. POLICE VEHICLES TO BE PROVIDED EMERGENCY PREEMPTION CAPABILITY.
- TRANSIT SIGNAL PRIORITY PREEMPTION SYSTEM FOR RELOCATED BUS STOP AT HIGH & TALLAWANDA INTERSECTION
- NEW LED STREET AND PEDESTRIAN WALKWAY LIGHTING



S. PATTERSON AVE. PEDESTRIAN SAFETY IMPROVEMENTS AREA MAP



ADDITIONAL IMPROVEMENTS:

- GPS BASED EMERGENCY VEHICLE PREEMPTION AT 5 INTERSECTIONS (HIGH & CAMPUS, HIGH & TALLAWANDA, HIGH & PATTERSON, PATTERSON & SR 73, PATTERSON & SPRING)
- ALL CITY OF OXFORD POLICE & FIRE, & MIAMI U. POLICE VEHICLES TO BE PROVIDED EMERGENCY PREEMPTION CAPABILITY.
- TRANSIT SIGNAL PRIORITY PREEMPTION SYSTEM FOR RELOCATED BUS STOP AT HIGH & TALLAWANDA INTERSECTION
- NEW LED STREET AND PEDESTRIAN WALKWAY LIGHTING



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Seth Copenbaker
DATE PREPARED:	January 12, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	Resolution authorizing the extension of the E-Scooter Sharing Program
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 1-15-21</i>

DISCUSSION:

The City of Oxford began an E-Scooter sharing system in 2018. This program has operated via extension of a Pilot Program, requiring the annual passage of a Council Resolution and issuing annual permits to third-party vendors. This program was extended in September of 2019 and renamed the "Micro-Mobility Shared Transportation Program", to better encompass all available options and technologies (E-scooters, E-Bikes, multiple vendors, etc.).

Under this program's permits, vendors are required to adhere to strict guidelines regarding; daily vehicle operation, parking, safety standards, vehicle cleaning and maintenance, data sharing, etc. Our current agreement with Neutron Holdings Inc. (DBA Lime) expired 12/23/2020. At this time Council action is required in order for the City Manager to enter into any new agreements to proceed with an E-Vehicle sharing program.

The outcomes of the current program have exceeded the expectations of our third-party vendors as well as provided a valuable service to our City's residents.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

At this time staff recommends:

1. Council approve the extenuation of the Pilot Program for an additional one-year period, expiring January 16, 2022.
2. City staff draft language for an Ordinance to present to Council at a future meeting to be codified. The goals of this Ordinance would be to:
 - a. Put in place a permanent Micro-Mobility Shared Transportation Program
 - b. Allow staff to negotiate multi-year agreements with vendors to supply various types of E-Vehicles for this program.

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF OXFORD, OHIO, AUTHORIZING THE CITY MANAGER TO EXTEND THE PILOT PROGRAM FOR THE MICRO-MOBILITY SHARED TRANSPORTATION PROGRAM.

WHEREAS, the City of Oxford implemented a pilot program in 2018 to permit the operation of bicycle and e-scooter sharing systems for use by Oxford residents, workers, and visitors; and

WHEREAS, two e-scooter sharing systems have previously obtained permits for operations within the City of Oxford; and

WHEREAS, the City's e-scooter Pilot Program is very popular with Miami University students; and

WHEREAS, the City's Pilot Program was titled "Interim Bicycle and E-scooter Sharing System Permit Program and is now being referred to as the "Micro-Mobility Shared Transportation Program".

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOVES THAT

SECTION 1: The City Manager is hereby authorized to extend the pilot program with amendments to the regulations governing the operation of bicycle and e-scooter sharing systems within the City of Oxford. Such regulations have and shall address, at a minimum, the following topics:

1. Safety;
2. Fleet deployment;
3. Permitted areas for parking;
4. Additional measures to ensure efficient and effective deployment of bicycle and e-scooter sharing systems in the City.

SECTION 2: The pilot program extension authorized by this resolution shall terminate upon the earlier of January 16, 2022 or the adoption of an ordinance regulating bicycle and e-scooter sharing systems by the Oxford City Council.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: MICHAEL SMITH
PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	December 16, 2020
COUNCIL MEETING DATE:	January 5, 2021
AGENDA TITLE:	Ordinances Accepting Utility Easements from Veer Investment, LLC and Hotel Development Services, LLC
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 12-31-20</i>

Discussion:

In the area of Southpointe Boulevard and Millville Oxford Road (US27), Hotel Development Services has transferred ownership of the corner lot (see Exhibit "A") to Veer Investment, LLC for the construction of a fueling station and convenience store. In order to construct the sanitary sewer to serve this lot (#3991), three easements are required for the construction and maintenance of a new sanitary sewer system to serve this property.

Easement #1 will be granted by **Veer Investment, LLC** to the City of Oxford for a 20' wide utility easement as shown on Exhibit "A".

Easements #2 and #3 will be granted by **Hotel Development Services, LLC** to the City of Oxford for two 20' utility easements as shown on Exhibit "A".

Once the sanitary sewer is constructed by the developers, it will become part of the utility system; these easements will give the City access to the system should future maintenance or repair become necessary.

Staff recommends the City Council authorize the City Manager to sign the Easement Agreements and take all steps necessary to have such recorded with the Butler County Recorder.



ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT BETWEEN THE CITY OF OXFORD AND HOTEL DEVELOPMENT SERVICES, LLC FOR A PERMANENT EASEMENT OVER PORTIONS OF REAL PROPERTY AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND LABELED EASEMENT #2 TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF A NEW SANITARY SEWER SYSTEM TO SERVE SAID PROPERTY.

WHEREAS, Hotel Development Services, LLC has transferred ownership of the corner lot in the area of Southpointe Boulevard and Millville Oxford Road (US27) to Veer Investment, LLC for the construction of a fueling station and a convenience store; and

WHEREAS, three easements are required for the construction and maintenance of a new sanitary sewer system to serve said property; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to enter into an easement agreement between the City of Oxford and Hotel Development Services, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" and labeled Easement #2 attached hereto to allow the construction and maintenance of a new sanitary sewer system to serve said property.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Service Director and further authorizes the City Manager to enter into an easement agreement between the City of Oxford and Hotel Development Services, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" attached hereto and labeled Easement #2 to allow the construction and maintenance of a new sanitary sewer system to serve said property.

SECTION 2: Council further directs the Clerk of Oxford City Council to cause the same to be recorded with the Butler County, Ohio Recorder's Office.

SECTION 3: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

EASEMENT AGREEMENT

In consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, Hotel Development Services, L.L.C., an Ohio limited liability company, with a mailing address of 125 West Spring St., Oxford, OH 45056 ("Grantor"), hereby grants to City of Oxford, Ohio, an Ohio municipal corporation, with a mailing address of 15 South College Ave., Oxford, OH 45056, and its successors and assigns (collectively, "Grantee"), a perpetual, nonexclusive easement (the "Easement") in, upon, over, along, under, through and across the following described real estate (the "Easement Area"):

See Exhibit A attached hereto and made a part hereof,

to construct, reconstruct, operate, patrol, maintain, repair, replace, add to, modify and remove underground: (a) electric, gas, sanitary sewer, storm sewer, water and other utility lines; and (b) appurtenances for those lines for the underground transmission and distribution of utility services, including, but not limited to, all necessary and convenient supporting structures, grounding systems and all other appurtenances, fixtures and equipment. The items described in clauses (a) and (b) in the preceding sentence are collectively hereinafter referred to as the "Facilities". The Easement Area is located on the following property ("Grantor's Property") owned by Grantor:

See Exhibit B attached hereto and made a part hereof.

This Easement Agreement ("Agreement") shall be subject to the following terms and conditions which shall be binding on Grantor and Grantee, as applicable:

1. Grantee shall have the right of ingress and egress over the Easement Area and a temporary construction easement ("the Temporary Construction Easement") over the area of Grantor's Property, not to exceed ten (10) feet in width, on the side of the Easement Area located on the Grantor's Property (the "Temporary Construction Easement Area"). Grantee shall have the right to use the Temporary Construction Easement Area solely for purposes of constructing the Facilities and to perform subsequent repair, maintenance, replacement and modification activities thereon.

2. The use of the Easement Area and the Temporary Construction Easement Area by Grantee, its employees, agents and contractors shall at all times comply with this Agreement and all applicable law, rules and regulations.

3. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation located in the Temporary Construction Easement Area, but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities. All trimming activities shall be performed at the sole cost and expense of Grantee.

4. During those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, modifying, or removing the Facilities, Grantee shall have the right to temporarily: (a) pile dirt and other material on the Easement Area and the Temporary Construction Easement Area; and (b) operate equipment on the Easement Area or the Temporary Construction Easement Area.

5. Excluding the removal of vegetation and the like provided for in this Agreement, any damage caused by Grantee, its employees, agents and contractors to Grantor's Property shall be promptly repaired or restored, at no cost or expense of Grantor, to a condition which is reasonably close to the condition it was in prior to the damage.

6. Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area in any manner which is consistent with the rights granted herein to Grantee. Grantor shall not, without the prior written consent of Grantee, construct or install, or permit the construction or installation of any above-ground structure upon the Easement Area. Notwithstanding anything to the contrary contained in this Agreement, Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area for ingress and egress purposes and for the construction of ingress and egress improvements [not to exceed three (3) feet in height] thereon.

7. The rights and duties of Grantor and Grantee set forth in this Agreement shall inure to the benefit of and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees or tenants of Grantor and Grantee. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, Grantor and Grantee have signed this Easement Agreement as of the ____ day of _____, 2020.

Hotel Development Services, L.L.C.

By: _____

City of Oxford, Ohio

Approved as to Form:

City Law Director

By: _____
Douglas R. Elliott, Jr., City Manager

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, the authorized Member of and on behalf of Hotel Development Services, L.L.C., an Ohio limited liability company.

Notary Public

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Douglas R. Elliott, Jr., the City Manager of the City of Oxford, an Ohio municipal corporation, on behalf of the municipal corporation.

Notary Public

MILLIKIN & FITTON LAW FIRM
A Legal Professional Association
Hamilton, Ohio

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EXHIBIT A

Date: November 11, 2020
Description: Twenty Foot (20.00') Sanitary Sewer
Easement #3
Hotel Development Services, LLC
Location: Oxford Township
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of The Miami River, Section 35, Town 5, Range 1, Oxford Township, Butler County and being a Twenty Foot (20.00') Sanitary Sewer Easement in part of the lands of Hotel Development Services, LLC, (Parcel II) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office and being further described as follows;

Commencing at the southwest corner of Lot #3709 (Open Space) of Southpointe Crossings, Section One as recorded in Plat Envelope 4020, Pages A-B of the Butler County, Ohio Recorder's Office and being on the northwest corner of Lot #3991 as recorded in Official Record 9542, Page 567 of the Butler County, Ohio Recorder's Office and being on the easterly boundary of the lands of Hotel Development Services, LLC (Parcel I) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office; thence, leaving the southwest corner of Lot #3709 (Open Space) and with westerly boundary of said Lot #3709 (Open Space) and with the easterly boundary of said lands of Hotel Development Services, LLC, (Parcel I), North 01° 44' 12" East, 107.07 feet to the southeast corner of said lands of Hotel Development Services, LLC (Parcel II) and being on the northeast corner of said lands of Hotel Development Services, LLC (Parcel I) and being the **True Point of Beginning**;

thence, leaving the westerly boundary of said Lot #3709 (Open Space) and with the northerly boundary of said lands of Hotel Development Services, LLC (Parcel I), South 68° 53' 42" West, 21.70 feet;

thence, leaving the northerly boundary of said lands of Hotel Development Services, LLC (Parcel I) and through said lands of Hotel Development Services, LLC (Parcel II) for the following two courses:

- 1) North 01° 44' 12" East, 25.41 feet;
- 2) South 88° 15' 48" East, 20.00 feet to the westerly boundary of said Lot #3709 (Open Space);

thence, with the westerly boundary of said Lot #3709 (Open Space), South 01° 44' 12" West, 16.99 feet to the **True Point of Beginning**.

The above description was prepared from an exhibit by Bayer Becker, Brian R. Johnson, Professional Land Surveyor #8484 in the State of Ohio, November 11, 2020.

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

EXHIBIT B

Situated in Section 35 Town 5 North, Range 1 East in the Township of Oxford, County of Butler, and State of Ohio, and bounded as follows

Beginning at the northeast corner of Lot Number Two (2), Section 35, thence south along said east line 775 feet to the southeast corner of Parcel I, and from the point so found, south along said east line 148 feet to the north line of School District No. 8, thence southwestwardly along the north line of said school lot 187 feet to the center of Colerain Pike, thence northwestwardly along the center of the pike 158 feet to a corner, thence northeastwardly 289 feet to the east line of Lot No. 2 to the place of beginning, containing 750 acre, more or less

Together with an easement for a water line as set forth in Volume 564, Page 291 of the Deed Records of Butler County, Ohio

Subject to easements, conditions and restrictions of record and to all legal highways

SAVE AND EXCEPTING THEREFROM the following described property conveyed to the City of Oxford by Warranty Deed recorded in Volume 8606, Page 1715 of the Butler County, Ohio Official Records

Situated in the State of Ohio County of Butler, Township of Oxford, Section 35, Township 5, Range 2, being part of a 0.750 acre tract conveyed to Springpeeper Hill Properties, LLC, an Ohio Limited Liability Company as recorded in Deed Book 7853, Page 2336 and Deed Book 7853, Page 2338, in the Butler County Recorder's Office, and being more particularly described as follows

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10 92 and being located within the following described points in the boundary thereof

Commencing for reference at a point at the northeast corner of said Section 35, said point be witnessed by an iron pin (found) that bears South 86 deg 05'04" East 59.89 feet, thence, with the east line of said Section 35, South 02 deg 15'21" West, for a distance of 868.61 feet to a point, said point being 219.53 feet right of centerline of survey station 210+83.39, thence, with the east line of said Section 35, South 01 deg 44'12" West, for a distance of 41.72 feet to a point, said point being 195.42 feet right of centerline of survey station 210+49.34, thence, with the east line of said Section 35, South 02 deg 04'18"

West, for a distance of 325 33 feet to a point, said point being 5 82 feet right of centerline of survey station 207+84 90, thence, North 33 deg 30'43" West, for a distance of 282 51 feet to a point at the grantor's southwest corner, said point being 6 14 feet right of centerline of survey station 210+67 43, and also being the TRUE POINT OF BEGINNING for the parcel herein described,

Thence, North 33 deg 31'19" West, along the grantor's west line, for a distance of 164 14 feet to a point at the grantor's northwest corner, said point being 6 25 feet right of centerline of survey station 212+31 57,

Thence, North 68 deg 53'42" East, along the grantor's north line, for a distance of 55 05 feet to an iron pin, said pin being 60 00 feet right of centerline of survey station 212+19 70,

Thence, South 33 deg 33'41" East, across the grantor's tract, for a distance of 157 42 feet to an iron pin on the grantor's south line, said pin being 60 00 feet right of centerline of survey station 210+62 28,

Thence South 61 deg 53'56" West, along the grantor's south line, for a distance of 54 11 feet to the TRUE POINT OF BEGINNING, containing 0 199 acres

It is understood that the parcel of land described contains 0 199 acres, more or less, including the present road occupies 0 089 acres, more or less, is located in Butler County Auditor's permanent parcel number H3610-038 000-006

All iron pins set are 5/8" x 30" rebar with an orange cap stamped 'LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC '

Description prepared from an actual field survey by Lockwood, Lanier, Mathias, & Noland, Inc under the supervision of Richard F Mathias, P S #7798, November, 2011

Bearings are based on the State Plane Coordinate System (Ohio South Zone NAD 83)

Volume 55, Page 185 of the Butler County Engineer's Record of Land Surveys

Parcel No H3610-038 000-006

The above two tracts being subject to a Temporary Easement granted to the City of Oxford as recorded in Volume 8606, Page 1722 of the Butler County, Ohio Official Records



By AMM at 9 37 am May 04 2017



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	David Treleaven, Environmental Specialist
DATE PREPARED:	January 7, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	January 6, 2021 Environmental Commission (Virtual) Meeting Summary
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 1/15/21</i> <i>(initials) 1/8/21</i>

This meeting was conducted virtually utilizing Zoom in accordance with Ohio House Bill 404 and the guidelines set forth by the Ohio Department of Health.

Environmental Commission members in attendance for the Wednesday, January 6, 2021 virtual meeting were: Chair, Mr. Jon Ralinovsky; Vice-Chair and City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Mr. Jason Bracken, Mr. Andor Kiss, and Mr. Steven Elliott. A quorum was present. Also present for the virtual meeting were City of Oxford residents Mr. Ross Olson and Mr. Scott O'Malley, and City of Hamilton resident, Mr. Alfred Hall.

Mr. Elliott moved for approval of the minutes from the December 2, 2020 Commission meeting; Mr. Kiss seconded. The minutes were unanimously approved as presented.

Discussion: Mr. Olson, Mr. O'Malley, and Mr. Hall requested that the Environmental Commission consider alternative uses of public land for community gardens, pollinator gardens, and/or natural habitats. Mr. Hall had previously been with the City of Hamilton's Urban Gardens, and is presently working with the City of Hamilton Department of Neighborhoods for such a development, adjacent to an existing community garden. The City of Hamilton (Hamilton) is requiring that the project is beneficial to the neighborhood, has low to no City-provided maintenance (Hamilton is to provide water only), and includes a natural habitat area for pollinators and other beneficial animals. Mr. Hall presented his

current, proposed development plan as an example. The plan included a budget, project work schedule, and a list of work force (volunteers), with their responsibilities. Mr. Hall has a budget estimate of approximately \$5,700 for 9,200 square feet of pollinator gardens and natural habitat areas. In Oxford, Merry Day Park was suggested as a potential location of an initial community/pollinator garden and natural habitat due to the perception of relatively low usage, accessibility with two parking lots, and the proximity of the Family Resource Center and Oxford Community Food Pantry/TOPSS. Mr. Hall stressed that from his experience community support is essential. Past experience indicates that some neighbors considered natural areas as appearing unkempt and neglected. Mr. Hall stated that a concerted effort of public outreach, awareness, education, and acceptance is necessary for a successful project. Mr. Hall also cautioned to start small, and upon success, then consider expansion. Mr. Kiss expressed concern of the potential loss of green space for neighborhood children. The initial area of the gardens and natural habitat at Merry Day Park was envisioned to be approximately 10,000 square feet, and the need to maintain recreational green space at the Merry Day Park was acknowledged. Mr. O'Malley provided images and details of existing community and pollinator parks and natural areas from Bloomington, Indiana to provide visual examples of what could be accomplished. Mr. Olson inquired if it would be appropriate to involve the City of Oxford's Recreation Board, and was encouraged to reach out to the Recreation Board and Oxford's Parks and Recreation Department. The Commission expressed support of the idea of an alternative use of some public lands as presented. The following Motion was moved by Mr. Ralinovsky, with Mr. Bracken as a second:

Motion:

The Environmental Commission respectfully recommends that the Oxford Recreation Board and City Council considers the alternative land use of a portion of Merry Day Park as community and pollinator gardens and natural habitats. The Commission further suggests that the Recreation Board and City Council allow time for presentations by Mr. Olson, Mr. O'Malley, and Mr. Hall (and potentially others) as part of their consideration.

The Motion was unanimously accepted.

Staff provided an update for the Miami University Institute for the Environment and Sustainability graduate student team undertaking a Professional Service Project (PSP) regarding Oxford's greenhouse gas (GHG) inventory. The students started their efforts on Monday, January 4, 2021. They have been in contact with ICLEI-Local Governments for Sustainability USA (ICLEI), and have gotten access to ICLEI's ClearPath GHG inventory software. ICLEI has offered to assist the PSP team with a ClearPath tutorial and additional



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assistance as the project progresses, if needed. Oxford's local government operations (LGO) questionnaire forms regarding energy use and emissions in 2019 were provided to the students, who are to review the last LGO GHG inventory PSP (utilizing 2018 numbers) to help determine how best to conduct the 2019 GHG inventory. A virtual meeting with the student team, Environmental Commission representatives, and Ms. Jessica Greene has been scheduled for Wednesday, January 20, 2021 at 2:00 p.m. At this meeting, the PSP team is to present a summary of the preliminary LGO inventory. Additionally, the PSP team is to have determined how they will proceed with the community-scale GHG inventory, particularly regarding the level of available details of energy usage and GHG emissions for the Oxford community, whether based upon regional, Butler County-wide, or (hopefully), specific to the community itself (or at least the 45056 zip code).

Mr. Jason Bracken has requested Ms. Patricia Platt prepare an outline of the Bee City USA (BCUSA) requirements. Ms. Platt, Mr. Bracken, and Mr. Kiss are working on a list of citizens and groups to contact to assist in meeting these requirements. Mr. Bracken indicated that he believes the community, pollinator gardens, and natural habitat idea discussed earlier in the meeting would greatly assist Oxford in satisfying the BCUSA annual requirements.

Ms. Raghu informed the Commission that the City of Silverton hosted a virtual public meeting regarding the residential solarization project on Monday, January 4, 2021. Ms. Raghu reported approximately 37 individuals were in attendance, with approximately seven from Oxford. During the meeting, PRO Lighting and Solar LLC (PRO Lighting) indicated that with a recent Duke Energy bill, they could estimate the savings per household. With 25 households, PRO Lighting anticipates the price for the acquisition and installation of solar components would be reduced by \$1,000 per household. PRO Lighting indicated that they would like to start these installations in March 2021.

Staff informed the Commission that Oxford's Tree City USA (TCUSA) re-certification application for 2020 had been approved by the Ohio Department of Natural Resources, and has been forwarded to the Arbor Day Foundation. Oxford was one of 46 communities in southwest Ohio to have been certified as a TCUSA for 2020. In 2019, Ohio had a total of 237 TCUSA communities, the largest number of any of state in the nation. This will be Oxford's 25th consecutive year of qualifying for the TCUSA designation. The annual awards ceremony (if held) is to be in the City of Montgomery, Ohio, in the greater-Cincinnati area.

Staff updated the Commission on the December monthly emission monitoring of the landfill's 23 passive gas vents. This monitoring event continued to obtain measurements from both the top and the side of the vents. Both locations were monitored in an effort to determine a correlating ratio between the two measured values. Continuing the previous



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observations, the carbon dioxide equivalent (CO₂e) emission values obtained from the side-mounted sample ports were greater than those from the top-of-casings; the side-mounted sample port allows the monitoring equipment's pressure transducer to experience a greater pressure difference. December's measurements from both the top-of-casing and the side-mounted ports were approximately one-half of their respected monthly averages to date. The monthly average CO₂e values for the top-of-casing measurements were 48.4 metric tonnes (MT); December's CO₂e value was 22.5 MT. The average monthly CO₂e value from the side-mounted ports was 194 MT; the December CO₂e value was 93.6 MT. Review of the emission information suggests that a decrease in the volume and velocity of the emissions are largely responsible for the observed decrease in CO₂e values.

Staff provided a summary of the on-going residential food scraps drop-off program. Since the program started in April 2019 and through the end of December (92 weeks), approximately 63,650 pounds (31.8 tons) of food scraps have been collected for composting. This is approximately 692 pounds per week on average, with the program's expense coming to \$0.33 per pound. During 2020, a total of approximately 40,100 pounds (20.1 tons) were collected, with a weekly average of approximately 770 pounds, and a program's expense of \$0.29 per pound. Pricing for 2021 received from the food courier providing the service (GoZERO Services) remained constant at \$228 per week.

Agenda discussion items for the February 2021 Commission meeting were discussed. Staff requested that the Earth Day and Arbor Day Proclamations be included in the February's meeting discussions.

Commissioners concluded discussions at 8:00 p.m. The next regularly scheduled monthly Commission meeting is to be a virtual meeting starting at 7:00 p.m. on February 3, 2021.



ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1147 ENTITLED CONDITIONAL USES AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1147 ENTITLED CONDITIONAL USES.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on December 8, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1147 entitled Conditional Uses, and adopting new Oxford Codified Ordinance Chapter 1147 entitled Conditional Uses.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby repeals Chapter 1149 entitled Conditional Uses and adopts new Chapter 1149 entitled Conditional Uses as follows:

CHAPTER 1147 Conditional Uses

1147.01 GENERAL.

- (a) Purpose.
Conditional Uses are land uses that are potentially appropriate in many zoning districts but that are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design.
- (b) Permit Requirement.
Each Conditional Use shall be approved according to the provisions of this chapter.
- (c) Effect of Conditional Use Permit.
A Conditional Use permit shall be valid only for the specific use and location approved.

1147.02 PROCEDURE.

- (a) Application.
An application for a Conditional Use Permit shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
 - (1) Contents of application for conditional use permit.
Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.
 - A. Application Fee.
 - B. Description of Use and Site.
A written, detailed description shall include the following information. A separate response is required for each subsection.
 - 1. The name, mailing address, and telephone number of the applicant and the property owner.
 - 2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
 - 3. A legal description of the site, including all separate lots.
 - 4. A description of the existing uses of the site.
 - 5. The zoning district in which the site is located.
 - 6. A description of the proposed use.

- a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.
 - b. The hours of operation.
7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
 - c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
 - d. How any potential negative effects on adjacent land will be mitigated.
8. A statement about why the location proposed is more appropriate for the use than other locations.
9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
11. A list of the names and mailing addresses of all land owners within 200 feet of the site.
12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.

C. Site Plan.

A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.

1. North arrow.
2. Scale.
3. Vicinity map.
4. All existing and proposed lot lines within the site.
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
6. Location, height, and use of all proposed and existing structures.
7. Location and design of all proposed vehicle management areas.
8. Location, size, and type of all proposed signs.
9. Location, height, and type of all proposed screening and landscaping.
10. Distances to residential zoning districts if within 1,000 feet.
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
12. Other information as required by the Planning Commission.

D. Landscape Plan.

The plan shall demonstrate compliance with the requirements of Chapter 1148.

- E. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.

F. Other.

Photographs of the existing use and its surroundings.

(b) Reapplication.

- (1) No application for a Conditional Use that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one year from the date denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this section. The Zoning Administrator may consider factors such as the nature or size of a proposal, changes in the development or traffic patterns of the area, or newly discovered evidence pertinent to a decision on a previous application.
- (2) An applicant may appeal the decision of the Zoning Administrator according to the Board of Zoning Appeals.

(c) Planning Commission Review.

The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible testimony presented during the public hearing.

If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of Proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General Decision Standards.

All Conditional Uses shall satisfy these General Decision Standards.

- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will

not inappropriately impact the movement of traffic on adjacent public streets.

- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. Proposed construction will not result in the complete elimination of existing mature trees on the site. Effort shall be made to direct disturbance and construction around or away from existing mature trees without completely taking away use of the site or connectivity to existing infrastructure.
- N. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

(d) Action by Planning Commission.

- (1) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.
- (2) The Planning Commission shall base its recommendation to Council upon how well the application satisfies the General Decision Standards and the Decision Standards for the proposed use. In its recommendation, Planning Commission may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code.

(e) Issuance and Revocation of Conditional Use Permit.

The Zoning Administrator shall issue a Conditional Use Permit after the Planning Commission recommends and Council approves an application. Construction permits shall not be issued unless the plans substantially conform to those approved by Council. Any changes to a Conditional Use that are not approved by the Zoning Administrator shall constitute a violation of the Zoning Code.

(1) Expiration and Reinstatement of Conditional Use Permit.

A Conditional Use Permit shall automatically expire if the Conditional Use ceases operation for more than one year. Expiration of a legal nonconforming Conditional Use is subject to the provisions of Chapter 1137- Nonconformities.

(2) Period of Validity.

- A. An approved Conditional Use must be substantially operational within 2 years of its approval. Applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval.
- B. If an approved Conditional Use fails to meet these deadlines, the applicant may request a time extension from the Planning Commission. No application materials are required, however, the Zoning Administrator may request information he or she deems necessary for the Planning Commission to make a decision. Planning Commission will consider the request at its next regularly scheduled meeting. Such request does not require a public hearing.
- C. If the scope of the approved Conditional Use has not changed and the proposed use still satisfies the decision standards, the Planning Commission shall grant a 6-month extension of time for compliance. No more than four such extensions may be granted.

(3) Revocation of Conditional Use Permit.

A Conditional Use Permit may be revoked by City Council upon an affirmative recommendation from the Planning Commission if the existing Conditional Use Permit fails to meet one of the following requirements:

- A. The conditions of approval are not met or maintained.
- B. The property ceases to be operated as an approved conditional use.
- C. The continuance of the conditional use would pose a substantial risk to the public health, safety and welfare.

(f) Changes to a Conditional Use.

- (1) Minor Changes to an approved Conditional Use.
An operator of an approved Conditional Use may submit a written request for approval of changes to the site or operating conditions of the use. The Zoning Administrator may administratively approve changes to a Conditional Use if such changes:
 - A. Do not change the use.
 - B. Are of a magnitude that will not substantially alter the appearance of the use from off of the site.
 - C. Will not substantially or detrimentally affect the provision of public services to the site or general vicinity.
 - D. Will not substantially or detrimentally increase potential demand on public or private utilities.
 - E. Are not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood.
 - F. Are not contrary to and in no way diminish the intent of the originally approved permit. Administrative approvals shall be clearly documented and made part of the original Conditional Use permit on file.
- (2) Major Changes to an Approved Conditional Use.
Any changes to an approved conditional use that do not meet the criteria of a minor change are considered a major change. A major change requires an entirely new Conditional Use application (including the fee), according to the provisions of this chapter.
- (3) Changes to a Conditional Use not procedurally approved.
An existing use that is listed in this code as a Conditional Use, that is in a zoning district where such use is permitted as a Conditional Use, that was never approved by a legislative, quasi-judicial, or administrative review, and that was legal at the time of its establishment is considered an approved Conditional Use and is subject to the provisions of this chapter. An existing use that is listed in this code as a Conditional Use and is in a zoning district where such use is not permitted is considered a legal nonconformity. Any proposed changes to such uses are subject to the provisions of Chapter 1137.

1147.03 USE SPECIFIC REGULATIONS AND POTENTIAL CONCERNS.

The uses listed in this section are Conditional Uses in at least 1 zoning district. Each use is listed with Potential Concerns and may be listed with specific regulations. The Potential Concerns are use-specific criteria that Planning Commission shall consider when it makes a recommendation to Council on an application for a Conditional Use. The Planning Commission may also consider additional use-specific concerns not listed here if it deems them appropriate. The Additional Regulations are more strict or additional dimensional regulations or operational conditions that apply to the use, regardless of whether it is permitted or conditional, and regardless of the zoning district in which it is located, and are enforced by the Zoning Administrator.

- (a) General.
Wherever no specific area, lot width, or setback requirements are specified in the provisions for specific Conditional Uses, then the dimensional regulations for the most restrictive permitted use in the applicable zoning district shall apply.
- (b) Uses.
 - (1) Agricultural Services.
 - A. Potential Concerns.
 1. Produce and meat storage areas.
 2. Noise, dust, and odor from operations.
 3. Truck routes from municipal boundary.
 4. Temporary sales.
 - B. Regulations.
 1. Farm product storage buildings shall be set back a minimum of 100 feet from a residential zoning district.
 2. No outdoor farm machinery repair unless entirely enclosed within

- a screening fence.
 - 3. Animal enclosures shall be set back a minimum of 200 feet from all lot lines.
 - (2) Airports and Landing Strips.
 - A. Potential Concerns.
 - 1. Aircraft noise.
 - 2. Dust from operations.
 - 3. Lighting.
 - 4. Proximity of powered aircraft on the ground to lot lines and adjacent uses.
 - B. Regulations.
 - 1. Compliance with FAA regulations.
 - 2. Runway locations will not require height restrictions on other properties less than would normally be required by dimensional regulations of the zoning district.
 - 3. Runways and taxiing areas shall be setback a minimum of 100 feet from a residential zoning district.
 - 4. Aircraft storage and service buildings shall be setback a minimum of 100 feet from a residential zoning district.
 - (3) Animal Hospitals, Veterinary Clinics, and Kennels.
 - A. Potential Concerns.
 - 1. Traffic generation from associated retail sales.
 - 2. Location of diagnosis and outdoor activity areas relative public streets and residential zoning district.
 - 3. Design of facilities that will help ensure humane conditions and treatment of animals.
 - 4. Animal noise and odor.
 - B. Regulations.
 - 1. Outdoor pens are not permitted.
 - 2. Outdoor activity shall be limited to diagnosis and temporary outdoor activity for boarded animals.
 - (4) Bed & Breakfast.
 - A. Potential Concerns.
 - 1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
 - 2. Condition, care, and occupancy of property during times when not occupied by guests.
 - 3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
 - 4. Proximity to Arterial/Collector roadway(s).
 - B. Regulations
 - 1. Compliance with Property Maintenance Code.
 - 2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
 - 3. Bed & Breakfasts are prohibited in Neighborhood Conservation Overlays.
 - 4. The Conditional Use Permit shall specify the maximum number of cumulative days the bed & breakfast may be booked throughout a calendar year period, as well as the maximum guest occupancy at any one time.
 - 5. All bed & breakfasts shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.
 - (5) Gas Station with Convenience Store.
 - A. Potential Concerns.
 - 1. Adequate design of vehicle management area.
 - 2. Location of fuel pumps and pump canopy.

- 3. Outdoor sales and storage.
- B. Regulations.
 - 1. All merchandise shall be located within a completely enclosed structure.
 - 2. Fuel pumps shall be set back a minimum of 30 feet from lot lines or 40 feet from a residential zoning district.
 - 3. Fuel pump canopies shall be set back a minimum of 20 feet from lot lines or 40 feet from a residential zoning district.

(6) Vehicle Service and Repair.

- A. Potential Concerns.
 - 1. Proper design of vehicle management area.
 - 2. Proximity of service areas to lot lines and adjacent uses.
 - 3. Outdoor sales and storage.
 - 4. Tow truck storage.
- B. Regulations.
 - 1. All disassembly, service, and assembly of vehicles shall be within a completely enclosed structure.
 - 2. All service equipment and supplies shall be within a completely enclosed structure.
 - 3. Vehicles being serviced or awaiting service shall not be stored in an unenclosed area for more than 7 days.
 - 4. Vehicle service bays shall be setback a minimum of 100 feet from a residential zoning district.

(7) Vehicle Washing Facility.

- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Enclosure of potential nuisances.
 - 3. Screening from adjacent uses residential.
 - 4. Lighting.
 - 5. Hours of operation.
- B. Regulations.
 - 1. Wash bays shall be setback a minimum of 100 feet from a residential zoning district.
 - 2. Outdoor equipment (such as vacuum stations) shall not be located in a yard adjacent to a residential zoning district.
 - 3. Queuing spaces shall not be located in a yard adjacent to a residential zoning district.

(8) Drive-Through Banking and Pharmacy Facilities.

- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Screening from adjacent uses.
- B. Regulations.
 - 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 - 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.

(9) Drive-Through Convenience and Beverage Facilities.

- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Proximity to churches, schools, other similar institutions.
 - 4. Location and adequacy of dumpsters.
- B. Regulations.
 - 1. Structure shall be set back a minimum of 50 feet from a residential zoning district.

2. Drive-through stations shall be completely enclosed.
 3. Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 4. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district.
- (10) Drive-Through Restaurant Facilities.
- A. Potential Concerns.
 1. Design of vehicle management area.
 2. Noise from operations (vehicle and loudspeaker).
 3. Signs and menu boards.
 4. Location and adequacy of dumpsters.
 - B. Regulations.
 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.
- (11) Bars and Taverns.
- A. Potential Concerns.
 1. Evening traffic.
 2. Noise from operations (music).
 3. Location and adequacy of dumpsters.
 - B. Regulations.
 1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district
 2. Structure shall be set back a minimum of 50 feet from a residential zoning district
- (12) Indoor Sports and Recreation Facilities such as Bowling Alleys, Skating Rinks, Tennis and Racquetball Courts, Soccer Fields, and Swimming Pools.
- A. Potential Concerns
 1. Traffic volume during group or league events.
 - B. Regulations.
 1. Entrance to structure shall not be located in a yard adjacent to a residential zoning district.
 2. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 3. Structure shall be set back a minimum of 30 feet from a residential zoning district.
- (13) Building Materials Sales Yards.
- A. Potential Concerns
 1. Noise, dust, vibration from operations.
 2. Height and visibility of merchandise storage structures.
 3. Commercial vehicle storage.
 4. Location of loading spaces and on-site management of delivery vehicles.
 5. Unenclosed storage and display.
 - B. Regulations.
 1. Traffic management areas shall not be located in a yard adjacent to a residential district.
 2. Commercial woodworking equipment and other similar machinery shall not be permanently affixed or operated within 50 feet of a residential zoning district, except within a completely enclosed structure.
- (14) Cemeteries.
- A. Potential Concerns

1. Location and size of structures including mausoleums, chapels, gatehouses, crematoriums, offices, and service and storage buildings.
 2. Appropriate screening, ornamental fencing, and landscaping to minimize potential nuisance.
 - B. Regulations.
 1. Driveways shall be set back a minimum of 10 feet from all lot lines.
 2. Grave markers, mausoleums, and other monuments shall be setback a minimum of 10 feet from all lot lines.
- (15) Churches, Libraries, Community and Recreation Centers.
 - A. Potential Concerns
 1. Adequate lot size to permit future expansion.
 2. Location and screening of outdoor recreation areas.
 3. Bus or van storage.
 4. Lighting.
 5. Parking and traffic impact.
 - B. Regulations.
 1. None.
- (16) Clinics.
 - A. Potential Concerns
 1. Extent of accessory services.
 2. Hours of operation.
 - B. Regulations.
 1. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may not be accessible directly from the exterior of the building and may operate only during the hours of operation for the clinic.
- (17) Golf and Country Clubs.
 - A. Potential Concerns.
 1. Proximity of fairways and greens to lot lines and adjacent structures.
 2. Trajectory of golf balls.
 3. Location of cart paths.
 4. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 5. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 1. Cart paths shall be a minimum of 10 feet from all lot lines.
 2. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (18) Service Organization Lodges.
 - A. Potential Concerns
 1. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 2. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 1. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (19) Fraternity and Sorority Houses.
 - A. Potential Concerns.
 1. Aesthetic Concerns:

- a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 - 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 - 3. Vehicle Management:
 - a. Site access.
 - b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 - 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 - 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.
 - B. Requirements:
 - 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 - 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 - 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 - 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 - 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 - 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
- (20) Family Community Residence, Group Community Residence, and Community Residence.
- A. Potential Concerns.
 - 1. Maximum occupancy and staffing.
 - 2. Appropriate indoor and outdoor recreation areas.
 - 3. Proximity to and number of similar uses in Oxford.
 - B. Regulations.
 - 1. Site shall be a minimum of 891 feet from any other Community Residence
- (21) Day Care Centers and Nursery Schools.
- A. Potential Concerns
 - 1. Location and adequacy of planned outdoor play area.
 - 2. Noise.
 - 3. Adequate drop-off facilities.
 - B. Regulations.

1. Use of outdoor play areas shall be limited to between the hours of 8:00 a.m. and 8:00 p.m. daylight hours.
- (22) Drive-In Theater.
- A. Potential Concerns
 1. Appropriate screening.
 2. Setback and visibility of screen from residential zoning district and public streets.
 3. Design of vehicle management area, especially street access.
 4. Noise from operations (vehicle).
 - B. Regulations.
 1. No outdoor loudspeaker is permitted.
- (23) Elderly Housing, Congregate Housing.
- A. Potential Concerns.
 1. Proximity to existing or possible area uses that are potentially dangerous to elderly or handicapped occupants.
 - B. Regulations.
 1. Maximum density of 1 dwelling unit per 3,000 square feet
- (24) Funeral Homes and Mortuaries.
- A. Potential Concerns.
 1. Design of vehicle management areas to ensure quick and efficient access to public streets during processions.
 2. Adequate cue space at drop-off areas to ensure that access to parking spaces is not impeded.
 - B. Regulations.
 1. All hearses, limousines, and other related business vehicles shall be stored within an enclosed building when not in use
 2. Parking areas are exempt from provisions of the Vehicle Management regulations that would prevent a vehicle management area that is designed to facilitate funeral processions.
- (25) Gaming Arcades.
- A. Potential Concerns.
 1. Proximity to schools, churches, and establishments serving alcohol.
 2. Proximity to residential zoning district.
 3. Adequate screening of parking and outdoor gathering areas.
- (26) Hospitals.
- A. Potential Concerns.
 1. Location of parking for employees.
 2. Parking for visitors.
 3. Design of drop-off area.
 4. Emergency vehicle access to the site and to the building.
 5. Adequate lot size and shape to handle current proposal and possible additions.
 6. Screening.
 7. Access to appropriate street.
 8. Helicopter landing facilities.
- (27) Motels.
- A. Potential Concerns.
 1. Proximity to residential.
 2. Screening from residential.
 3. Appropriate street access.
- (28) Nursing Homes, Convalescent Homes.
- A. Potential Concerns.
 1. Adequate lot size to provide for visitors and for outdoor activities.
 2. Access to an appropriate street.
 3. Adequate screening from residential.

- B. Regulations.
 - 1. Minimum 500 square feet per bed of on-site open space.
- (29) Riding Academies, Stables.
- A. Potential Concerns.
 - 1. Adequate lot size.
 - 2. Noise and dust from operations.
 - 3. Security fencing.
 - 4. Location of corrals and other animal areas.
 - 5. Adequate vehicle management area for transportation of animals.
 - 6. Hours of operation.
 - B. Regulations.
 - 1. Any area designed to accommodate animals used in the operations shall be set back a minimum of 50 feet from any lot line.
- (30) Schools.
- A. Potential Concerns.
 - 1. Adequate lot size to permit future expansion.
 - 2. Bus and van storage.
 - 3. Access to streets that can handle traffic generated by the use.
 - 4. Design of vehicle management area.
 - 5. Location of outdoor facilities such as ball fields and band practice areas.
 - 6. Proximity to incompatible uses (establishments serving alcohol).
 - B. Regulations.
 - 1. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 2. Structure shall be setback a minimum of 30 feet from a residential zoning district.
- (31) Temporary and/or Outdoor Sales of Plants and Garden Supplies.
- A. Potential Concerns.
 - 1. Signs.
 - 2. Sight distance at corner lots.
 - B. Regulations.
 - 1. Storage of goods shall not reduce the usable number of parking spaces by more than 10 percent of the required total.
 - 2. Goods shall not be stored in a driveway required to access required parking spaces.
- (32) Mini-Warehouse (Self-Storage Units):
- A. Potential Concerns
 - 1. Adequate lot size
 - 2. Design of vehicle management area
 - 3. Outdoor storage-inoperable vehicles and junk
 - 4. Hours of operation
 - 5. Proximity to residential zoning districts
 - 6. Flammable, combustible material stored on site
 - 7. Compatibility of the scale and character of the project with surrounding properties and existing uses
 - B. Regulations
 - 1. Site shall be at a minimum of two acres, and maximum of five acres in area
 - 2. Parking area shall not be located in yard adjacent to a residential zoning district
 - 3. Outdoor security lighting shall be designed to prevent spillover to adjoining properties
 - 4. Landscaping along the public street
 - 5. Any chain-link fence shall have limited visibility from the public street, unless approved by the Planning Commission.

6. Sufficient isle way width and on-site water supply (including fire hydrants locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes.
 7. Design of the building and site shall be consistent with the following criteria:
 - a. The rear of the principal building shall not face the public right-of-way
 - b. The front façade of the principal building shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum shall be used in finishing on the front façade of the building.
 - c. The building façade shall have different articulation in height and setbacks.
 - d. The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided in regular interval.
 - e. The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.
 - f. Outdoor storage shall have limited visibility from the public right-of-way.
 - g. There shall be no employee residing on site, unless specifically approved by the Planning Commission and the City Council.
 - C. Other
 1. Encourage the mini-warehouse as the second principal use in conjunction with or behind other principal uses.
- (33) Business Incubator:
- A. Potential Concerns
 1. Hours of operation
 2. Type of businesses generating noise, vibration, fumes and other obnoxious environmental concerns
 3. Outdoor operations
 - B. Regulations
 1. All activities/merchandise shall be located within a completely enclosed space.
 2. Sized adequately to provide all necessary business support
- (34) Off-site Parking and Shared-Use Parking
- A. Potential Concerns
 1. Adequate supply of spaces for all modes of transportation
 2. Distance from use
 3. Hours of operation/schedule conflict
 4. Valet service
 5. Proximity to mass transit
 6. Accommodation for special needs/accessibility
 7. Maintenance responsibility
 8. Future land use changes/parking demand
 - B. Regulations
 1. Recorded easement agreement
 2. Specific distance limit for off-site
 3. Performance review timeframe
 4. Requires evidence justifying sufficient parking
- (35) Parking Lot Alternate Design Plan
- A. Potential Concerns
 1. Safety of all modes of transportation
 2. Green space

3. Storm water quality/environmental
 4. Storm water quantity/run off rate
 - B. Regulations
 1. Any additional factors that affect the practical application of this section, such as notable topographic changes, watercourses, and bodies of water.
 2. Conditions of approval to protect the public health, safety, and general welfare.
 3. Modifications of this chapter to protect the health, safety and general welfare.
- (36) Off-Street Parking in UP and RO Districts
 In the UP and RO Districts, a Conditional Use permit is required for any new off-street parking areas, or expansions to existing parking areas greater than twenty five (25) percent as compared to the area existing on the effective date of this provision. A Conditional Use shall not be required for any new or expanded off-street parking provided to comply with minimum requirements for single-, two-, or three-family dwellings on individual lots.
- A. Potential Concerns
 1. Lack of necessity for additional parking
 2. Green space
 3. Increased traffic flow on residential streets
 4. Adverse effects on adjacent properties
 - B. Regulations
 1. The applicant is required to demonstrate that such a parking facility is necessary to the public convenience and is fulfilling a demand or need that cannot already be met by the existing off-street and on-street parking supply.
- (37) Floor Area Exceeding Maximum Allowable Square Footage
- A. Potential Concerns
 1. Adequate lot size
 2. Adequate design of vehicle management area
 3. Setback from residential zoning setback and public streets
 4. Buffering and screening
 5. The hours of operation
 - B. Regulations
 1. The building exterior shall be compatible with the characteristics of neighboring structures.
 2. Parking shall not be in the front yard
 3. Other vehicular related concerns, i.e. ingress and egress, etc....
- (38) Hours of Operation Beyond Normal
- A. Potential Concerns
 1. Noise generation impacting surrounding properties
 2. Potential exterior lighting, including signage, affecting adjoining properties
 3. Potential traffic during those additional hours
 - B. Regulations
 1. Noise level be kept below allowable level, unless approved by the City Council
 2. Solid screening to buffer noise and outdoor lighting
- (39) Residential Units on the First Floor or Basement
- A. Potential Concerns
 1. Reduce available non-residential site available for development
 2. Potential impact to other non-residential development
 - B. Regulations
 1. The exterior appearance shall be consistent with adjoining properties

- (40) Accessory Building to be used as a dwelling unit
- A. Potential Concerns
 - 1. Vehicle management
 - 2. Location of the accessory building
 - B. Regulations
 - 1. Relationship of its size, mass, height and square footage to the principal building
 - 2. Building style and material
 - 3. Building orientation consistent with the principal building.
- (41) Transient Guest Lodging as an Accessory Use (greater than 90 cumulative days booked per year)
- A. Potential Concerns.
 - 1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
 - 2. Condition, care, and occupancy of property during times when not occupied by guests.
 - 3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
 - B. Regulations.
 - 1. Compliance with Property Maintenance Code.
 - 2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
 - 3. Compliance with all other provisions applicable to Transient Guest Lodging.

SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	January 8, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	Motion by Environmental Commission to Request the City Council Consider Alternative Land Use at Merry Day Park
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	
CITY MANAGER/DEPT HEAD APPROVAL:	/-15-21 

Discussion:

At the January 6, 2021 meeting of the Environmental Commission, there was discussion of alternative uses of public lands for community gardens, pollinator gardens, and/or natural habitats. Merry Day Park was suggested as a potential location given its relative underutilization as a recreation area, its proximity to parking areas, and its proximity to the Family Resource Center / Community Food Pantry / TOPSS. Details are fully described in the Staff Report from the Jan 6, 2021 Environmental Commission meeting.

The following motion (moved by Jon Ralinovsky; second by Jason Bracken):

The Environmental Commission respectfully recommends that the Oxford Recreation Board and City Council consider the alternative land use of a portion of Merry Day Park as community and pollinator gardens and natural habitats. The Commission further suggests that the Recreation Board and City Council allow time for presentations by Mr. Olson, Mr. O'Malley, and Mr. Hall (and potentially others) as part of their consideration.

Staff Recommendation: The City Council may want to consider referring this item to the Parks & Recreation Dept. / Recreation Board for analysis and recommendation. Many areas of Merry Day Park do not have drainage conducive to gardening without significant investment. Also, as this land was donated to the City, research should be conducted as to any deed restrictions on the land. **Exhibit "A"** is attached showing acceptance of the land by Ordinance No. 2524 in July 1997 with land restrictions detailed in Sections 9-11 of the attached Agreement (thank you to the Clerk of Council for the research).

ORDINANCE NO. 2524

ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RAY DAY DBA MIAMI MOBILE HOME PARK AND D & B FAMILY LIMITED PARTNERSHIP DBA OXFORD MOBILE HOME PARK TO SUPERSEDE THE FEBRUARY 16, 1989, AGREEMENT BETWEEN THE CITY OF OXFORD AND THE OWNERS AND TO ACCEPT AS PART OF THAT AGREEMENT A 4.687 ACRE TRACT OF LAND FOR USE BY THE CITY FOR PUBLIC RECREATIONAL AND LEISURE ACTIVITIES.

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

SECTION 1: Council hereby authorizes the City Manager to enter into an Agreement with Ray Day dba Miami Mobile Home Park and D & B Family Limited Partnership dba Oxford Mobile Home Park to supersede the existing agreement between the City and these parties dated February 16, 1989.

SECTION 2: Council hereby accepts the 4.687 acre tract of land for use by the City for public recreational activities subject to the terms of the proposed Agreement attached hereto as Attachment "A".

SECTION 3: Council finds that it is in the City's interest to accept said property and that the property shall be used as a park for the citizens of Oxford.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: July 15, 1997

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: BETTY QUANTZ

PREPARED BY: LAW (STAFF)

AGREEMENT

This contract entered into this 20th day of August, 1997, by and between **RAY DAY dba MIAMI MOBILE HOME PARK**, 5201 College Corner Pike, Oxford, Ohio, and **D & B FAMILY LIMITED PARTNERSHIP dba OXFORD MOBILE HOME PARK**, c/o Hometown Rentals, Inc., 101 Merry Day Drive, Oxford, Ohio, hereinafter referred to as **Day**, and the **CITY OF OXFORD**, hereinafter referred to as **City**.

WHEREAS, Day is the owner and operator of two mobile home parks, within the City of Oxford, containing 270 mobile home sites equipped with utilities including city water, sewers and refuse, all installed and paid for by Day, according to the City's specifications and under their supervision;

WHEREAS, the water and sewer lines which service the 270 mobile home sites are currently owned and maintained by Day privately, and the water facilities are connected to and fed by a six inch water line connected to the city water line and sewer lines are connected to a city sewer main;

WHEREAS, Day has undertaken, and completed, the replacement and/or repair of water meters in the mobile home parks, pursuant to a list provided to him by the City, all at his expense;

WHEREAS, the parties agree that the current system of record keeping, maintenance, collection for meter usage, sign up and shut off of individual consumers of water, is inefficient, costly and a hinderance, on Day, the City and individual consumers, and;

WHEREAS, the individual consumers of water in the mobile home parks are treated differently, than other consumers of city utilities with the City of Oxford, and the parties hereto both desire to rectify this situation;

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, the parties, intending to be legally bound hereby, do covenant and agree as follows:

1. Day covenants and agrees to maintain and replace, as needed, all water and sewer lines, pipes, mains, service connections and appurtenances situated within the aforesaid private mobile home parks; said maintenance, replacement and repair shall be the sole obligation and expense of Day.



1700 ONE DAYTON CENTRE
ONE SOUTH MAIN STREET
DAYTON, OHIO 45402

2. The City covenants and agrees to read the individual meters within the mobile home parks not less often than is done for other residential water and sewer users within the City of Oxford and to maintain and/or replace said meters on the same basis as it does with other water and sewer users within the City of Oxford. The City covenants and agrees to bill and to receive the water, sewer and refuse charges for and from the individual mobile home park tenants. Individual bills shall be rendered based upon standard charges and rates for individually metered water and sewer services within the City of Oxford and subject to increase, from time to time, as may be provided for by City ordinance.
3. All water and sewer lines, pipes, mains, service connections and appurtenances except individual water meters within the mobile home parks, except those, if any, within officially accepted and recorded city easements or right-of-ways, are the sole property of, and the sole responsibility of, Day.
4.
 - a. City agrees to notify Day by phone and to confirm in writing, of any damages, repairs, or replacements needed, under this paragraph and Day shall proceed expeditiously to make the requested repair and/or replacement, at their expense. If Day does not make said repair and/or replacement, in a timely fashion, as determined by City, City may proceed to make said repair and/or replacement, and to utilize the funds deposit, as set forth below to pay for said repair and/or replacement.
 - b. Day shall deposit the total sum of Ten Thousand Dollars (\$10,000.00), [One Thousand Five Hundred Ninety-three Dollars (\$1,593.00) from D & B Family Limited Partnership dba Oxford Mobile Home Park and Eight Thousand Four Hundred Seven Dollars (\$8,407.00) from Ray Day dba Miami Mobile Home Park] in a special restricted account with the First National Bank of Southwestern Ohio. The City will have access to this account, to pay for the repair or replacement of any water lines, pipes, mains, service connections and appurtenances except individual water meters, within the mobile home parks, except those, if any, within officially accepted and recorded easements or right-of-ways.
 - c. Day shall not have access to the monies in this account, except earned interest, which shall be paid to Day.



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- d. If any monies are utilized by the City, from said restricted account, Ray Day or D & B Family Limited, a Partnership, shall replenish his or its portion of said account, in the amount, expended by City, within seven (7) days after City notifies the appropriate owner of the lot or lots where or to the City utilized funds as set forth in 4.b above, of the amount expended.
5. The termination of water turn-on and shut-off at individual mobile homes shall be the sole responsibility of the City. The parties mutually covenant and acknowledge that any termination and decision to terminate and/or resume water service to any individual mobile home park tenant shall be at the sole option of, and in the sole discretion of the City.
6. At such time as the City determines that water supply should be terminated or resumed to an individual mobile home, it shall either shut off or resume water supply under the same terms and conditions as it utilizes for all other residential water users in the City of Oxford.
7. City covenants and agrees to indemnify and hold Day harmless from any action, lawsuit, cause of action, claim or demand by any tenant or occupant of the mobile home park, or any other person or party arising out of the supply or interruption of water, sewer or refuse service, including but not limited to shutting off water service as a result of notice to do so from the City, for any other cause or reason other than those causes directly within the exclusive purview and control of Day.
8. Day covenants and agrees to indemnify and hold the City harmless from any action, lawsuit, cause of action, claim or demand by any party arising out of Day's obligations set forth in this Agreement.
9. Day agrees to convey to City, by warranty deed, a certain 4.687 acre tract of land for use by City for public recreational and leisure activities, subject to certain easements and/or right of ways, retained by Day. (A copy of the legal description of said tract is attached hereto and marked Exhibit A and the Plat Map of the property to be transferred attached hereto and marked Exhibit B, dated September 20, 1995, prepared by Brosey Surveying Co.)
10. City agrees to utilize said 4.687 acre tract for public recreational and leisure activities, and to control and regulate said use so as not to interfere with the quiet enjoyment of residents of the mobile home park. The use of the tract for recreational activities from sunrise to sunset will be deemed not to interfere with the quiet



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enjoyment of the residents of the mobile home park. The City further agrees to continue the use of the land as a park unless changed by subsequent ordinance.

11. City agrees to name said tract "Merry Day Park" and to post a sign to that effect at the entrance thereto.
12. Day agrees to maintain a local address and telephone number within the City of Oxford where notification required by this Agreement can be made.
13. This Agreement shall be binding on the parties, their successors, assigns and heirs, and any transfer of the subject property shall be subject to the restrictions provided in this Agreement.
14. The term of this Agreement shall be on the day of its execution by the parties and continue for a period of ten (10) years. The parties mutually covenant and agree that this Agreement is assignable to the purchasers, successors and assigns of the Oxford Mobile Home Park and/or the Miami Mobile Home Park. This Agreement shall supersede the agreement dated February 16, 1989, by and between the parties.

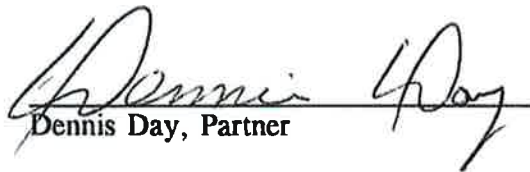
IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year first above written.

CITY OF OXFORD



Mark B. Roath, City Manager

D & B FAMILY LIMITED PARTNERSHIP
dba OXFORD MOBILE HOME PARK



Dennis Day, Partner



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ONE SOUTH MAIN STREET
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RAY DAY dba MIAMI MOBILE
HOME PARK


Ray Day



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DAYTON, OHIO 45402

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1141 ENTITLED ACCESSORY, TEMPORARY, SUPPLEMENTAL AND ENVIRONMENTAL REGULATIONS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1141 ENTITLED ACCESSORY, TEMPORARY, SUPPLEMENTAL AND ENVIRONMENTAL REGULATIONS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on December 8, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations, and adopting new Oxford Codified Ordinance Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby repeals Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations and adopts new Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations as follows:

CHAPTER 1141

Accessory, Temporary, Supplemental and Environmental Regulations

1141.01 ACCESSORY REGULATIONS.

This section shall apply to accessory uses and structures in all zoning districts, unless otherwise provided for in the development requirements of the district in which the property is located or the respective planned development text.

(a) Permitted Accessory Uses and Structures in Residential Districts.

The following provisions pertain to accessory uses and structures when located in Residential Districts. Unless otherwise stated in this Section or exempted below, detached accessory buildings and uses shall be located in the rear yard.

(1) Accessory Buildings

- A. No accessory building shall be used as a dwelling unit, sleeping quarters, or business, except as may be allowed in the R-3MS District.
- B. There shall be no more than two detached accessory buildings on a lot in a Residential Zoning District. Only one of these accessory buildings can be a garage.
- C. The total square foot area of all accessory building on a lot shall not exceed 1,000 or 50% of the footprint of the principal structure whichever is smaller.
- D. A detached accessory building shall be at least ten feet from any dwelling or other accessory building or structure situated on the same lot or abutting.
- E. A detached accessory building shall not exceed 20 feet in height or the height of the principal structure whichever is less.
- F. All parts of a detached accessory building shall be at least three feet from all lot lines.
- G. Accessory buildings are not permitted in front of the principal structure or within a front yard.
- H. On a corner lot all accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

(2) Swimming pools, hot tubs, and Private Residential Recreational Facilities.

A. Swimming Pools & Hot Tubs.

- 1. The pool and hot tub is to be used only by the occupants and guests of the principal use on the property.

2. The pool, including any ancillary sidewalk or decking surrounding said pool, shall be no closer to the side lot line than the side yard requirement for the district in which it is located; and may encroach into the rear yard setback but in no instance shall be closer than ten feet to the rear property line.
3. A swimming pool located closer than 50 feet to a property line shall be screened by an obscuring fence, wall, hedge, or building not less than six feet in height and maintained in good condition.
4. A pool is exempt from the lot coverage regulations, except that an above ground pool shall not exceed 50% of the rear yard area.
5. No private swimming pools, including inflatable pools, shall be located in the front yard.
6. A hot tub shall not be located in a front yard and shall set back from the side and rear property lines in accordance with the district requirements.

B. Private Residential Recreational Facilities. (i.e. tennis courts, baseball field, skate ramps, basketball court)

1. May only be used by the occupants and guests of the principal use on the property.
2. May be located only in the rear yard.
3. A fence is permitted in accordance to Sub-section (c)(4) below, except the fence shall be located no closer than five feet of any property line.
4. Such courts may be fenced with a chain link fence located around the perimeter of the court, except as regulated in the Mile Square, and any fence over six feet in height shall be planted with large shrubs in sufficient quantities to screen and filter the view.
5. A fence or wall shall not exceed eight feet in height.
6. No special lighting shall be erected for the recreational facility other than standard lighting typical for residential use.
7. A portable basketball hoop may be located off of a driveway in the front yard, but such hoops shall not be positioned in such a way that participants are playing in the public street.

(3) Porches, Stoops and Decks

- A. All porches, stoops and decks, inclusive of those attached to the principal structure or detached, shall meet the setback requirements for the district in which it is located except when affiliated with a pool as regulated in Section 1141.01(a)(2) above.
- B. Properties in the Mile Square are subject to the Mile Square Design Guidelines.

(4) Exemptions.

- A. The following items are permitted in the side or rear yards, and do not require a permit:
 1. Swings or play sets.
 2. Sandboxes.
 3. Gardens with garden type fencing.
 4. Clotheslines.
 5. Inflatable pools of less than 2 feet in depth.
 6. Trellises.
 7. Outdoor fire pits or chimneys.
 8. Wood piles.
- B. The following items are permitted in any yard, and do not require a permit:
 1. Birdbaths or Fountains.
 2. Flagpoles.
 3. Statues.

(b) Accessory Use Provisions in Business and Industrial Districts.

Permitted accessory uses in a Business or Industrial District include any use which is customarily found in conjunction with and required for the utilization and economic viability of the principal use, which meets the definition of accessory use as stated in this Ordinance, and which complies with the applicable standards of the district in which it is located.

(1) Accessory Buildings.

- A. The total square foot area of all accessory buildings on a lot shall not exceed 1,000 or 10% of the footprint of the principal structure whichever is greater.
- B. A detached accessory building shall be at least ten feet from any other building or structure situated on the same lot or abutting.
- C. A detached accessory building shall not exceed the height of the principal structure.
- D. All parts of a detached accessory building shall be at least 10 feet from all lot lines.
- E. Accessory buildings are not permitted in front of the principal structure or within a front yard.
- F. On a corner lot all accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

(2) Outdoor Vending Machines, Facilities for Recycled Goods or Materials, Display and Storage Areas, etc.

- A. As used in this subsection, the term "vending facilities" includes:
 - 1. Self-service mechanical dispensers such as but not limited to soft drink machines, candy machines, news racks, movie kiosks, mechanical rides; and
 - 2. Freestanding container racks from which customers pick up merchandise to be purchased inside the buildings such as, but not limited to ice coolers/freezers, propane tanks, mulch, and;
 - 3. Dumpster styled containers for recycling materials or clothing donations; but
 - 4. Excludes motor fuel pumps.
- B. These facilities may be permitted in all business and industrial districts.
- C. Such facilities shall not occupy the following unless designated on a site development plan.
 - 1. Private sidewalks that impede pedestrian traffic.
 - 2. The public right-of-way,
 - 3. Within an interior drive or drive isles,
 - 4. Landscape areas or required parking areas,
 - 5. Any area that will interfere with required driveway sight distance,
 - 6. The front yard setback or side yard setback adjacent to the public right-of-way, except when located against the building.

(c) Accessory Use Provisions for All Zoning Districts.

- (1) Handicap Ramps As regulated in the City of Oxford Buildings Codes.
- (2) Accessory building or use shall be erected on the same lot on which a principal structure already exists.
- (3) An accessory building or use which is attached to the main building shall comply with all the requirements of the zoning district regulations that are applicable to the principal building.
- (4) Fences, walls and hedges.

The intent of these provisions is to outline the regulations for accessory fences, walls and hedges. Such structures and plantings shall generally improve the aesthetic appearance of a site. Where buffer yard or other screening requirements pursuant to the provisions of this Ordinance differ from the provisions of this section, the more stringent requirements shall apply.

- A. Residential fences, walls, and hedges:

1. May not exceed four feet in height in front yards.
 2. Cannot exceed eight feet in height in side and rear yards.
 3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 4. Shall be located at least two (2) feet from the property side of any sidewalk present and shall not be located in the public right-of-way.
- B. Non-residential fences, walls, and hedges:
1. May not exceed six feet in height in the front yards or four feet in height in the Uptown "UP" Zoning District.
 2. May not exceed twelve feet in height in side and rear yards.
 3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 4. Must be located at least two (2) feet from the property side of any sidewalk present, except in the Uptown (UP) district.
 5. Shall not be located in the public right-of-way.
 6. If fencing or a gate blocks the access drive to the property, there shall be a sufficient queuing space provided.
- C. Barbed wire and electrified fences are not permitted.
- (5) Home Occupations.
- A home occupation does not require a zoning permit. If the Zoning Administrator determines that a business is operating in a residential or commercial district and that it does not meet the regulations of this section, the property owner of the property on which the business is operating shall be guilty of a violation of the Zoning Code. A home occupation shall:
- A. Have person(s) residing in the premises engaged in the business activity.
 - B. Be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure.
 - C. Occupy a maximum of 25 percent of the floor area of the residence and/or enclosed accessory structure, including all operations and storage.
 1. Attached garages as well as unfinished basements or attic areas shall not be counted towards the total floor area of the dwelling unit. In situations where there are two or more dwelling units attached, the calculation of the total floor area shall be limited to the area of the dwelling unit in which the operation will be located.
 2. Such accessory structure shall not be utilized for a home occupation if it is the required parking space for the principal use.
 - D. Home Occupations located in the R1A, R1B, RO and GB zoning districts are permitted to have two (2) non-resident employees, however no more than one non-resident employee is permitted on the premises at one time. One (1) non-resident employee is permitted in the R1MS, R2A, R2MS, R3, R4 and R3MS zoning districts.
 - E. Any nonconforming residential use in the GB zoning district that exceeds the requirements herein for a home occupation shall lose its nonconforming status.
 - F. Not change the outside appearance.
 - G. Have no deliveries or clients before 9 a.m. or after 9 p.m.
 - H. Have fewer than 10 business visitors per week.
 - I. Have no more than 1 business visitor at a time.
 - J. Have only 1 non-illuminated sign a maximum of two square feet, mounted flat against the wall of the principal building.
 - K. Not generate a greater volume of traffic or parking need than would normally be expected in a residential neighborhood.
 - L. Not generate noise, vibration, fumes, odors, electrical interference, or other offensive effects and noxious omissions generated by the home occupation detectable outside of the dwelling unit (or off of the lot at

single-family residences).

M. Prohibited Home Occupations.

1. Homes that serve as a gathering point for employees engaged in the business operation that takes place off the premises. This may include, but it is not limited to, landscape and/or lawn care business offices, construction offices, or a trucking business where drivers or employees gather at the home before being dispatched from the home for the purposes of the home occupation.
2. Operations that require fire safety inspections.
3. Operations involving biohazard materials or hazardous waste that poses substantial or potential threats to public health or the environment.
4. Operations that require the use of mechanical ventilation systems to exhaust the by-products of the home occupation; or
5. Operations that involve the use of controlled substances.
6. Any operation that is listed as a Conditional Use in Chapter 1147 of this Zoning Code.

(6) Transient Guest Lodging

- A. Transient Guest Lodging is allowed as an accessory use only in Single-, Two- and Three-Family Dwellings, including any that are condominiums. Transient Guest Lodging is prohibited for all other principal uses and building types, including Multi-Family Dwelling structures with four (4) units or more.
- B. The principal use to which the Transient Guest Lodging is associated must be one that is permitted by the underlying zoning district.
- C. For Two- and Three-Family Dwellings, only one (1) unit at a time within a building may be used for Transient Guest Lodging.
- D. There shall be no more than (1) Transient Guest Lodging Booking per dwelling unit at a time.
- E. Transient Guest Lodging is permitted by-right when the number of cumulative days booked per year does not exceed ninety (90) for the entire structure. A Conditional Use Permit is required in order to be allowed more than ninety (90) days.
- F. A Transient Guest Lodging use that cannot meet the standards provided above may seek approval of a Conditional Use Permit as a Bed & Breakfast in accordance with Chapter 1147.
- G. All dwellings being utilized for Transient Guest Lodging shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.

1141.02 TEMPORARY REGULATIONS.

(a) Purpose.

Temporary uses shall be permitted in applicable zone districts by the grant of a Zoning Permit issued by the Zoning Administrator in accordance with the requirements of this section. Failure to obtain a zoning permit shall be a violation of this Ordinance.

(b) General Provisions.

- (1) The duration of the temporary period is stated hereinafter, provided, however, renewal of such permit may be requested.
- (2) Temporary uses shall be subject to all site development regulations of the applicable zoning district.
- (3) No required off-street parking space(s) shall be occupied by the temporary use.

(c) Permitted Temporary Uses.

Permits shall be required, unless otherwise exempted, for the following temporary uses, provided that they meet these requirements:

- (1) Construction Facilities.

- A. Construction trailer, shed or staging yard area incidental to a construction project.
- B. The trailer, shed or staging yard area shall be located on the lot on which construction takes place unless otherwise approved by the City Manager.
- C. The trailer, shed or staging yard shall not be located within twenty-five (25) feet of any abutting residential or non-residential structure and shall meet the setbacks of the district in which it is located.
- D. A trailer shall be limited to one (1) in a residential district and two (2) in a non-residential district and only be used for a field office and for the temporary storage of building materials and equipment necessary for the construction site.
- E. A maximum of an eight foot high temporary fence is permitted around the boundaries of the construction site.
- F. Such fencing, trailer, shed or staging yard shall be removed within thirty (30) days once that construction ceases.
- G. On-site sanitary facility shall not be located within ten (10) feet of any property line or right-of-way line.

(2) Temporary Shelter.

- A. When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted.
- B. Such temporary housing shall only be approved as part of the permit application for reconstruction and shown on a sketch plan.
- C. Required water and sanitary facilities must be provided.
- D. Maximum length of permit shall be six months, but the zoning office may extend the permit for periods not to exceed 60 days in the event of circumstances beyond the control of the owner. Application for extension shall be made at least 15 days prior to the expiration of the original permit.
- E. The mobile home shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated residence even if the temporary use permit is still valid.

(3) Real Estate Sales Offices and/or Model Home Offices.

- A. A Final plat for such development has been approved by Council.
- B. Any such unit shall conform to all requirements for residential uses for the district in which it is located.
- C. Infrastructure improvements to the lot for which a permit is being requested must be completed to the Engineering Divisions satisfaction for utilities and road access.
- D. Offices shall be removed within one year of the completion of the most recent phase of the subdivision.

(4) Place of Worship or School Festivals.

- A. All temporary stands, tents or rides shall not be located within twenty-five (25) feet of any property line.
- B. Maximum length of permit shall be three days.
- C. Set-up for such festival shall not start more than 72 hours prior to the event and shall be completely removed within 48 hours after the event.

(5) Carnivals or Circuses.

- A. Permitted in the General Business or Light Industrial zoning district and any property owned by the City of Oxford, Talawanda School District, or Miami University.
- B. No structure or equipment shall be within 250 feet of any residential property line.
- C. Maximum length of permit shall be seven days.
- D. Site plan, parking plan and any other health, fire, state or federal approvals required at time of request.

- E. The person responsible for the operation of any such carnival or circus shall provide the City Manager in advance of the event date(s), any contact information in the event of an emergency and requests for any other special arrangements (i.e. road closures, police assistance or emergency personnel)
 - F. Upon completion of the temporary use, the site shall be cleaned, all evidence of the use(s) removed, and left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.
- (6) Auctions. (No permit required)
- A. Auctions for the sale of personal property or land may be conducted at any individual location no more than once per year.
 - B. Every precaution shall be taken to control parking and keep attendees on the property being auctioned.
 - C. Such auction held in a non-residential district must be related to the business conducted on the property or the contents of the premises.
 - D. An auction house as the principle use is exempt from these requirements, but subject to the requirements of the district in which it is located.
- (7) Garage Sales. (No permit required)
- A. Garage sales are permitted in residential districts in order to allow residents to sell excess personal property.
 - B. Each garage sale shall not exceed four days.
 - C. Only two garage sales shall be permitted per calendar year at any individual location.
 - D. No person conducting a garage sale under the provisions of this Article shall sell or offer for sale any food or beverage for consumption on the premises. Food or beverage may be provided for such consumption at no cost to the consumer, but only if a permit is obtained in advance from the Health Department.
 - E. No fee or other charge shall be imposed upon members of the public attending any such sale.
 - F. One non-illuminated sign not exceeding four square feet in size, no more than three feet in height above grade may be displayed on the property where the sale is being held.
 - G. Special lighting and noise making devices or other similar advertising displays or notices shall not be used to call attention to the garage sale.
- (8) Temporary Fences.
- A. Temporary fences are permitted in the side or rear yard, not to exceed 4 feet in height, for the purpose of a garden or animal containment only.
 - B. No permit shall be required.
- (9) Christmas Tree sales.
- A. Permitted in any Non-Residential district.
 - B. Maximum length of permit for display and open lots sales shall be 45 days.
- (10) Tents (Residential).
- A. Tents for graduations, weddings or other similar events are permitted for a period not to exceed three (3) days and no more than two (2) times a year.
 - B. No permit is required except for tents over 200 square feet.
 - C. Such tent shall be placed in such location that will not interfere with access drives into or within the property, or will reduce required parking spaces.
- (11) Tents Sales (Non-Residential).
- A. Tent Sales are only permitted in relation to the business conducted on the property.
 - B. Tents and all display items shall maintain a 30-foot setback from all adjacent thoroughfare rights-of-ways.
 - C. Such activities shall be placed in such location that will not interfere with access drives into or within the site, or reduce required parking spaces.

- D. Tents are permitted for a maximum 30-day period per calendar year. No permits are required except as required by the Ohio Basic Building Code.
- (12) Farmers' Markets (No permit required)
- A. Seasonal merchandise, such as, but not limited to, plants, garden supplies, produce, pumpkins, fruit, vegetables, honey, maple syrup, may be sold outdoors within the General Business, and Light Industrial District.
 - B. Such activities shall be placed in such location that will not interfere with access drives into or within the site, nor will reduce space for required off-street parking facilities.
 - C. Such facilities and all display items shall maintain five (5') foot setback from the sidewalk or ten (10') foot setback from the back of curb, whichever is greater, so as not to impede traffic or affect sight visibility in and out of a parking area.
 - D. Typically held between March and October with the exception of Christmas tree sales.
 - E. One (1), 6 sq. ft. sign per vendor may be displayed at their respective stand.
 - F. One (1) ten foot by ten foot (10' x 10') tent or awning is permitted per vendor.
 - G. All tables, chairs and merchandise shall be loadable into a standard vehicle and shall be removed by dusk.
 - H. The following are exempted from these regulations:
 - 1. The Uptown Farmers' Market authorized by City Council.
 - 2. Any Farmers' Market authorized by Talawanda School Board on school property.
 - 3. Any Farmers' Market on University property, authorized by the University.
- (13) Temporary Sales, Roadside Stands or Transient Vendors.
- A. Temporary or seasonal commercial activities, such as book sales/purchases, mattress sales, jewelry sales, art sales, craft, rug or food sales may be conducted outdoors only on private property in the General Business and Light Industrial Zoning Districts. Commercial activities in right of ways are prohibited in accordance with Section 735.01.
 - B. Such activities shall be placed in such location that will not interfere with access drives into or within the site, nor will reduce space for required off-street parking facilities.
 - C. Such facilities and all display items shall maintain the underlying zoning districts front yard setback from all adjacent thoroughfare rights-of-ways so as not to impede traffic or affect sight visibility in and out of a parking area.
 - D. A maximum of one (1) twenty foot by twenty (20' x 20') tent or awning is permitted per vendor.
 - E. All tables, chairs and merchandise shall be secured within the tent upon the close of the operation hours.
 - F. Merchandise is prohibited from being sold directly out of a semi-trailer, box truck, moving van or other vehicle.
 - G. One (1) sign per vendor, not to exceed 30 sq. ft., may be displayed at their respective stand and are subject to the Temporary Sign Regulations in Section 1151.06 and the Vehicle Management Section 1149.05(c)(3).
 - H. Permits will be issued for a maximum of 14-days per vendor and per property, per calendar year.
 - 1. Proof of approval from the land owner must accompany the application.
 - 2. Proof of current vendors license in accordance with Chapter 705 of the Oxford Codified Ordinance.
- (14) Vendors & Mobile Food Carts.
- A. Vendors & Mobile Food Carts are specifically prohibited in any

Residential district and the Uptown District unless approved by permit from the Office of the City Manager as part of a Charitable or Community event as defined in Section 735.01.

- B. Zoning Districts categorized as Residential are listed in Section 1133.
- C. Vendors & Mobile Food Carts are also subject to Sections 337.01, 351.17, Chapters 729 and 735 of the City of Oxford Codified Ordinances.

(15) Portable Storage Containers.

Containers designed for the temporary storage of property that can be moved by truck or trailer (including intermodal storage units).

- A. No zoning certificate is required if portable storage containers are to be placed on the premise no more than seven (7) days. The Zoning Administrator may permit any portable storage container to be placed on a property for up to thirty (30) days, provided the property owner has an active building permit or has demonstrated the need. An additional fourteen (14) day extension may be granted provided the property owner demonstrates extenuating circumstances.
- B. Any portable storage container must be located on a driveway or other hard surfaced area. Portable storage containers shall be a minimum of eight (8) feet from the back of the curb and shall not extend onto the sidewalk.
- C. Calamity Exception. If the portable storage container is being used to store personal property as a result of a major calamity (e.g. fire, flood or other event where there is significant property damage), the City Manager may extend the time period allowed in subsection A. above.

1141.03 SUPPLEMENTAL REGULATIONS.

In addition to all regulations specified for the Zoning Districts and in other sections of this Ordinance, the provisions of this Section inclusive shall be used for interpretation and clarification.

(a) Restriction on Principal Buildings.

In a Residential district, there shall be no more than one principal building or use on one lot, except through the Planned Development process. In order for a residential structure to be considered one principal building, each dwelling unit within the structure must have space fully enclosed from the weather (and which is customarily heated and cooled) sharing a common wall at least eight (8) feet in length with fully enclosed space of at least one other dwelling unit within the same structure. In Commercial or Industrial districts, more than one principal building is permitted provided all other site development regulations of the district are satisfied.

- (b) Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be located on a lot of record, and shall have its principal entrance upon a street bordering such lot. For the purpose of this provision an alley is not considered as a street, except for the lots that are considered alley lots with only alley access that may have its principal public entrance on either alley.

(c) Setback and Yard Requirements.

(1) Corner Lots.

- A. On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located. (See the definition of Yard- front.)
- B. On a corner lot, accessory buildings and uses may be located in the side yard with the most distance to the neighboring property or the side yard located at the rear of the house as illustrated in Figure 1. (Corner Lots)

(2) Double Frontage/ Through Lots.

- A. Buildings on lots having frontage on two streets (double frontage lots) need not have a rear yard setback; however, the required front yard shall be provided on both streets as illustrated in Figure 2.
- B. On a double frontage lot, accessory buildings may be located in the front

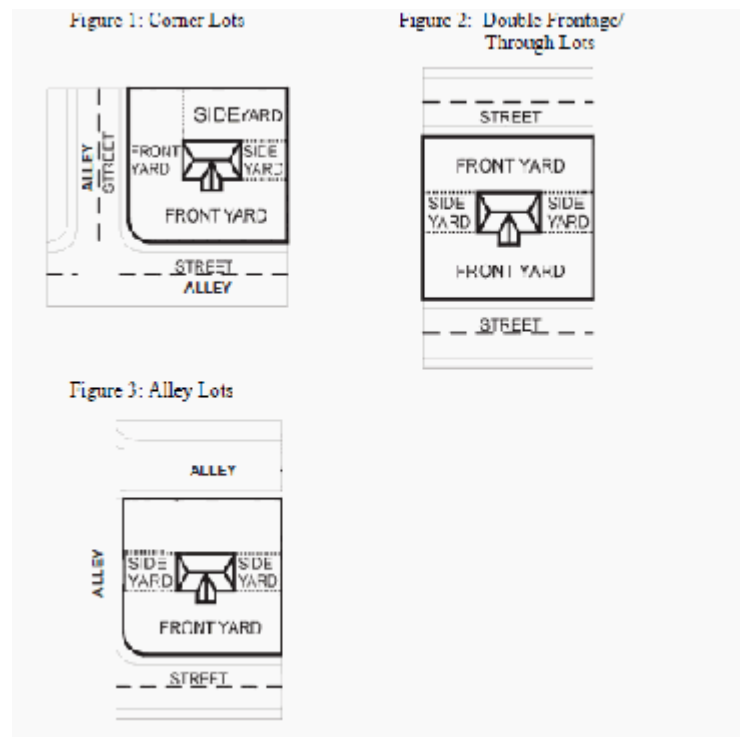
yard located to the rear of the house as illustrated in Figure 2.

(3) Front Yards.

- A. The width of a lot is measured at the setback line established under the zoning district or on a plat of record on file with the Butler County Recorder.
- B. An average front yard setback may be established when more than 50% of the lots have been developed within that block face. The average front yard setback required shall, in no circumstances, be less than 16.5 feet.
- C. Lots having frontage along a public street and one alley along the side of the property shall provide a side yard setback along the alley as illustrated in Figure 3.
- D. Lots having frontage along a public street and one alley at the rear of the property shall provide a rear yard setback along the alley as illustrated in Figure 3.
- E. Lots having frontage along a public street and two alleys' shall provide a side and rear yard setback along the alleys' as illustrated in Figure 3.
- F. The front yard setback shall be taken from the right-of-way line; for purposes of applying this provision, any area vacated by Ordinance No. 103 measuring 16.5 feet in width shall not be counted toward the right-of-way from which the measurement is taken.
- G. In any instance where the property line is in the center of the street and is not the same as the right-of-way line, the setback shall be taken from the right-of-way.

(4) Rear Yards.

- A. Rear yard depths may be varied where the rear wall of a building is not parallel with the rear lot line or is broken or otherwise irregular. In such cases, the average depth of the rear yard shall not be less than the required minimum or narrower than 20 feet.



(5) Mixed Use Buildings.

Where dwelling units are erected above commercial structures in commercial districts, no side yards are required, except such side yard as may be required in the district regulations for a commercial or industrial building on the side of a lot

adjoining a residential district.

(6) Projections into Required Yards.

- A. Every part of a required yard shall be open to the sky except for accessory buildings and ordinary projections of sills, belt courses, cornices, canopies, eaves, and architectural or ornamental features which may project a distance not to exceed two feet, six inches. (1.5' above)
- B. An open air ramp and necessary landing may project a distance not to exceed six feet.
- C. Bay windows, balconies, or chimneys may project into a yard a distance not to exceed three feet; provided however, that the aggregate width of such projection shall not exceed one-third of the length of the wall upon which they are located.
- D. A porte-cochere may project into a required side yard provided every part of such porte-cochere is unenclosed and shall not be less than five feet from the side lot line. No porte-cochere roof top may be utilized as a deck or outdoor living space unless it satisfies the setback requirements of the district in which it is located.
- E. Stoops or steps to a building entrance, covered or uncovered, may project a distance not to exceed four feet.
- F. A patio less than one (1) foot above grade may encroach into side and rear yards, so long as it is at least five (5) feet from the side lot line and at least fifteen (15) feet from the rear lot line.

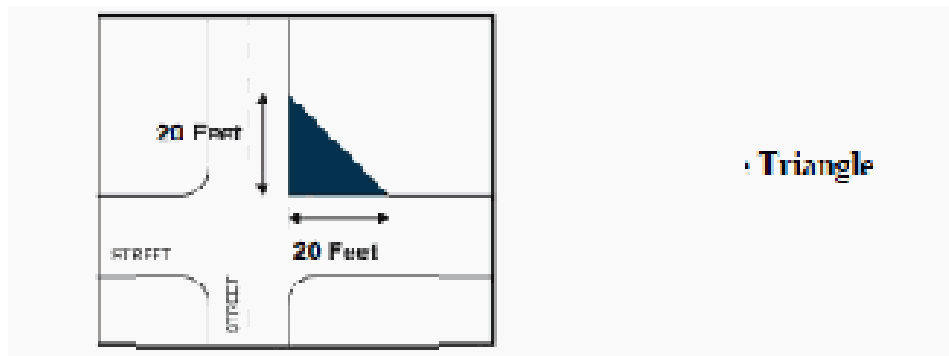


(d) Projection into Right-of-Way in the UP Uptown District.

No part of a building shall project into the public right-of-way unless specifically allowed by the Oxford Codified Ordinance Chapter 1301, Building Code; or by Chapter 1151, Signs.

(e) Visibility at Intersections.

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half and ten feet above the centerline grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots a line joining points along such street lines 20 feet from the point of intersection.



- (f) Use of the Vacated Right of Way.
On any lot, having a portion of its land area, vacated by Ordinance No. 103, the use of that vacated portion shall be restricted to lawn, landscaping, sidewalks and authorized egress and ingress driveways, except that in the Uptown District such land vacated by Ordinance No. 103 may be used for municipally-owned parking or municipally-regulated parking and outdoor patio areas as regulated in Section 1143.10 Uptown District Regulations.
- (g) Exceptions to Height Regulations.
- (1) The height limitations contained in Chapter 1143 District Requirements do not apply to any agricultural farm structure provided they are located 50 feet or more from a lot line of residentially zoned property.
 - (2) Church spires, belfries, cupolas, water tanks, ventilators, chimneys, air conditioning units, elevator bulkheads or other necessary mechanical equipment appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of an aircraft at an established airport. Such appurtenances shall be positioned, to the extent possible, to minimize the visibility from street level.
 - (3) Such height regulations shall not apply to fire towers, cooling towers, gasholders or other structures where the manufacturing process requires a greater height. All such structures shall not occupy more than 25 percent of the area of the lot and shall be at least 25 feet in all parts from every lot line.
 - (4) The height of cell towers and other wireless telecommunication towers are subject to the use-specific regulations of this Ordinance.
- (h) Residential Building Additions.
No addition to an existing residential building that results in or enables a new dwelling unit shall be approved, unless it is permitted by the underlying zoning district. Additions shall also be subject to the following requirements:
- (1) Any addition that results in one or more new dwelling units shall:
 - A. Be constructed of material that is similar in type and proportions to the original building (e.g. if the original building's exterior consists predominately of brick material, the addition must also be constructed of brick material in a similar manner); and
 - B. Be designed in the same architectural style and character as the original building including maintaining or extending any architectural features on the existing building; and
 - C. Comply with the principal building provisions of Section 1141.03(a).
 - (2) Any addition which serves as an expansion to an existing use and does not change the number of dwelling units shall:
 - A. Be constructed of similar material, in similar proportions, to the façade that is being extended or altered, unless located in the rear yard and not visible from any public right-of-way.
- (i) ADA Compliance Standards.
Any additions to a nonconforming structure or use for ADA compliance (i.e. elevator, ramp) that does not expand the use shall be permitted, provided the setbacks for the district in which it is located are satisfied.

1141.04 ENVIRONMENTAL REGULATIONS.

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, otherwise objectionable conditions that could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Ordinance may be undertaken and maintained if acceptable measures and safeguards are taken to reduce dangerous and objectionable conditions to acceptable limits as established by the following requirements.

(a) Air Pollution.

Air pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency, the Regional Air Pollution Control Agency, and the United States Environmental Protection Agency.

(b) Erosion and Drainage.

(1) No erosion by either wind or water shall be permitted that will have a noticeable adverse impact on neighboring properties.

(2) The Oxford Engineering Division as part of the zoning permit review process shall review plans according to the City of Oxford Storm Water Management Design Manual.

(c) Fire and Explosion Hazard.

Adequate safety devices shall be provided at any point where there are activities involving burning or storage of flammable or explosive materials. Adequate safety devices against the hazards of fire and explosion and adequate fire fighting and fire suppression equipment and devices, standard in the industry, shall be provided. Otherwise, burning of waste materials in open fire is prohibited.

(d) Hazardous Materials and Electrical Disturbance.

No activities shall be permitted which utilize hazardous, fissionable or radioactive materials if their use results at any time in the release or emission of any such materials into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted that emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbances.

(e) Noise.

No activity on private property shall emit noise in excess of sound levels that creates a nuisance to surrounding properties or in violation of the noise ordinances.

(f) Light and Glare from Exterior Lights.

(1) The light source within a light fixture shall not be visible from a neighboring structure. Lights may be shielded or recessed and set on low poles to prevent light from shining onto neighboring properties and distracting drivers.

(2) No light used for illuminating a parking area shall shine onto property in a residential district.

(3) The intensity and direction of light shall not significantly disrupt the night habitat of any natural area larger than one-half acre, a stream and riparian corridor, or other similar natural areas.

(4) The foot-candle measurement at any property line shall not exceed 1.0 lumen.

(5) Lighting intensity shall be reduced after closing hours.

(g) Exemptions.

(1) The following noise levels shall be exempt from the noise provisions during the daytime only: Firearms on authorized ranges, Legal blasting, Temporary construction activity and equipment, Installation of utility equipment, lawn mowers, chainsaws, garden and farming equipment.

(2) The following noise sources shall be exempt from the noise provisions at all times: Aircraft, Railroads, Emergency vehicles and equipment, Warning devices operating continuously for not more than five minutes, Bells, chimes or carillons operating continuously for not more than five minutes, The repair of essential utility services. Officially sanctioned parades or other events.

(h) Prohibited Outdoor Storage of Inoperative Vehicles, Farm Equipment, Junk, Building Materials, And Trash.

(1) Outdoor storage, including, but not limited to junk, trash, salvage, building

material, or parts thereof, including used tires, shall be prohibited anywhere within the City of Oxford except in an authorized junk yard or scrap processing facility.

- (2) The parking of a currently licensed inoperative vehicle for a period of more than one week shall be prohibited, with the exception of those stored in an enclosed garage or other accessory building.
- (3) Parking of inoperative farm equipment that has not been operative for more than one year shall be prohibited unless stored in an enclosed structure.
- (4) After receipt of notice of any of the above violations, such violation shall be resolved within ten days or declared a nuisance, with each subsequent period of 30 days during which the violation exists, constituting a separate valuation of this Ordinance and subject to the Nuisance Prevention provisions for the City of Oxford.

(i) Exotic Animals.

- (1) No person shall own, harbor, keep, breed, sell or import any exotic animals or reptiles. The term "exotic animal or reptiles" shall mean wild animals/reptiles not indigenous to Ohio. Example: lions, tigers, elephants, alligators, crocodiles.
- (2) Exemptions and special provisions:
 - A. Exotic animals purchased or adopted or housed on the subject property prior to the adoption of this Amendment provided:
 1. That a bill of sale or notarized statement verifying this date is provided.
 2. That such exotic animal be confined in a house, building, or other enclosure in such a way that human contact, other than with the owner(s), cannot occur.
 - B. Wild animals held for exhibit or use by research institutions and other governmental agencies having legal authority to process wild animals, publicly supported zoos, circuses, or extensions thereof.
 - C. Any animal which is commonly sold by a bona fide commercial pet shop which does not constitute a hazard to the health or safety of persons or household pets.

(j) Trash/Recycling Collection Facility.

- (1) Purpose.

The purpose of this sub-section is to ensure the provision of facilities, which are compatible with surrounding land uses; for the collection, separation, storage, loading and pickup of trash and recyclable materials.
- (2) General Standard.

Properties shall have adequately sized, conveniently located, accessible, trash and recycling facilities, to accommodate the specific needs of the proposed use(s) on the site.
- (3) Applicability and Design Regulations.

The following regulations shall be applied to all new commercial or multiple-dwelling structures and all existing commercial or multiple-dwelling structures where there is a redevelopment or change of use requiring a zoning permit. Compliance with these regulations shall be demonstrated on plans and exhibits and made part of an application for zoning permit from the Department of Community Development.

 - A. Areas for storage of trash and recyclable materials shall be adequate in capacity, number and distribution to serve the development, whether commercial, multi-dwelling or a combination thereof.
 - B. The amount of space provided for the collection and storage of recyclable materials shall be designed to accommodate collection and storage containers that are appropriate for the recyclable materials generated. Recyclable materials storage areas shall be clearly marked and shall be located abutting refuse collection and storage areas.
 - C. Where possible, each trash and recycling enclosure shall be designed to allow walk-in access without having to open main enclosure service gates.

This is intended to reduce main service gates being left open and blocking parking or access.

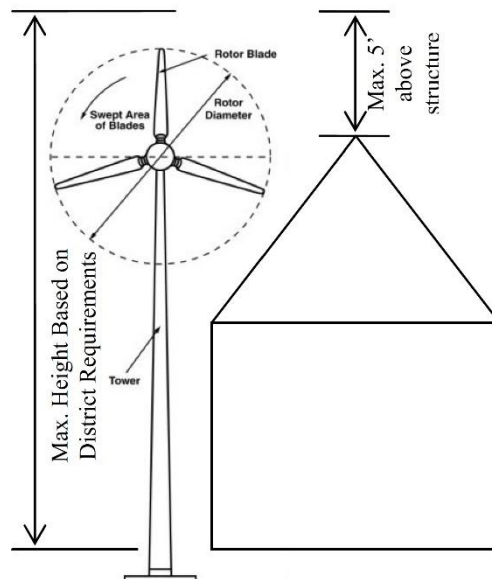
- D. Trash and recycling areas must be enclosed so that they are screened from public view. The enclosure shall be constructed of durable materials such as masonry and shall be compatible with the structure to which it is associated. Gates on the enclosures shall be constructed of metal or some other comparable durable materials, shall be painted to match the enclosure and shall be properly maintained.
- E. Enclosure areas shall be designed to provide adequate, safe and efficient accessibility for service vehicles. The applicant shall consult the service provider prior to the facility placement and design.
- F. Enclosure areas shall be constructed on a 4000 psi concrete pad at least 4-inches in thickness.
- G. The storage/enclosure area shall not be in the front yard or the right of way.
- H. The facility shall be reviewed and approved according to the City of Oxford Trash and Recycling Facilities Design Guidelines.
- I. This section does not relieve property owners of any requirements in Chapter 931, Solid Waste Collection and Disposal; Recycling.

(k) Wind Turbines.

Wind energy conversion systems shall be allowed in all zoning districts as an accessory structure subject to the following conditions:

(1) General.

- A. Permit is required.
- B. No system shall be directly or indirectly lit, unless required by the FAA.
- C. No system shall be used for advertising of any kind.
- D. No system shall produce a detectable noise at the property lines.
- E. Turbines are prohibited in the front yard.
- F. Systems are subject to the Property Maintenance Code and shall be removed within six (6) months of being nonfunctional.
- G. The height of a wind system shall be measured from grade, base of tower or the lowest adjacent grade of the structure in which the system is attached, to the tip of the rotor blade in a 90 degree position.



(2) Requirements:

- A. For parcels less than one acre, no ground mounted systems are permitted. All systems shall be mounted to the principle or accessory structure and shall not project more than five (5') feet above the roof of the structure and

also shall not exceed the height requirement for accessory uses or of the zoning district in which it is located, dependent upon which structure it is attached.

B. For parcels one acre or greater, a ground mounted system is permitted and shall not exceed the height requirement of the zoning district in which it is located.

1. Ground mounted systems shall be setback from the rear and side property lines equal to the height of the turbine or satisfy the zoning district setback requirements, whichever is greater.
2. Any system mounted to the principle or accessory structure shall not project more than five (5') feet above the roof of the structure and also shall not exceed the height requirement for accessory uses or of the zoning district in which it is located, dependent upon which structure it is attached.

(l) Solar Panels.

Solar panels shall be allowed in all zoning district either attached to a permitted principal use or accessory building or as an accessory structure subject to the following regulations:

- (1) Freestanding solar panels are prohibited in the front yard.
- (2) Panels that are freestanding or attached shall satisfy the rear and side yard setback requirements of the zoning district in which they are located.
- (3) Solar Panels are permitted on the roof of the principal structure or accessory structure, provided that the addition of the panels does not cause the structure to exceed the height requirement for the zoning district in which it is located.
- (4) Solar panels shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties or roadways.
- (5) Panel systems are subject to the Property Maintenance Code and shall be removed within six (6) months of being nonfunctional.
- (6) No panel shall be used for advertising of any kind.
- (7) Permit is required.

SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	December 16, 2020
COUNCIL MEETING DATE:	January 5, 2021
AGENDA TITLE:	Ordinances Accepting Utility Easements from Veer Investment, LLC and Hotel Development Services, LLC
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 12-31-20</i>

Discussion:

In the area of Southpointe Boulevard and Millville Oxford Road (US27), Hotel Development Services has transferred ownership of the corner lot (see Exhibit "A") to Veer Investment, LLC for the construction of a fueling station and convenience store. In order to construct the sanitary sewer to serve this lot (#3991), three easements are required for the construction and maintenance of a new sanitary sewer system to serve this property.

Easement #1 will be granted by **Veer Investment, LLC** to the City of Oxford for a 20' wide utility easement as shown on Exhibit "A".

Easements #2 and #3 will be granted by **Hotel Development Services, LLC** to the City of Oxford for two 20' utility easements as shown on Exhibit "A".

Once the sanitary sewer is constructed by the developers, it will become part of the utility system; these easements will give the City access to the system should future maintenance or repair become necessary.

Staff recommends the City Council authorize the City Manager to sign the Easement Agreements and take all steps necessary to have such recorded with the Butler County Recorder.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT BETWEEN THE CITY OF OXFORD AND VEER INVESTMENT, LLC FOR A PERMANENT EASEMENT OVER PORTIONS OF REAL PROPERTY AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND LABELED EASEMENT #1 TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF A NEW SANITARY SEWER SYSTEM TO SERVE SAID PROPERTY.

WHEREAS, Hotel Development Services, LLC has transferred ownership of the corner lot in the area of Southpointe Boulevard and Millville Oxford Road (US27) to Veer Investment, LLC for the construction of a fueling station and a convenience store; and

WHEREAS, three easements are required for the construction and maintenance of a new sanitary sewer system to serve said property; and

WHEREAS, the City Manager and the Service Director recommend Council authorize the City Manager to enter into an easement agreement between the City of Oxford and Veer Investment, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" and labeled Easement #1 attached hereto to allow the construction and maintenance of a new sanitary sewer system to serve said property.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Service Director and further authorizes the City Manager to enter into an easement agreement between the City of Oxford and Veer Investment, LLC for a permanent easement over portions of real property as set forth in Exhibit "A" attached hereto and labeled Easement #1 to allow the construction and maintenance of a new sanitary sewer system to serve said property.

SECTION 2: Council further directs the Clerk of Oxford City Council to cause the same to be recorded with the Butler County, Ohio Recorder's Office.

SECTION 3: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

EASEMENT AGREEMENT

In consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, Veer Investment, LLC, an Ohio limited liability company, with a mailing address of 4548 Guildford Drive, West Chester, OH 45069 ("Grantor"), hereby grants to City of Oxford, Ohio, an Ohio municipal corporation, with a mailing address of 15 South College Ave., Oxford, OH 45056, and its successors and assigns (collectively, "Grantee"), a perpetual, nonexclusive easement (the "Easement") in, upon, over, along, under, through and across the following described real estate (the "Easement Area"):

See Exhibit A attached hereto and made a part hereof,

to construct, reconstruct, operate, patrol, maintain, repair, replace, add to, modify and remove underground: (a) electric, gas, sanitary sewer, storm sewer, water and other utility lines; and (b) appurtenances for those lines for the underground transmission and distribution of utility services, including, but not limited to, all necessary and convenient supporting structures, grounding systems and all other appurtenances, fixtures and equipment. The items described in clauses (a) and (b) in the preceding sentence are collectively hereinafter referred to as the "Facilities". The Easement Area is located on the following property ("Grantor's Property") owned by Grantor:

See Exhibit B attached hereto and made a part hereof.

This Easement Agreement ("Agreement") shall be subject to the following terms and conditions which shall be binding on Grantor and Grantee, as applicable:

1. Grantee shall have the right of ingress and egress over the Easement Area and a temporary construction easement ("the Temporary Construction Easement") over the area of Grantor's Property, not to exceed ten (10) feet in width, on the side of the Easement Area located on the Grantor's Property (the "Temporary Construction Easement Area"). Grantee shall have the right to use the Temporary Construction Easement Area solely for purposes of constructing the Facilities and to perform subsequent repair, maintenance, replacement and modification activities thereon.

2. The use of the Easement Area and the Temporary Construction Easement Area by Grantee, its employees, agents and contractors shall at all times comply with this Agreement and all applicable law, rules and regulations.

3. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, undergrowth, overhanging branches or other vegetation located in the Temporary Construction Easement Area, but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities. All trimming activities shall be performed at the sole cost and expense of Grantee.

4. During those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, modifying, or removing the Facilities, Grantee shall have the right to temporarily: (a) pile dirt and other material on the Easement Area and the Temporary Construction Easement Area; and (b) operate equipment on the Easement Area or the Temporary Construction Easement Area.

5. Excluding the removal of vegetation and the like provided for in this Agreement, any damage caused by Grantee, its employees, agents and contractors to Grantor's Property shall be promptly repaired or restored, at no cost or expense of Grantor, to a condition which is reasonably close to the condition it was in prior to the damage.

6. Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area in any manner which is consistent with the rights granted herein to Grantee. Grantor shall not, without the prior written consent of Grantee, construct or install, or permit the construction or installation of any above-ground structure upon the Easement Area. Notwithstanding anything to the contrary contained in this Agreement, Grantor shall have the right to use the Easement Area and the Temporary Construction Easement Area for ingress and egress purposes and for the construction of ingress and egress improvements [not to exceed three (3) feet in height] thereon.

7. The rights and duties of Grantor and Grantee set forth in this Agreement shall inure to the benefit of and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees or tenants of Grantor and Grantee. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, Grantor and Grantee have signed this Easement Agreement as of the ____ day of _____, 2020.

Veer Investment, LLC

By: _____

City of Oxford, Ohio

Approved as to Form:

By: _____

City Law Director

Douglas R. Elliott, Jr., City Manager

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, the authorized Member of and on behalf of Veer Investment, LLC, an Ohio limited liability company.

Notary Public

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Douglas R. Elliott, Jr., the City Manager of the City of Oxford, an Ohio municipal corporation, on behalf of the municipal corporation.

Notary Public

MILLIKIN & FITTON LAW FIRM
A Legal Professional Association
Hamilton, Ohio

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EXHIBIT A

Date: November 11, 2020
Description: Twenty Foot (20.00') Sanitary Sewer Easement #1
Location: Lot #3991
City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of The Miami River, Section 36, Town 5, Range 1, City of Oxford, Butler County and being a Twenty Foot (20.00') Sanitary Sewer Easement in part of Lot #3991 as recorded in Official Record 9542, Pages 567 of the Butler County, Ohio Recorder's Office and being in part of the lands of Veer Investments, LLC and being further described as follows;

Beginning at the southwest corner of Lot #3709 (Open Space) of Southpointe Crossings, Section One as recorded in Plat Envelope 4020, Pages A-B of the Butler County, Ohio Recorder's Office and being on the easterly boundary of the lands of Hotel Development Services, LLC (Parcel I) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office and being on the northwest corner of said Lot #3991 and being the **True Point of Beginning**;

thence, leaving the southwest corner of said Lot #3709 (Open Space) and with the southerly boundary of said Lot #3709 (Open Space) and with the southerly boundary of Lot #3711 of said Southpointe Crossings, Section One and with the northerly boundary of said Lot #3991, South 87° 14' 09" East, 217.78 feet to an existing Twenty Foot (20.00') Sanitary Sewer Easement as recorded in said Southpointe Crossings, Section One;

thence, leaving the southerly boundary of Lot #3711 of said Southpointe Crossings, Section One and through said Lot #3991 for the following two courses:

- 1) South 02° 45' 51" West, 20.00 feet;
- 2) North 87° 14' 09" West, 217.43 feet to the easterly boundary of the lands of Hotel Development Services, LLC (Parcel I) as recorded in Official Record 9032, Page 1916 of the Butler County, Ohio Recorder's Office;

thence, with the easterly boundary of said lands of Hotel Development Services, LLC, North 01° 44' 12" East, 20.00 feet to the **True Point of Beginning**.

The above description was prepared from an exhibit by Bayer Becker, Brian R. Johnson, Professional Land Surveyor #8484 in the State of Ohio, November 11, 2020.

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

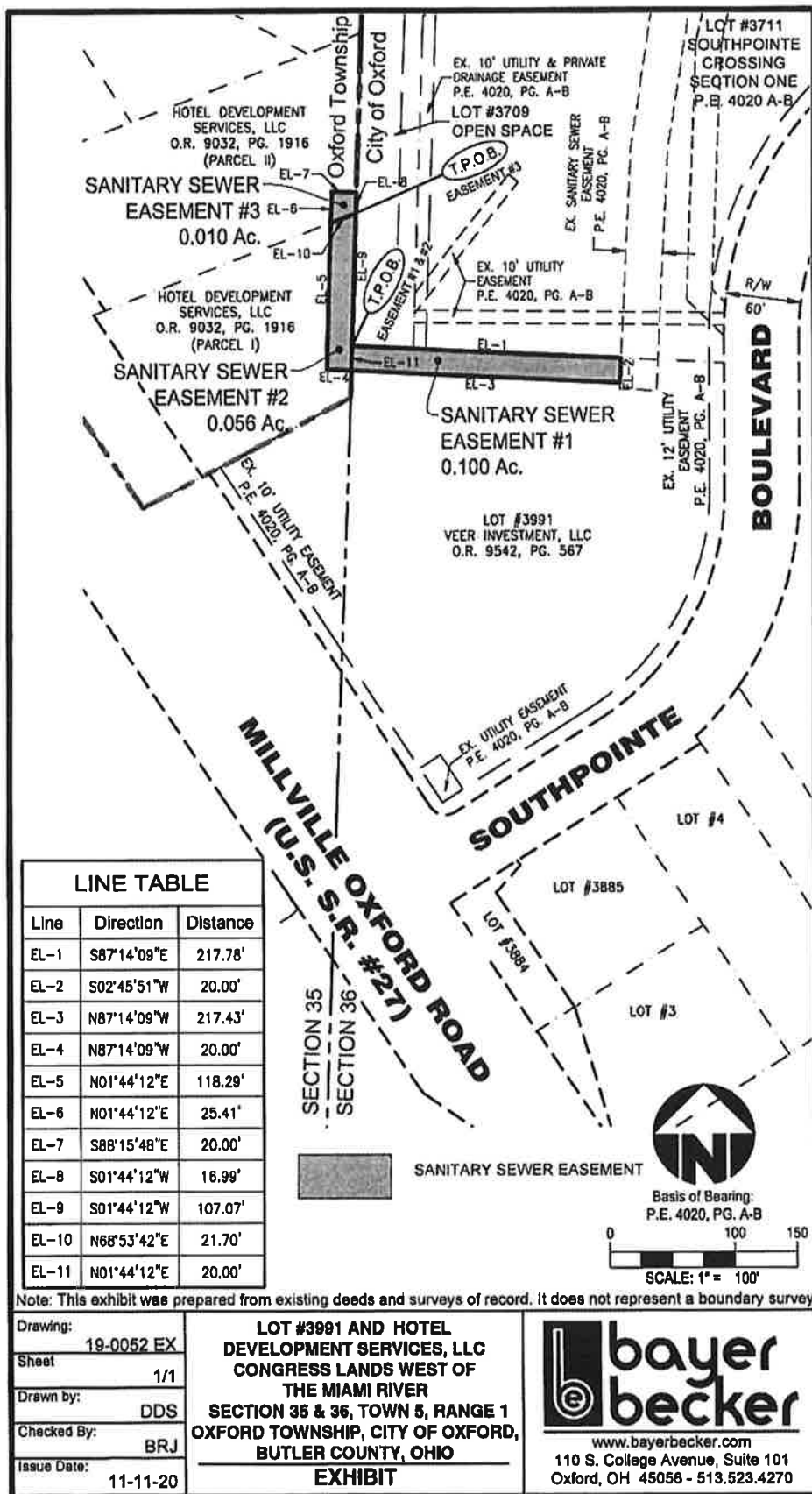


EXHIBIT B

Situate in Section 35 & 36, Town 5, Range 1 of City of Oxford, County of Butler, and State of Ohio and being further described as Lot #3991 of Southpointe Crossing Section One as recorded in Book 9529, Page 739 of the Butler County, Ohio Plat Book Records.

Butler County Auditor Parcel ID#: H41-00-143-000-013

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

Account Code No. :

Budgeted Amount :

1/6/2021

see below

Finance
Originating Department

Joe Newlin
Prepared By

12/23/2020
Date Prepared

Agenda Title:	2021 Supplemental Budget #1
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Recommendation:	Approve
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Issue 1

To make adjustment to budget appropriations for the transfer of funds to Southpointe TIF Debt Service Fund from Southpointe TIF District Funds do to the fact the Southpointe TIF Debt Service Fund has a balance of \$1,475.86

Action Needed:

Revenue Side

Southpointe TIF Debt Service Fund (151)	(1,295.28)	Decrease transfer from Southpointe TIF District 1 Fund
Southpointe TIF Debt Service Fund (151)	(32.91)	Decrease transfer from Southpointe TIF District 2 Fund
Southpointe TIF Debt Service Fund (151)	(49.39)	Decrease transfer from Southpointe TIF District 3 Fund
Southpointe TIF Debt Service Fund (151)	(49.27)	Decrease transfer from Southpointe TIF District 4 Fund
Southpointe TIF Debt Service Fund (151)	(49.01)	Decrease transfer from Southpointe TIF District 5 Fund

Expense Side

Southpointe TIF District 1 Fund (420)	(1,295.28)	Decrease transfer to Southpointe TIF Debt Service Fund
Southpointe TIF District 2 Fund (421)	(32.91)	Decrease transfer to Southpointe TIF Debt Service Fund
Southpointe TIF District 3 Fund (422)	(49.39)	Decrease transfer to Southpointe TIF Debt Service Fund
Southpointe TIF District 4 Fund (423)	(49.27)	Decrease transfer to Southpointe TIF Debt Service Fund
Southpointe TIF District 5 Fund (424)	(49.01)	Decrease transfer to Southpointe TIF Debt Service Fund

Net Effect on Fund Balance/(s)	(0.00)	
Increase/(Decrease)		

Issue 2

To make adjustment to budget appropriations for the transfer of funds to Aquatic Center Debt Service Fund from General Fund do to the fact the Aquatic Center Debt Service Fund has a balance of \$17,137.82

Action Needed:

Revenue Side

Aquatic Center Debt Service Fund (150)	(12,405.82)	Transfer from General Fund
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Expense Side

General Fund (110)	(12,405.82)	Transfer to Aquatic Center Debt Service Fund
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Net Effect on Fund Balance/(s)	-	
Increase/(Decrease)		

Issue 3

To make adjustment to budget revenue for Miami Little League registration and appropriations for payment of registrations 93% to Miami Little League

Action Needed:

Revenue Side

General Fund (110)	35,000.00	Recreation Program Fees - Miami Little League Registrations
--------------------	-----------	---

Expense Side

General Fund (110)	32,500.00	Payment to Miami Little League
--------------------	-----------	--------------------------------

Net Effect on Fund Balance/(s)	2,500.00	
Increase/(Decrease)		

Total Net Effect on Fund Balance/(s)	2,500.00	
--------------------------------------	----------	--

Increase/(Decrease)

Breakdown by Fund

General Fund (110)	14,905.82
Aquatic Center Debt Service Fund (150)	(12,405.82)
Southpointe TIF Debt Service Fund (151)	(1,475.86)
Southpointe TIF District 1 Fund (420)	1,295.28
Southpointe TIF District 2 Fund (421)	32.91
Southpointe TIF District 3 Fund (422)	49.39
Southpointe TIF District 4 Fund (423)	49.27
Southpointe TIF District 5 Fund (424)	49.01

Net Effect on Fund Balance/(s)	2,500.00
Increase/(Decrease)	

Approved By:

Department Head:

City Manager:

Initials

Date

12/23/20

DRE 12/31/20

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3600 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 1 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2021.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in revenues be made:

General Fund 110	35,000.00
------------------	-----------

SECTION 3: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	32,500.00
General Fund 110	(12,405.82)
Southpointe TIF District 1 Fund 420	(1,295.28)
Southpointe TIF District 2 Fund 421	(32.91)
Southpointe TIF District 3 Fund 422	(49.39)
Southpointe TIF District 4 Fund 423	(49.29)
Southpointe TIF District 5 Fund 424	(49.01)

SECTION 4: The following transfer(s) be executed:

Transfer from:

General Fund 110	(12,405.82)
Southpointe TIF District 1 Fund 420	(1,295.28)
Southpointe TIF District 2 Fund 421	(32.91)
Southpointe TIF District 3 Fund 422	(49.39)
Southpointe TIF District 4 Fund 423	(49.29)
Southpointe TIF District 5 Fund 424	(49.01)

Transfer to:

Aquatic Center Debt Service Fund 150	(12,405.82)
Southpointe TIF Debt Service Fund 151	(1,295.28)
Southpointe TIF Debt Service Fund 151	(32.91)
Southpointe TIF Debt Service Fund 151	(49.39)
Southpointe TIF Debt Service Fund 151	(49.29)
Southpointe TIF Debt Service Fund 151	(49.01)

SECTION 5: The following increase/(decrease) in revenues
be made:

Aquatic Center Debt Service Fund 150	(12,405.82)
Southpointe TIF Debt Service Fund 151	(1,295.28)
Southpointe TIF Debt Service Fund 151	(32.91)
Southpointe TIF Debt Service Fund 151	(49.39)
Southpointe TIF Debt Service Fund 151	(49.29)
Southpointe TIF Debt Service Fund 151	(49.01)

SECTION 6: In all other respects, Ordinance No. 3600 shall
remain in full force and effect.

SECTION 7: This ordinance shall take effect immediately upon
its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1143 ENTITLED DISTRICTS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1143 ENTITLED DISTRICTS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on December 8, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1143 entitled Districts, and adopting new Oxford Codified Ordinance Chapter 1143 entitled Districts.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby repeals Chapter 1143 entitled Districts and adopts new Chapter 1143 entitled Districts as follows:

CHAPTER 1143 Districts

1143.01 R-1A SINGLE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT.

(a) Purpose.

This district is intended to provide areas for low-density single-family residential development, generally located within the outlying areas of the City. Such development would be located and designed to protect and enhance the open space character of selected areas within the City.

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
- C. Day Care Home Type B family.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed & Breakfasts.
- E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
- F. Cemeteries.
- G. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- H. Schools: primary, intermediate, and secondary, both public and private.
- I. Places of worship.

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

- A. Minimum lot area 15,000 sq. feet
- B. Minimum lot width 90 feet
- C. Minimum lot frontage 90 feet (not applicable to cul-de-sac lots)

(2) Yard requirements.

- A. Minimum front yard depth 30 feet
- B. Minimum rear yard depth 40 feet
- C. Minimum side yard width 10 feet on each side

(3) Structural requirements.

- A. Maximum building height 35 feet
- (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1143.02 R-1B SINGLE-FAMILY MEDIUM-DENSITY RESIDENTIAL DISTRICT.

- (a) Purpose.
This district is designed to provide and preserve single family residential development of a moderately low density character within and adjacent to areas of similar development.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 7,500 sq. feet
 - B. Minimum lot width 65 feet
 - C. Minimum lot frontage 65 feet (not applicable to cul-de-sac lots)
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 8 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Lot coverage.
 - A. Lots with vehicular access from a public street
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
 - B. Lots with vehicular access from a rear or side alley, and no access from a public street
 - 1. Lot total – Maximum 40 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 15 percent of front yard

1143.03 R-1MS SINGLE-FAMILY RESIDENTIAL MILE-SQUARE DISTRICT.

- (a) Purpose.
This district is designed to preserve and encourage a single-family residential environment in an urban environment while maintaining the historic form and character of development within the Mile Square district.
- (b) Uses.
- (1) Permitted uses.
- A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - C. Day Care Home Type B family.
- (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.
- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

Single Family Dwelling	
Lot Requirements	
Minimum Lot Area (Square Feet)	6,000
Minimum Lot Width (Feet)	60
Minimum Lot Frontage (Feet)	60
Yard Requirements	
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	35 feet
Minimum Side Yard Setback	7.5 feet
Structural Requirements	
Maximum Building Height	35 feet
Lot Coverage for Lots with Vehicular Access from a Public Street	
Lot Total	45% of lot

Front Yard	30% of front yard
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with no Access from a Public Street	
Lot Total Maximum	45% of lot
Front Yard Maximum	15% of front yard

(d) Mile Square Design Standards.

(1) Purpose and Applicability.

- A. The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B. The design of all new construction and exterior alteration or renovation in the R-1-MS District shall conform to the following requirements.

(2) Front Façade.

- A. All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Example of residential development that is oriented toward the primary street.

(3) Foundations.

- A. Any new construction, including expansions, shall not include exposed concrete block or poured concrete foundations of more than two (2) feet in height, unless parged or covered by a historically appropriate facing treatment (e.g. stucco).

(4) Siding.

- A. Brick, stone, authentic stucco, or material replicating stone veneer are permitted building materials in all residential districts.
- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) or engineered

- wood that resembles traditional wood siding treatments is permitted.
 - D. The use of aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged.
 - E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
 - F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
 - G. All wood siding materials shall be painted.
 - H. Any additions or expansions of an existing building shall also comply with Section 1141.03(h) (Residential Building Additions).
- (5) Roofs.
- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
 - B. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
 - C. Decorative cornices and parapets are encouraged.
 - D. The addition of antennae, satellite dishes, and skylights should be placed on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible.
- (6) Doors
- A. Doors shall be made of wood or be a "wood appearing" design (e.g. a steel door with panels).
 - B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.
- (7) Windows.
- A. Windows must be proportionally vertical when practical. Examples of instances where windows are not required to be vertical include kitchens and basements. For purposes of applying this provision, the vertical proportion is required only for each individual window frame; a horizontal row of vertical windows is acceptable.
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.
- (8) Porches, Stoops, and Decks.
- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.
 - B. All porches, stoops and decks shall comply with the provisions set forth in Chapter 1141.
 - C. Porches and stoops are permitted in any yard, however stoops may not exceed twenty five (25) square feet in front yards.
 - D. Decks shall only be permitted in rear yards, with the exception of corner lots having frontage on two public streets, in which case a deck may be installed in the side yard so long as it is set back at least 10 feet from the front façade of the building.
 - E. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side facades.
 - F. The table below outlines the standards defining the differences and distinctions between porches, stoops and decks consistent with definitions as provided in Chapter 1159. The standards in this table shall not preclude any other applicable provisions of this Zoning Code which are more

restrictive in terms of location, size, material, etc.

Standards	Porch	Stoop	Deck
Allowable Yards	Any	Any	Only Rear Yards, except per (D) above
Maximum Size	No max	No max, except in front yards max is 25 sq ft	No max
Roof	Roof required	Roof allowed	Roof not allowed
Material	Any	Any, though typically concrete or masonry	Any, though typically wood

(9) Garages & Accessory Buildings.

- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.
- D. The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (5) above.

(10) Fences & Gates.

- A. Chain link fences are prohibited.
- B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 1141.01.
- C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials.

(11) Chimneys.

- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. Other siding may be allowed if the entire building is sided in similar materials.

(12) Shutters.

- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

(13) Driveways & Parking Lots.

- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.

(14) Landscaping.

- A. Landscaping of the site shall comply with the requirements of Chapter 1148.

1143.04 R-2A SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose.

This district is designed to provide and preserve neighborhoods of smaller single-family residences within and adjacent to areas of similar development. This district also provides for a limited number of two-family residences.

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
- D. Day Care Home Type B family.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed & Breakfasts.
- E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

1-family

2-family

(1) Lot requirements.

- | | | | |
|----|----------------------|--------------|---------------|
| A. | Minimum lot area | 6,000 sq. ft | 7,500 sq. ft. |
| B. | Minimum lot width | 60 feet | 75 feet |
| C. | Minimum lot frontage | 60 feet | 75 feet |
- (lot frontage requirements are not applicable to cul-de-sac lots)
- (2) Yard requirements.
- | | | | |
|----|--------------------------|----------|----------|
| A. | Minimum front yard depth | 30 feet | 30 feet |
| B. | Minimum rear yard depth | 30 feet | 30 feet |
| C. | Minimum side yard width | 7.5 feet | 7.5 feet |
- (3) Structural requirements.
- | | | | |
|----|-------------------------|---------|---------|
| A. | Maximum building height | 35 feet | 35 feet |
|----|-------------------------|---------|---------|
- (4) Lot coverage.
- A. Lots with vehicular access from a public street
1. Lot total – Maximum 35 percent
 2. All enclosed buildings – Maximum 25 percent of lot
 3. Front yard – Maximum 25 percent of front yard
- B. Lots with vehicular access from a rear or side alley, and no access from a public street
1. Lot total – Maximum 40 percent
 2. All enclosed buildings – Maximum 25 percent of lot
 3. Front yard – Maximum 15 percent of front yard

1143.05 – R-2MS SINGLE- AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

- (a) Purpose.
This district is designed to preserve and encourage a mix of single-family and two-family dwellings within an urban environment at densities that reflect Oxford's historic development pattern within the Mile Square District.
- (b) Uses.
- (1) Permitted uses.
- A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - D. Day Care Home Type B family.
- (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Private and publicly owned commercial and noncommercial recreational areas, uses and facilities of an open space nature, such as golf courses, tennis courts, parks, forests, wildlife preserves, etc.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
 - I. Fraternity and sorority houses.
 - J. Parking lots.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

	Single Family Dwelling	Two-Family Dwelling
Lot Requirements		
Minimum Lot Area (Square Feet)	5,000	7,500
Minimum Lot Width (Feet)	50	75
Minimum Lot Frontage (Feet)	50	75
Yard Requirements		
Minimum Front Yard Setback	20	20
Minimum Rear Yard Setback	35	35
Minimum Side Yard Setback	7 (on each side)	7 (on each side)
Structural Requirements		
Maximum Building Height	35	35
Lot Coverage for Lots with Vehicular Access from a Public Street		
Lot Total Maximum	45	45
Front Yard Maximum	30	30
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with no Access from a Public Street		
Lot Total Maximum	45	45
Front Yard Maximum	15	15

(d) Mile Square Design Standards.

(1) Purpose and Applicability

- A. The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B. The design of all new construction and exterior alteration or renovation in the R2-MS District shall conform to the following requirements.

(2) Front Façade.

- A. All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Example of residential development that is oriented toward the primary street.

(3) Foundations.

- A. Any new construction, including expansions, shall not include exposed concrete block or poured concrete foundations of more than two (2) feet in height, unless parged or covered by a historically appropriate facing treatment (e.g. stucco).

(4) Siding.

- A. Brick, stone, authentic stucco, or material replicating stone veneer are permitted building materials in all residential districts.
- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) or engineered wood that resembles traditional wood siding treatments is permitted.
- D. The use of aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged.
- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
- G. All wood siding materials shall be painted.
- H. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).

(5) Roofs.

- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
- B. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
- C. Decorative cornices and parapets are encouraged.
- D. The addition of antennae, satellite dishes, and skylights should be placed on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible.

- (6) Doors
- A. Doors shall be made of wood or be a "wood appearing" design (e.g. a steel door with panels).
 - B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.
- (7) Windows.
- A. Windows must be proportionally vertical when practical. Examples of instances where windows are not required to be vertical include kitchens and basements. For purposes of applying this provision, the vertical proportion is required only for each individual window frame; a horizontal row of vertical windows is acceptable.
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.
- (8) Porches, Stoops, and Decks.
- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.
 - B. All porches, stoops and decks shall comply with the provisions set forth in Chapter 1141.
 - C. Porches and stoops are permitted in any yard, however stoops may not exceed twenty five (25) square feet in front yards.
 - D. Decks shall only be permitted in rear yards, with the exception of corner lots having frontage on two public streets, in which case a deck may be installed in the side yard so long as it is set back at least 10 feet from the front façade of the building.
 - E. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side facades.
 - F. The table below outlines the standards defining the differences and distinctions between porches, stoops and decks consistent with definitions as provided in Chapter 1159. The standards in this table shall not preclude any other applicable provisions of this Zoning Code which are more restrictive in terms of location, size, material, etc.

Standards	Porch	Stoop	Deck
Allowable Yards	Any	Any	Only Rear Yards, except per (D) above
Maximum Size	No max	No max, except in front yards max is 25 sq ft	No max
Roof	Roof required	Roof allowed	Roof not allowed
Material	Any	Any, though typically concrete or masonry	Any, though typically wood

- (9) Garages & Accessory buildings.
- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.

- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
 - C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.
 - D. The architectural style and materials of any accessory building should generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (5) above.
- (10) Fences & Gates.
- A. Chain link fences are prohibited.
 - B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 1141.01.
 - C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials.
- (11) Chimneys.
- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. Other siding may be allowed if the entire building is sided in similar materials.
- (12) Shutters.
- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

- (13) Driveways & Parking Lots.
- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.
- (14) Landscaping.
- A. Landscaping of the site shall comply with the requirements of Chapter 1148.

1143.06 R-3 MULTI-FAMILY RESIDENTIAL DISTRICT.

- (a) Purpose.
- This zone is intended to accommodate multi-family structures suited to the lifestyles of individuals and families, generally located in areas adjacent to major thoroughfares and commercial areas.

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Multi-family dwellings.
- D. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
- E. Day Care Home Type B family.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed & Breakfasts.
- E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.
- I. Nursing homes for convalescent patients.
- J. Professional Offices.

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

- A. Minimum lot area
 - 1. One-family dwelling 6,000 sq. feet
 - 2. Two-family dwelling 7,500 sq. feet
 - 3. Three-family dwelling and up 9,000 sq. feet
- B. Maximum Residential Density – Occupancy shall be limited to one person per 450 square feet of lot area for multi-family dwelling use.
- C. Minimum Lot Width/Frontage
 - 1. One-family dwelling 60 feet
 - 2. Two-family dwelling 75 feet
 - 3. Three-family dwelling 90 feet
 - 4. Four-family dwelling 100 feet
 - 5. Five to 24-family dwelling 120 feet

(2) Yard requirements.

- A. Minimum front yard depth 30 feet
- B. Minimum rear yard depth
 - 1. One, two, and three-family dwelling 35 feet
 - 2. Four-family dwelling 40 feet
 - 3. Five to 24-family dwelling 45 feet
- C. Minimum side yard width on each side
 - 1. One- and two-family dwelling 7.5 feet
 - 2. Three to 24-family dwelling 15 feet

(3) Structural requirements.

- A. Maximum building height 35 feet
- B. Number of Principal Buildings Per Lot or Development Site.
 - The project shall follow the Planned Development process in Chapter 1145 in order to permit more than one principal building per lot.
- C. Minimum floor area per dwelling unit in multi-family dwellings
 - 1. Efficiency 400 sq. feet
 - 2. One-Bedroom 600 sq. feet
 - 3. Two-Bedroom 800 sq. feet
 - 4. Three-Bedroom 1,000 sq. feet

5. Four-bedroom 1,200 sq. feet
- (4) Lot coverage.
 - A. Lot total 50 percent
 - a. Stormwater Reduction Incentive.
Lot coverage up to 70% may be allowed if the stormwater management plan reduces projected runoff rate more than required. For every one percent reduction in the rate of stormwater runoff, the allowable lot coverage may be increased by one percent, up to 70% maximum lot coverage.
 - B. Front yard 25 percent of front yard.

1143.065 R-4 MULTI-FAMILY RESIDENTIAL DISTRICT.

- (a) Purpose.
This zone is intended to accommodate multi-family structures suited to the lifestyles of individuals and families, generally located in the outlying areas adjacent to major thoroughfares and commercial areas.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Multi-family dwellings.
 - D. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - E. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
 - I. Nursing homes for convalescent patients.
 - J. Professional Offices.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area

1. One-family dwelling	6,000 sq. feet
2. Two-family dwelling	7,500 sq. feet
3. Three and Four-family dwelling	9,000 sq. feet
4. Five-family dwelling and up	2,000 sq. feet per unit
 - B. Minimum Lot Width/Frontage

1. One-family dwelling	60 feet
2. Two-family dwelling	75 feet
3. Three and Four-family dwelling	100 feet
4. Five-family dwelling and up	120 feet
 - (2) Yard requirements.
 - A. Minimum front yard depth 30 feet
 - B. Minimum rear yard depth

1. One, two, and three-family dwelling	35 feet
2. Four-family dwelling	40 feet

- 3. Five-family dwelling and up 45 feet
 - C. Minimum side yard width on each side
 - 1. One- and two-family dwelling 7.5 feet
 - 2. Three-family dwelling and up 15 feet
- (3) Structural requirements.
 - A. Maximum building height 35 feet
 - B. Number of Principal Buildings Per Lot or Development Site.
The project shall follow the Planned Development process in Chapter 1145 in order to permit more than one principal building per lot.
 - C. Minimum floor area per dwelling unit in multi-family dwellings
 - 1. Efficiency 400 sq. feet
 - 2. One-Bedroom 600 sq. feet
 - 3. Two-Bedroom 800 sq. feet
 - 4. Three-Bedroom 1,000 sq. feet
 - 5. Four-bedroom 1,200 sq. feet
- (4) Lot coverage.
 - A. Lot total 35 percent
 - a. Stormwater Reduction Incentive.
Lot coverage up to 50% may be allowed if the stormwater management plan reduces projected runoff rate more than required. For every one percent reduction in the rate of stormwater runoff, the allowable lot coverage may be increased by one percent, up to 50% maximum lot coverage.
 - B. Front yard 25 percent of front yard.

1143.07 R3MS SINGLE, TWO AND THREE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

- (a) Purpose.
The purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.
- (b) Uses.
 - (1) Permitted uses.
 - A. Single-family dwellings
 - B. Two-family dwellings
 - C. Three-family dwellings
 - D. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
 - E. Day Care Home Type B family.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1141.
 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing and Congregate Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Fraternity and sorority houses.
 - I. Places of worship.
 - J. Parking lots.
 - K. Accessory dwelling units
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinances and shall follow the procedures for approval contained therein.

	Single-Family Dwellings	Two-Family Dwellings	Three-Family Dwellings
Lot Requirements			
Minimum Lot Area (Square Feet)	4,000	6,000	8,000
Minimum Lot Width (Feet)	40	50	60
Minimum Lot Frontage (Feet)	40	50	60
Yard Requirements			
Minimum Front Yard	15 feet		
Maximum Front Yard Depth	25 feet		
Minimum Rear Yard Depth	35 feet		
Minimum Side Yard Width	5 feet		
Structural Requirements			
Maximum Building Height	35 feet		
Lot Coverage for Lots with Vehicular Access from a Public Street			
Lot Total	45 percent of lot		
Front Yard	35 percent of front yard		
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with No Access from a Public Street			
Lot Total Maximum	45 percent of lot		
Front Yard Maximum	15 percent of front yard		

(d) Mile Square Design Standards.

(1) Purpose and Applicability.

- A. The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.
- B. The design of all new construction and exterior alteration or renovation in the R3-MS District shall conform to the following requirements.

(2) Front Façade.

- A. All development shall be located parallel to the associated public street

with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.

(3) Foundations.

- A. Any new construction, including expansions, shall not include exposed concrete block or poured concrete foundations of more than two (2) feet in height, unless parged or covered by a historically appropriate facing treatment (e.g. stucco).

(4) Siding.

- A. Brick, stone, authentic stucco, or material replicating stone Veneer are permitted building materials in all residential districts.
- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.
- C. The use of cementitious siding materials (e.g., Hardiplank) or engineered wood that resembles traditional wood siding treatments is permitted.
- D. The use of aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged.
- E. Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.
- F. Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.
- G. All wood siding materials shall be painted.
- H. Any additions or expansions of an existing building shall also comply with Section 1141.03(h) (Residential Building Additions).

(5) Roofs.

- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
- B. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
- C. Decorative cornices and parapets are encouraged.
- D. The addition of antennae, satellite dishes, and skylights should be placed on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible

(6) Doors.

- A. Doors shall be made of wood or "wood appearing" types of material (e.g. a steel door with panels).
- B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.

(7) Windows.

- A. Windows must be proportionally vertical where practical. Examples of instances where windows are not required to be vertical include kitchens and basements. For purposes of applying this provision, the vertical proportion is required only for each individual window frame; a horizontal row of vertical windows is acceptable.
- B. Reflective glass (such as blue or gold tinted glass) is prohibited.
- C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.

(8) Porches, Stoops, and Decks.

- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.

- B. All porches, stoops and decks shall comply with the provisions set forth in Chapter 1141.
- C. Porches and stoops are permitted in any yard, however stoops may not exceed twenty five (25) square feet in front yards.
- D. Decks shall only be permitted rear yards, with the exception of corner lots having frontage on two public streets, in which case a deck may be installed in the side yard so long as it is set back at least 10 feet from the front façade of the building.
- E. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front and side facades.
- F. The table below outlines the standards defining the differences and distinctions between porches, stoops and decks consistent with definitions as provided in Chapter 1159. The standards in this table shall not preclude any other applicable provisions of this Zoning Code which are more restrictive in terms of location, size, material, etc.

Standards	Porch	Stoop	Deck
Allowable Yards	Any	Any	Only Rear Yards, except per (D) above
Maximum Size	No max	No max, except in front yards max is 25 sq ft	No max
Roof	Roof required	Roof allowed	Roof not allowed
Material	Any	Any, though typically concrete or masonry	Any, though typically wood

(9) Garages & Accessory buildings.

- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.
- C. To the maximum extent feasible, a detached garage shall be accessed from the alley if alleys are available for vehicular traffic.
- D. The architectural style and materials of any accessory building generally shall be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (5) above.

(10) Fences & Gates.

- A. Chain link fences are prohibited.
- B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 1141.01.
- C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials

(11) Chimneys.

- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. Other siding may be allowed if the entire building is sided in similar

materials.

(12) Shutters.

- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

(13) Driveways & Parking Lots.

- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.

(14) Landscaping.

- A. Landscaping of the site shall comply with the requirements of Chapter 1148.

(15) Architectural Features for Three-Family Dwellings

- A. At least three of the following design features shall be provided on the front façade of each dwelling unit with frontage on a public street.
1. One or more dormer windows or cupolas;
 2. A recessed entrance;
 3. A covered porch or balcony;
 4. Pillars, posts, or pilasters;
 5. One or more bay windows with a minimum of 12 inch projection from the façade plane;
 6. A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
 7. Multiple windows with a minimum of four inch wide trim.
- B. To the maximum extent practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street.



Illustrative example of acceptable architectural design for multi-family dwellings



Illustrative example of unacceptable architectural design for multi-family dwellings

(16) Accessory Dwelling Units

In addition to the standards applicable to all conditional use reviews, any new accessory dwelling unit shall be subject to the following standards:

- A. An accessory dwelling unit may be in a stand-alone structure or may be located above a garage.
- B. In no case shall there be more than three dwelling units on any single lot, including any approved accessory dwelling unit.
- C. Accessory dwelling units shall only be allowed on lots with a area of 5,000 square feet.
- D. The maximum square footage of an accessory dwelling unit shall not exceed 1000 square feet or 50% of the footprint of the principal structure whichever is smaller, unless approved by the Planning Commission and City Council.
- E. The accessory dwelling unit shall be located in the rear yard.
- F. The accessory dwelling unit shall be designed to be smaller in mass, height, and square footage than the principal dwelling.
- G. The accessory dwelling unit structure shall be subject to the accessory building design guidelines of this section.

1143.08 R-MH PLANNED MOBILE AND MANUFACTURED HOME RESIDENTIAL DISTRICT.

(a) Purpose.

This district is intended to permit the development of Mobile and Manufactured Home Parks while maintaining a reasonable population density and by providing for the unique requirements for this type of development. The provisions of this district are established to assure that the site design and arrangement in relation to other areas together with the provision of associated facilities result in an attractive, orderly and efficient residential environment of sustained desirability in harmony with adjacent areas.

(b) Uses.

(1) Permitted uses.

- A. Mobile home parks.
 - 1. Mobile homes (not self-propelled vehicles) as defined in the Ohio Revised Code.
 - 2. Manufactured Homes as defined in the Ohio Revised Code.

(2) Accessory uses.

- A. Coin-operated laundry, laundry and dry cleaning pick-up stations for use of tenants only. No external sign shall be permitted.
- B. Other accessory uses, buildings or structures customarily incidental to the aforesaid use.
- C. On-site Manufactured Home Sales.
The sale of manufactured homes within a mobile/manufactured home park or subdivision shall be a Conditional Use having one-year duration. Said use shall be reviewed at the end of the first year for possible extension for an additional year in total representing a maximum two-year duration. Such sales areas shall be well screened from the residential section of the

- park or subdivision and shall be located at the periphery of the site. All signs used for advertising shall be unobtrusive to the surrounding property.
- D. Neighborhood commercial facilities. In mobile home parks of 50 acres or more, neighborhood commercial facilities such as markets, barbers, beauty shops, or doctor's offices, may be planned in conjunction with a mobile home park but may not be physically occupied until the park is 75 percent occupied by residents.

(c) Site Development Regulations.

(1) Minimum floor area.

Individual mobile/manufactured homes located within the district shall have a minimum floor area of 600 square feet.

(2) Area requirements.

Each mobile/manufactured home park shall have a minimum gross site area of not less than 20 acres.

(3) Density requirements.

Gross density for a mobile/manufactured home park shall not exceed five dwelling units per acre.

(4) Minimum lot size.

The minimum lot size within mobile/manufactured home parks or subdivision shall be determined by the size of the residential unit occupied lot area, ratios, building setback and separation, and parking requirements.

(5) Occupied lot area ratio.

A mobile or manufactured home shall not occupy an area in excess of one-third of its respective lot area. The total occupied area of a mobile or manufactured home and its accessory buildings on a lot shall not exceed two-thirds of the lot area.

(6) Utilities.

- A. Each mobile/manufactured home park shall be served by public water and sewer systems.
- B. In each mobile/manufactured home park all wires, cables and lines providing telecommunication, including cable television, and electric utility services and connections of such utility systems to buildings and light poles in such parks, shall be located underground.
- C. Mobile/manufactured home parks shall meet all pertinent requirements of the Ohio Department of Health District and the Butler County Health Department.

(7) Landscaping.

- A. Trees of at least two inch caliper shall be installed on both sides of all streets within the mobile/manufactured home park at a maximum spacing of 50 feet between trees.

(8) Setback requirements.

The following setback requirements for all mobile or manufactured homes located in a mobile/manufactured home park shall apply:

- A. From all perimeter lot lines: see Perimeter Requirements.
- B. From any mobile or manufactured home located in the mobile home park: 20 feet, however, end-to-end clearance may be reduced to ten feet.
- C. From any community building: 50 feet.
- D. From any public or private street located within the park: 20 feet.

(9) Perimeter requirements.

A perimeter setback with respective screening requirements shall be provided which is adequate to protect the residential use in the development and, in any case, shall not be less than the following:

- A. Where the adjoining land use (existing or permitted) is of similar or higher density use or is a collector street, a distance of 30 feet containing a 90 percent, visually solid, year-round landscaped buffer six feet in height.
- B. Where the adjoining land use is an arterial street, a residential use of lower density, or a nonresidential use, protection shall be provided by providing

a distance of 40 feet containing berms, walls, solid or louvered fencing, open fencing with appropriate planning, or a visually solid, year-round landscaped buffer six feet in height.

- C. The Planning Commission may waive all or part of the perimeter landscaping requirements if, due to the nature of the existing typography or other existing conditions, if the Planning Commission finds it is unreasonable to require a wall, fence or screen.

(10) Required open space.

A minimum of 10 percent of the gross site area shall be set aside and reserved for usable open space. Said open space shall be in one or more parcels, not less than one acre each. The minimum dimension of said open space shall be 200 feet in any direction. For the purposes of this section, "Usable Open Space" shall be construed to mean parks, common open areas, and areas containing a combination of community service buildings (clubhouses, swimming pools, etc.) and outdoor recreation areas.

(11) Access.

Each mobile/manufactured home park shall have direct access to a collector or arterial thoroughfare.

(12) Private streets.

A mobile/manufactured home park shall have an entrance drive from a public street, and access to individual units shall be from private paved drives within the site. A paved walk shall be located along at least one side of each drive. The width and design of the entrance drive and access drives shall be adequate to accommodate fire protection vehicles and equipment as determined upon review by the Planning Commission and the City Council. The following are minimum pavement widths:

28 feet	One-way traffic with parking
20 feet	One-way traffic, no parking
36 feet	Two-way traffic with parking
28 feet	Two-way traffic, no parking

(d) Parking Requirements.

Two paved, off-street parking spaces having a minimum area of 180 square feet each shall be provided for each mobile/manufactured home site. Said parking space shall be located either on the home site, behind the front setback area, or in a common parking area within the mobile/manufactured home park.

(e) Signs.

Signs within the mobile/manufactured home development shall be limited to an identification sign containing the name of the park not to exceed 32 square feet, a name plate attached to each home, which is no larger than one square foot, directional signs indicating the location of utility buildings, including management office, parking and common recreation area, traffic control signs.

(f) Miscellaneous Requirements.

(1) Lighting:

Appropriate lighting shall be provided along interior roadways and walkways. All lights shall be so positioned and shaded to avoid a glare on adjoining properties.

(2) Drainage:

Each mobile/manufactured home space shall be so constructed to provide adequate storm water drainage from ramps, patios, and all walls and foundations of the home to the roadway.

(3) Fuel Supply:

Where fuel is stored in outdoor storage tanks, they shall be supported by a concrete base and screened from view of surrounding home spaces and the street.

(4) Enclosed Undercarriage:

All mobile homes located in the mobile/manufactured home parks shall be enclosed from the bottom of the structure to the ground.

(5) Stand:

Each mobile home site shall be provided with a stand consisting of a solid concrete slab or two concrete ribbons of a thickness and size adequate to support the maximum anticipated loads during all seasons. Where concrete ribbons are used, the area between the ribbons shall be filled with layer of crushed rock.

(6) Foundation:

A manufactured home must be attached to a foundation in accordance with plans prepared by a registered engineer in compliance with the prevailing building code provision for vertical loads, uplift, and lateral forces.

(7) Refuse Containers:

All refuse containers shall be screened from view of surrounding home spaces and the street.

(g) Subdivision Regulation Compliance.

All mobile/manufactured home park proposals intended to sell individual lots and thus subject to regulation as a subdivision shall comply with all pertinent provisions of the City's Subdivision Regulations with the exception of requirements or standards which are superseded by provisions of this section.

1143.09 RO OFFICE RESIDENTIAL DISTRICT.

(a) Purpose.

This district is designed to encourage a residential environment in established areas of historically significant character. Offices and service facilities are permitted to support community needs in suitable locations that do not produce incompatible effects on adjacent residential neighborhoods. A mix of uses within one structure is encouraged. This district is appropriate adjacent to higher volume thoroughfares, as well as between commercial areas and residential neighborhoods. This district shall be considered a residential district.

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.
- D. Professional offices of doctors, dentists, chiropractors, lawyers, engineers and similar-type professions limited to 2,500 square feet of gross floor area.
- E. Hospitals
- F. Real estate, insurance and similar-type offices limited to 2,500 square feet of gross floor area.
- G. Barber and beauty shops.
- H. Instructional studios.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed & Breakfasts.
- E. Publicly owned and operated neighborhood recreation centers.
- F. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.
- I. Funeral homes.
- J. Parking lots.
- K. Offices of non-profit organizations and foundations, 2,500 sq. ft. maximum.

- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

		Office & 1-family	2-family residential
(1)	<u>Lot requirements.</u>		
	A. Minimum lot area per dwelling unit	5,000 sq. ft.	3,750 sq. ft.
	B. Minimum lot width	50 feet	75 feet
	C. Minimum lot frontage	50 feet	75 feet
(2)	<u>Yard requirements.</u>		
	A. Minimum front yard depth	20 feet	20 feet
	B. Minimum rear yard depth	35 feet	35 feet
	C. Minimum side yard width	7.5 feet	7.5 feet
(3)	<u>Structural requirements.</u>		
	A. Maximum building height	35 feet	35 feet
(4)	<u>Lot coverage.</u>		
	A. Lots with vehicular access from a public street		
	1. Lot total – Maximum 35 percent		
	2. All enclosed buildings – Maximum 25 percent of lot		
	3. Front yard – Maximum 25 percent of front yard		
	B. Lots with vehicular access from a rear or side alley, and no access from a public street		
	1. Lot total – Maximum 40 percent		
	2. All enclosed buildings – Maximum 25 percent of lot		
	3. Front yard – Maximum 15 percent of front yard		

(d) Supplementary Regulations.

- (1) To minimize traffic congestion on major roads and to protect the surrounding residential areas from any adverse activities that may be associated with such business uses, a site plan, shall be submitted to, and approved by, the Zoning Administrator prior to issuing a zoning certificate. The site plan shall show the site layout, including the locations and dimensions of vehicular and pedestrian entrances, exits, driveways, and the vehicular circulation pattern, structure siting and dimensions, off-street parking spaces, landscaped yards, and the location and type of lighting facilities and signs.
- (2) No zoning certificate shall be issued for an “RO” use until the applicant shall have certified to the Zoning Administrator that:
 - A. The business activity is open to the public only between the hours of 7:00 a.m. and 9:00 p.m.
 - B. The business activity shall be conducted wholly within a completely enclosed building.
 - C. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or Portland cement concrete, wood, tile, terrazzo or similar material, and except for parking areas, the grounds shall be planted and landscaped.
- (3) Failure to comply with any of the above conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Ordinance.

1143.10 UP UPTOWN DISTRICT.

(a) Purpose.

The purpose of this district is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a

functional, aesthetic and pedestrian compatible manner.

(b) Uses.

(1) Permitted uses.

- A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.
- B. Retail services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Apparel and jewelry.
 - 2. Bars and establishments serving alcohol.
 - 3. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 4. Drugs and pharmaceuticals.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvements products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in.
 - 11. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.
- C. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 - 3. Barber and beauty shops.
 - 4. Cleaners, including dry cleaning and laundromats.
 - 5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
 - 6. Offices for nonprofit, charitable, labor, and other service organizations.
 - 7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold).
 - 8. Theaters, not including drive-ins.
 - 9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.
- D. Accessory buildings incidental to the principal use.
- E. Sidewalk uses.
 - 1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
 - 2. A sidewalk use may include outdoor activity on both private and public property as follows:
 - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.

- b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
- 3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
 - a. The use may not result in less than five feet of open and unobstructed public sidewalk adjacent to the sidewalk use; and
 - b. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall be named as an additional insured upon such liability policy; and
 - c. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
 - d. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
 - e. All materials shall be lightweight and easily removable; and
 - f. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
 - g. All illumination shall be confined within the perimeter of the use; and
 - h. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
- 4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
- 5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
- 6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

(2) Conditional Uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

A. Retail services:

- 1. Any permitted retail use that exceeds 10,000 sq. ft. on any given floor.
- 2. Banks with drive-through facilities.
- 3. Building supplies, garden supplies.
- 4. Temporary or outdoor sales of plants and garden supplies.
- 5. Retail uses which do not provide a minimum ratio of 0.7:1 of the

lot area.

6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.

B. Personal and public services:

1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
2. Cultural institutions, including libraries, art galleries and museums.
3. Hotels and motels.
4. Places of worship.
5. Funeral homes.
6. Night clubs, discotheques, and other entertainment facilities.
7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.

C. Other uses.

1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
2. Community-Oriented Residential Social Service Facilities (CORSSF's).
3. Shared Housing and Congregate Housing for the elderly.
4. Government owned and/or operated parks and recreation facilities.
5. Bed & Breakfasts.
6. Publicly owned and operated neighborhood recreation centers.
7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

B. Minimum Lot Frontage:

1. 33 feet

(2) Yard requirements.

Front Yard 16.5 feet minimum except * On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard none except * Adjacent to a residential district 10 feet minimum

Side Yard none except * Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade

Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)
 - a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:
 - i. The basement of a structure may be used for

- retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.
 - ii. Uncovered outdoor areas shall:
 - a. Be associated with the first floor commercial occupant,
 - b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.
 - c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.
 - b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:
 - i. Stairways, hallways, elevators outdoor patios, decks, and balconies, for residential use shall be computed into the maximum 2:1 ratio.
- (4) Maximum Residential Density.
 - A. Occupancy shall be limited to one person per 200 square feet of lot area.

1143.11 MU UNIVERSITY DISTRICT.

- (a) Purpose.

The purpose of this district is to accommodate the academic, administrative, cultural, recreational, residential and ancillary uses comprising and supportive of the respective requirements of a college or university. Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.
- (b) Uses.
 - (1) Permitted uses.
 - A. University complex, including all affiliated educational structures and other supporting uses owned, operated, affiliated, leased or licensed by the university, such as dormitories, eating facilities, recreational and athletic facilities, laboratories, retail facilities, library, etc.
 - B. Single-family dwellings.
 - (2) Conditional Uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

 - A. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - B. Shared Housing for the elderly.
 - C. Government owned and/or operated parks and recreation facilities.
 - D. Bed & Breakfasts.
 - E. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Places of worship.
- (c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot area 6,000 sq. feet
 - B. Minimum lot width 60 feet
 - C. Minimum lot frontage 60 feet
 - (2) Yard requirements.
 - A. Minimum front yard depth 20 feet
 - B. Minimum rear yard depth 35 feet
 - C. Minimum side yard width 7.5 feet on each side
 - (3) Structural requirements.
 - A. Maximum building height 35 feet

- B. Lot Coverage
 - 1. Lot total – Maximum 35 percent
 - 2. All enclosed buildings – Maximum 25 percent of lot
 - 3. Front yard – Maximum 25 percent of front yard
- (4) Mile Square Design Standards.
Single family dwellings shall comply with the Mile Square Design Standards of the R-1MS District.
- (5) Proposals requiring major infrastructure improvements shall be referred to Planning Commission and City Council as determined by the City Manager. Site development specifications and a project overview for all university uses shall be submitted to the Planning Department for review for the following:
 - A. Integration of transportation improvements with existing and planned services and facilities.
 - B. Adequacy of public utilities and services.
 - C. Conformance with Ordinances regulating the Historic Architectural Preservation Commission.
 - D. Potential incompatibility with abutting zoning districts necessitating modifications to the site plan to mitigate potential negative impacts.
- (6) A descriptive text shall be submitted indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, glare, and vibration from normal operations, and a plan for addressing these impacts. Administrative review shall be conducted and response made within 30 days of receipt.

1143.12 GB GENERAL BUSINESS DISTRICT.

- (a) Purpose.
This district is intended to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall community. This district is also intended to accommodate retail trade establishments in the community that cannot be practically provided for in a neighborhood commercial district development. This district is only appropriate within areas that are presently served, or will be served upon development, with both central water and sewer.
- (b) Uses.
 - (1) Permitted uses.
 - A. Retail services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Apparel and jewelry.
 - 2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 3. Department stores.
 - 4. Drug stores selling health and personal care aids.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvement products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in or fast food.
 - 11. Sales of new and used motor vehicles by dealerships holding franchises authorized by manufacturers for the sale of new vehicles.
 - B. Personal and professional services. (Not to exceed 15,000 square feet of total gross floor area)
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.

2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 3. Barber and beauty shops.
 4. Cleaners, including dry cleaning and Laundromats.
 5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
 6. Offices for nonprofit, charitable, labor, and other service organizations.
 7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold and repair work is done inside).
 8. Theaters, not including drive-ins.
 9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.
- C. Accessory buildings incidental to the principal use.
- (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
- A. Retail services.
1. Automobile service stations selling gasoline.
 2. Bars and establishments serving alcohol.
 3. Banks with drive-through facilities.
 4. Building supplies, garden supplies.
 5. Drive-in and fast-food restaurants.
 6. Sales of motorcycles and used motor vehicles, rental and service of motor vehicles, sales and rental of boats and marine equipment, and sales and rental of trailers.
 7. Temporary or outdoor sales of plants and garden supplies.
- B. Personal and public services.
1. Animal hospitals or kennels.
 2. Bowling alleys.
 3. Cultural institutions, including libraries, art galleries and museums.
 4. Hotels and motels.
 5. Places of worship.
 6. Funeral homes.
 7. Indoor skating rinks, arcades, and similar recreational uses.
 8. Instructional studios.
 9. Night clubs, discotheques, and other entertainment facilities.
- C. Other uses.
1. Community-Oriented Residential Social Service Facilities (CORSSF's).
 2. Shared Housing and Congregate Housing for the elderly.
 3. Government owned and/or operated parks and recreation facilities.
 4. Bed & Breakfasts.
 5. Publicly owned and operated neighborhood recreation centers.
 6. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
 7. Schools: primary, intermediate, and secondary, both public and private.
 8. Mini-Warehouse (Self-Storage Units)
 9. Business Incubator
 10. Any permitted or combination of any retail, personal or public

services that exceed 15,000 square feet of gross floor area

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

- A. Minimum lot frontage and width: 100 feet
- B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum setbacks.

Front yard	Rear yard	Side yard
35 feet	25 feet	0 feet

When a side or rear lot line abuts residential district lot lines, the minimum side or rear transitional setback distance shall be 25 feet in depth and shall be screened from the residential district by a dense evergreen hedge a minimum of 6 feet tall at planting and that will maintain at least 90 percent opacity over time. Existing vegetation may be considered as long as the anticipated overall opacity effect can be achieved. Alternatively, different types of screenings may be utilized subject to review and approval by the Zoning Administrator if the alternative material can achieve the overall 90% opacity effect.

- B. Maximum front yard setback.

A maximum front yard setback of 150 feet; and at least 75% of the façade of the principal building must be setback no more than 150 feet from the front lot line.

(3) Structural requirements.

Maximum building height 45 feet

(d) Supplementary Regulations.

- (1) All merchandise, new and used, with the exception of boat, automobile, truck or farm implements and plants and garden supplies, shall be stored within a completely enclosed building. Displays of boats, automobiles, tractors, recreational trailers and/or mobile homes shall conform to the requirements as defined in Section 1141.03 (e)

(2) Landscaping:

Landscaping of the site shall comply with the requirements of Chapter 1148.

- (3) The building should be oriented so that the principal building entrance faces the principal street or the street providing main access to the site. The entrance must be connected to the street and adjacent parking with clearly marked sidewalks/walkways. The building façades facing the street must adhere to the façade treatment as outlined in the following sections. In no instance, shall the rear of the building face the public right-of-way.

- (4) Building facades that are oriented toward a right-of-way shall be provided for visual relief as follows:

- A. Windows and transparent doors must occupy a minimum of 60% of the entire building wall area measured between 2.5 and 7 feet in height above grade along the entire front façade. Glass block, opaque or darkly tinted glass is not considered to be transparent.
- B. Building façades must have different articulation in height and setback. Different horizontal articulations with material, color and opening shall also be utilized when building elevation is higher than 14 feet. Preferred materials include brick, stone, glass or wood.

- (5) Each development is required; where appropriate, to provide adequate space (including easements) for alternative modes of transportation such as bike paths, multi-use paths, bus stops and turnarounds. Each development is also required to provide bicycle rack space at a rate of 3 per 10,000 square feet of gross floor area.

- (6) The front façade of the principal structure shall be finished, utilizing at least 50% natural materials including brick, stone, masonry, glass, or wood. No aluminum or vinyl siding shall be used in finishing or utilized on the front façade of the building.
- (7)
 - A. All utility boxes must be screened with appropriate landscaping material such that they are not visible from a right-of-way or other publicly accessible area.
 - B. All refuse collection and recycling containers must be enclosed or screened so as not to be visible from a right-of-way or other publicly accessible area. The structure surrounding the container(s) must be enclosed on all sides, one of which includes a gate or door that can be secured. The enclosure may consist of wood or masonry walls. Containers shall not be located in any front yard. The exterior perimeter of the enclosure(s) must be landscaped, excluding the access point.

1143.13 OI OFFICE & LIGHT INDUSTRIAL DISTRICT.

- (a) Purpose.
This district is intended to provide for research and development and professional office facilities that have minimal impact upon the surrounding environment
- (b) Uses.
 - (1) Permitted uses.
 - A. Professional, business, government, and medical offices with no retail sales to the general public, with no storage of goods for sale.
 - B. Professional Offices relying on advanced scientific and engineering capabilities.
 - C. Research, experimental, or testing laboratories conducted entirely within enclosed buildings.
 - D. Electronic data processing.
 - E. Public service facilities.
 - (2) Conditional uses.
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Operations designed to attract little or no customer or client traffic other than employees.
 - B. Semi-public uses.
- (c) Site Development Regulations.
 - (1) Lot requirements.
 - A. Minimum lot frontage and width: 100 feet
 - B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
 - (2) Yard requirements.
 - A. Minimum front yard depth 50 feet
 - B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Board of Zoning Appeals.
 - (3) Structural requirements.
 - A. Maximum height 45 feet
 - B. Lot coverage 70 percent
- (d) Supplementary Regulations.
 - (1) Site plan approval required.

A site plan shall be submitted that shows graphically the location and dimensions of vehicular entrances, exits, internal circulation pattern, off-street parking and loading facilities, building location and dimensions, storage facilities, landscaping and screening facilities.

(2) Impact statement.

Prior to being issued a zoning certificate in the Office/Industrial District, the applicant must obtain approval of a descriptive text indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, glare and/or vibration from normal operations and a plan for addressing these impacts. The expected number of employees per shift, at the outset and at full expansion, shall be indicated. Other information, as required, shall be submitted either in text or plans.

(3) Storage of material.

Storage of material and equipment shall be within an enclosed building, unless located behind the principal structure and visually screened from the street and adjacent properties by a landscaped screen, fence or wall. Such screening of open storage and trash containers must meet the requirements of Sections 1141.01 and 1141.04.

1143.14 LI LIGHT INDUSTRIAL DISTRICT.

(a) Purpose.

This district is intended to provide for those analytical and associated fabrication activities associated with research and development, as well as for office and industrial uses having minimum impact upon the surrounding environment in areas that are suitable for industrial development by reason of location and the availability of adequate utility and transportation systems. Permitted uses are those that can be operated in a clean and quiet manner, subject only to those regulations and performance standards necessary to prohibit congestion and for the protection of adjacent residential and business activities.

(b) Uses.

(1) Permitted uses.

- A. Any use whose principal function is basic research, design and/or pilot or experimental product development or technical training.
- B. Office buildings of an executive or of an administrative nature or incidental to those uses previously listed.
- C. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature and that no stock of goods is maintained for sale to the general public.
- D. Sales offices related to the principal manufacturer on the same site provided that any retail trade with the general public shall be of a limited nature.
- E. Business and industrial service facilities.
- F. Laboratories including experimental, film, testing, research, or engineering.
- G. Printing, publishing, binding, and typesetting plants.
- H. The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to bakery goods, business machinery, candy, clocks and toys, cosmetics, electrical and electronics products, components and equipment, food products, hardware and cutlery, tools, and pharmaceuticals.
- I. The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, sheet metal (excluding large stampings, such as automobile fenders or bodies) shell, textiles, tobacco, wax, wire, wood, (excluding saw and planning mills), and yarns.

- J. Medical, dental, optical manufacturing.
- K. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- L. The manufacture and repair of electric and neon signs.
- M. Motion picture production.
- N. Adult Entertainment Facilities.
- O. Accessory buildings and uses incidental to the principal use.

(2) Conditional uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Any permitted use over 100,000 square feet of gross floor area
- B. Electroplating
- C. Graphic products manufacturer
- D. Light sheet metal products, including heating and ventilating equipment, cornices or eaves
- E. Cold storage plants
- F. Tool and die shops, wrought iron shops, machine shops, excluding drop hammers
- G. Banks, including drive-in facilities
- H. Restaurants, including fast food and drive-ins
- I. Taverns
- J. Wholesale facilities
- K. Other manufacturing, processing, or storage uses determined by the Planning Commission to be of the same general character as the permitted uses previously listed and found not to be a nuisance or offensive by reason the potential emission or transmission of noise, vibration, smoke, dust, glare, heat, water or air pollution. In this regard, the Planning Commission may seek expert advice on what conditions should be imposed on a particular operation to carry out the purposes of this zone: the cost of such expert assistance shall be borne by the applicant.
- L. Mini-Warehouse (Self-Storage Units)
- M. Business Incubator

(c) Site Development Regulations.

(1) Lot requirements.

- A. Minimum lot frontage and width: 100 feet
- B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.

(2) Yard requirements.

- A. Minimum front yard depth 50 feet
- B. Minimum rear yard depth and side yard width
 - 1. If side or rear yard abuts onto a Residential District, yard shall have a minimum 50 feet for Permitted Use and minimum 100 feet for Conditional Use, and landscaped screening provided.
 - 2. Each side and rear yard shall be equal to the height of the principal building.
 - 3. Opaque fence may be substituted for plantings if approved by the Zoning Board of Appeals.

(3) Structural requirements.

- A. Maximum height 45 feet
- B. Maximum Lot coverage 70 percent

(d) Supplementary Regulations.

(1) Site plan approval required.

A site plan shall be submitted that shows graphically the location and dimensions of vehicular entrances, exits, internal circulation pattern, off-street parking and

loading facilities, building location and dimensions, storage facilities, landscaping and screening facilities.

(2) Impact statement.

Prior to being issued a zoning certificate in the Office/Industrial District, the applicant must obtain approval of a descriptive text indicating the nature of the proposed activity, expected levels of noise, odor, dust, smoke, light, water and air pollution, glare and/or vibration from normal operations and a plan for addressing these impacts. The expected number of employees per shift, at the outset and at full expansion, shall be indicated. Other information, as required, shall be submitted either in text or plans.

(3) Storage of material.

Storage of material and equipment shall be within an enclosed building, unless located behind the principal structure and visually screened from the street and adjacent properties by a landscaped screen, fence or wall. Such screening of open storage and trash containers must meet the requirements of Sections 1141.01 and 1141.04.

1143.15 AGRICULTURAL OPEN SPACE DISTRICT.

(a) Purpose.

This district is intended to provide areas within the City that: allow properties to continuously be used for agricultural purposes which have no future land use purpose at this time, or that may be in a transitional stage with regard to development; will conserve areas that have value as open space; and will incorporate conservation practices by preserving and enhancing the natural environment, rural character and areas that may have development constraints.

(b) Uses.

(1) Permitted Uses.

- A. The conduct of agricultural operation such as: farming, apiculture, horticulture, viticulture.
- B. Horse ranches, horse boarding stables, riding stables and academies, and structures normally associated with such as; stables and training facilities.
- C. Single-family dwelling.
- D. Accessory building and uses incidental to the principal use as provided in Chapter 1141.
- E. Day Care Home Type B family.

(2) Conditional Uses:

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Dairying, pasturage and animal and poultry husbandry.
- B. Kennel.
- C. Community-Oriented Residential Social Service Facilities (CORSSF's).
- D. Shared Housing and Congregate Housing for the Elderly.
- E. Government owned and/or operated parks and recreation facilities.
- F. Bed & Breakfasts.
- G. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
- H. Cemeteries.
- I. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- J. Schools; primary, intermediate, and secondary, both public and private.
- K. Places of Worship.

(c) Site Development Regulations. (unless superseded by Conditional Use Requirements)

(1) Lot requirements.

- A. Minimum lot area 20 acres
- B. Minimum lot width 200 feet

- C. Minimum lot frontage 200 feet
 - (2) Yard Requirements.
 - A. Minimum front yard depth 50 feet
 - B. Minimum rear yard depth 200 feet
 - C. Minimum side yard width 50 feet
 - (3) Structural requirements.
 - A. Maximum building height 35 feet
 - (4) Maximum Lot coverage shall not exceed 10 percent of the lot area.
- (d) When the Agricultural Open Space District is used as a "holding zone" upon an annexation, the use, lot size and dimension requirements shall be as it existed upon annexation.

1143.16 NB NEIGHBORHOOD BUSINESS DISTRICT.

- (a) Purpose.
This district is intended to provide small-scale retail and services on sites in or near residential areas, while having little impact on them. Uses are limited in scope to promote local orientation. Development is intended to be compatible with the scale of surrounding residential areas development through pedestrian-orientation (or limited auto-orientation when the site is adjacent to collector streets)
- (b) Uses.
 - (1) Permitted Uses.
 - A. Two dwelling units of any combination of dwelling types as defined in Section 1159.05(8), A, C and D, on the upper floor.
 - B. Professional services limited to 2,500 square feet of gross floor area.
 - C. Retail services limited to 2,500 square feet of gross floor area.
 - D. Personal services limited to 2,500 square feet of gross floor area.
 - E. Child daycare center limited to 2,500 square feet of gross floor area.
 - F. Cultural facilities, including museums, art gallery, library limited to 2,500 square feet of gross floor area.
 - (2) Conditional Uses:
The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Residential dwelling types as defined in Section 1159.05(8), A, or C or D, on the first floor or basement.
 - B. Restaurant
 - C. Professional, retail, personal services, daycare center, cultural facilities that have more than 2,500 square feet of gross floor area.
 - D. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - E. Shared Housing and Congregate Housing for the Elderly.
 - F. Government owned and/or operated parks and recreation facilities.
 - G. Bed & Breakfasts.
 - H. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.
 - I. Schools; primary, intermediate, and secondary, both public and private.
 - J. Places of Worship.
 - K. Hotel,
 - L. Animal hospital
 - M. Extended business hours beyond the hours of operation as permitted.
- (c) Site Development Regulations. (unless superseded by Conditional Use Requirements)
 - (1) Lot requirements.
 - A. Minimum lot frontage and width: 50 feet
 - B. No minimum lot size is specified; however, the lot size shall be adequate to provide for parking, access drive spacing, yard space and screening requirements.
 - (2) Yard Requirements.
 - A. Minimum front yard depth
20 feet in the Mile Square or the average front yard setback of the

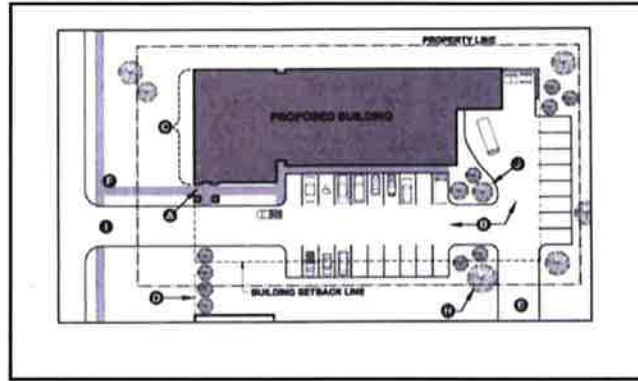
block face, whichever is higher.
30 feet outside of the Mile Square.

- B. Minimum rear yard depth See table below.
C. Minimum side yard width See table below.
(3) Structural requirements.
A. Maximum building height 35 feet.

	Minimum building setback from residential zoned properties	
Height of the Building	Lots abutting a side lot line of a residential zoned lot	Lots abutting a rear lot line of a residential zoned lot
20 feet or less in height	7.5 feet	35 feet
More than 20 feet, but less than 35 feet in height	10 feet	40 feet

- (4) Maximum Lot coverage 50 percent
(d) Supplementary Regulations:
(1) Landscaping of the site shall comply with the requirements of Chapter 1148.
(2) The placement of any proposed building shall be consistent with the average setback of the blockface.
(3) Development should preserve the historic character of Oxford while embracing high quality design that complements existing building.
(4) New building shall be designed in style, mass, scale and materials compatible with the surrounding properties.
(5) Addition to an existing building shall be sympathetic to the architectural scale and style of the existing building. The material for the addition shall also be similar and consistent with the existing building.
(6) The maximum pedestrian walking distance from the street to the entrance of the building shall not be more than 150% of the required front yard setback, or the average front yard setback distance, whichever is larger.
(7) Buffering shall be provided along the property lines adjacent to residential zoned properties. Such buffering shall consist of a solid green or dense green hedge a minimum of 6 feet tall. Green hedges shall be 6 feet tall at planting and maintain at least 90 percent opacity over time.
(8) Hours of operation shall be limited to 8 am to 9 pm, or subject to the approval from the Planning Commission.
(9) All parking shall be located to the side or to the rear of the building. No more than 50% of the frontage upon the street could be used for parking area.

**Location of Off-Street Parking
Illustration Only**



SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45215

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	January 12, 2021
COUNCIL MEETING DATE:	January 19, 2021
AGENDA TITLE:	A Resolution condemning the unlawful and violent attack on the U.S. Capitol Building.
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 1-15-21</i>

DISCUSSION:

As requested by Mayor Smith and City Manager Elliott.



RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF OXFORD, OHIO, CONDEMNING THE UNLAWFUL AND VIOLENT ATTACK ON THE U.S. CAPITOL BUILDING ON JANUARY 6, 2021.

WHEREAS, the First Amendment to the Constitution of the United States of America establishes a sacred right to free speech, peaceful assembly, and peaceful protest. Those who stormed the capitol building on January 6, 2021 and those who incited them went far beyond anything that is protected by the First Amendment; and

WHEREAS, it is the duty of all elected officials to speak out and condemn this outrage and to show that those who invaded our capitol building and those who encouraged them do not represent America. America is represented by millions of free people throughout our land who continue to cherish our land, our freedom and our right to choose our own leaders.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Now, therefore, the City Council of the City of Oxford does hereby join with millions of Americans in condemning the unlawful and violent attack on our U.S. Capitol building and this assault on our democracy. We call upon our elected leaders in Washington DC to launch a full and fair investigation of how this could occur and how it can be prevented from ever happening again in the future.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1159.05 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “D”), SECTION 1159.17 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “P”), AND SECTION 1159.20 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “S”) IN CHAPTER 1159 ENTITLED DEFINITIONS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1159.05 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “D”), SECTION 1159.17 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “P”), AND SECTION 1159.20 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER “S”) IN CHAPTER 1159 ENTITLED DEFINITIONS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on December 8, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1159.05 entitled Definitions (beginning with the letter “D”), Section 1159.17 entitled Definitions (beginning with the letter “P”), and Section 1159.20 entitled Definitions (beginning with the letter “S”) in Chapter 1159 entitled Definitions, and adopted new Oxford Codified Ordinance Section 1159.05 entitled Definitions (beginning with the letter “D”), Section 1159.17 entitled Definitions (beginning with the letter “P”), and Section 1159.20 entitled Definitions (beginning with the letter “S”) in Chapter 1159 entitled Definitions.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION I: Council hereby repeals Oxford Codified Ordinance Section 1159.05 entitled Definitions (beginning with the letter “D”), Section 1159.17 entitled Definitions (beginning with the letter “P”), and Section 1159.20 entitled Definitions (beginning with the letter “S”) in Chapter 1159 entitled Definitions, and adopts new Oxford Codified Ordinance Section 1159.05 entitled Definitions (beginning with the letter “D”), Section 1159.17 entitled Definitions (beginning with the letter “P”), and Section 1159.20 entitled Definitions (beginning with the letter “S”) in Chapter 1159 entitled Definitions as follows:

1159.05 DEFINITIONS (BEGINNING WITH THE LETTER “D”).

- (1) DECK - A roofless above-ground platform projecting from the wall of a building, connected by structural supports at grade or by the building structure, and primarily utilized by the occupants of a structure for outdoor enjoyment, socializing or recreation.
- (2) DENSITY, GROSS - The number of dwelling units which are allowed on an area of land, which area of land shall be permitted to include dedicated streets contained within the development.
- (3) DENSITY, NET - The number of dwelling units which are allowed on an area of land, excluding streets and rights-of-way.
- (4) DISTRICT - A part, zone, or geographic area within the municipality within which certain zoning or development regulations apply.
- (5) DISTRICT MAP - The official district map of the City of Oxford, as adopted by Oxford City Council, together with all amendments subsequently adopted by the Oxford City Council, on file in the City Building and being the official zoning map for the City.
- (6) DISTRICT, ZONING - A section or sections of the City in which the regulations governing the use of land, buildings and premises, or governing the height and area requirements of buildings, are uniform.
- (7) DRIVE-IN USE - An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles. A “drive-in” shall include any car wash in which cars are either driven, pushed, or pulled through a washing apparatus, but shall not include a parking lot, nor a private, public, or storage garage, nor a gasoline station.
- (8) DWELLING - A building or structure designed or occupied exclusively for non- transient

residential use and permitted accessory uses for one or more households, but not including a tent, cabin, trailer, hotel, motel, or mobile home.

(9) DWELLING TYPE

- A. DWELLING, EFFICIENCY - A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.
- B. DWELLING, MULTIPLE UNIT - A building with three or more dwelling units in which they may or may not share common entrances and / or other spaces. Individual dwelling units may be owned as condominiums, or offered for rent.
- C. DWELLING, SINGLE FAMILY - A building consisting of only one dwelling unit, detached or separated from other dwelling units by open space.
- D. DWELLING, TWO FAMILY - A building consisting of two single dwelling units, detached or separated from other dwelling units by open spaces.
- E. DWELLING, THREE UNIT - A structure having only three dwelling units.
- F. DWELLING UNIT - One or more rooms which are arranged, designed, or occupied as living quarters for a family as a single housekeeping unit. A dwelling unit includes bathroom and kitchen facilities in addition to sleeping and living areas. Publicly accessible space separates a dwelling unit from any other dwelling unit. No doorway or perforated walls exist between dwelling units.

1159.17 DEFINITIONS (BEGINNING WITH THE LETTER "P").

- (1) PARK - A tract of land designated and used by the public for active and passive recreation.
- (2) PARK AND RIDE FACILITIES - Parking lots or structures located along public transit routes designed to encourage transfer from private automobile to mass transit or to encourage carpooling for purposes of commuting, or for access to recreation areas.
- (3) PARKING GARAGE - A building, other than a private garage, used for the parking of automobiles with or without a fee.
- (4) PARKING LOT - An open area, other than a street, used for the parking of vehicles.
- (5) PATIO - An uncovered floor, usually made of concrete, brick, or other masonry material, which is not elevated above the surface of the ground and generally used for outdoor enjoyment or dining.
- (6) PERFORMANCE STANDARD - A criterion established in the interest of protecting the public health and safety for the control of noise, odor, smoke, noxious gas, and other objectionable or dangerous elements generated by and inherent in, or incidental to, certain uses and activities.
- (7) PERSONAL WIRELESS SERVICE - Commercial mobile services, unlicensed wireless services and common carriers wireless exchange access service, including, cellular services.
- (8) PLACE OF WORSHIP - Church, synagogue, temple, rector, parish house, meditation center, or similar building incidental to the particular use which is maintained and operated by an organized group of people for religious purposes.
- (9) PLANNED DEVELOPMENT - An area of land that is planned, developed, and maintained as a cohesive development according to the provisions of this Zoning Code.
- (10) PLOT PLAN - A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and other such information.
- (11) POOL - Any structure that contains water over 24 inches (610 mm) in depth and which is used, or intended to be used, for swimming or recreational bathing as an accessory use. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.
- (12) PORCH - A covered platform, usually having a separate roof, at an entrance to a dwelling or building, or an open or enclosed gallery or room which is not heated or cooled that is attached to the outside of a building.
- (13) PREMISES - Any lot or combination of contiguous lots held in single ownership, together with the development thereon; a condominium complex constitutes one premises.
- (14) PRINCIPAL BUILDING - A building on a lot containing the primary use of the lot.
- (15) PRINCIPAL ENTRANCE - The place of ingress and egress used most frequently by the public.

- (16) PRINTING & PUBLISHING - The setting of type and the printing and publishing of books, newspapers, etc. for sale.
- (17) PROFESSIONAL OFFICE - An office of a practitioner or practitioners of a specific occupation, vocation or calling in which a professed knowledge of some department of science or learning, not purely commercial, mechanical or agricultural, is used in its practical application to the affairs of other, either by advising or by guiding them in serving their interests or welfare. Such uses include, but are not limited to, offices of medical doctors, dentists, engineers, surveyors, city planners, lawyers, real estate brokers, insurance agents, architects, landscape architects, optometrists, and chiropractors.
- (18) PUBLIC SERVICE FACILITY - A structure or facility used by a public or utility agency to store, distribute, generate electricity, gas, communications, and related equipment, or to pump or chemically treat water. This does not include storage or treatment of sewage, solid waste, or hazardous waste.
- (19) PUBLIC USE - The public use of parks, schools and administrative, cultural and accessory building, not including public land or buildings devoted solely to the storage and maintenance of equipment and material.
- (20) PUBLIC UTILITY - Any firm, corporation, governmental department, or board duly authorized to furnish and furnishing under State or Municipal regulation to the public, electricity, gas, steam, communications, telegraph, transportation, water, or sewers.
- (21) PUBLIC WAY - Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky which is deeded, dedicated or otherwise permanently appropriated to the public for public use.
- (22) PUBLICLY OWNED PROPERTY - Any real property owned by the City of Oxford, Talawanda School District, Miami University, or Oxford Township.

1159.20 DEFINITIONS (BEGINNING WITH THE LETTER "S").

- (1) SALVAGE YARD - Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including, but not limited to, materials such as scrap metals, paper, rags, tires and bottles.
- (2) SCHOOL, COMMERCIAL - A school establishment to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school).
- (3) SETBACK - The distance between the building and any lot line.
- (4) SHOPPING CENTER - A group of five or more commercial establishments on one lot and managed as a unit with off-street parking on-site, and having 30,000 square feet or more of floor area.
- (5) SIGN - Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
- (6) SIGN TYPES
 - A. ILLUMINATED SIGN, DIRECTLY - A sign with internal electronic circuitry emitting light through the sign face.
 - B. ILLUMINATED SIGN, INDIRECTLY - A sign which is illuminated by an external source which reflects light off the surface of a sign face.
 - C. POLE SIGN - A sign erected on a single pole or multiple poles regardless of size and shape.
- (7) SITE PLAN - A plan which outlines the use and development of any tract of land.
- (8) SPECIFIED ANATOMICAL AREAS - Less than completely and opaquely covered human genitals, pubic region, buttock, and female breasts below a point immediately above the top of the areola; or human male genitals in a discernible turgid state even if completely and opaquely covered.
- (9) SPECIFIED SEXUAL ACTIVITIES - Human genitals in a state of sexual stimulation or arousal; Acts, real or simulated, of human masturbation, sexual intercourse, sodomy,

- cunnilingus, or fellatio; or fondling or other erotic touching of human genitals, pubic region, buttock, and female breasts below a point immediately above the top of the areola.
- (10) STOOP - An exterior floor or platform typically, but not necessarily, constructed of concrete and/or masonry and sometimes having an overhead roof, utilized for the primary purpose of accessing a building entrance.
- (11) STORY - That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.
- (12) STREET - Any vehicular way that: (1) is an existing state, county, or municipal roadway; (2) is shown upon a plat approved pursuant to law; (3) is approved by other official action.
- A. ARTERIAL - A major roadway that provides intra-community travel and access to the county or regional highway system. Access to an arterial should be provided at collector and local streets.
- B. COLLECTOR - A thoroughfare which provides for distribution of traffic between major and local streets and abutting properties, including the principal entrance and circulation routes within residential subdivisions.
- C. LOCAL - A street primarily used for providing access to individual properties as shown on the official Thoroughfare Plan.
- D. PRIVATE - A street that has not been accepted by the municipality or other governmental entity.
- (13) STREET LINE - A dividing line between a lot, tract or parcel of land, and a continuous street.
- (14) STRUCTURE - Anything permanently constructed, erected or located on the ground, including, but not limited to, advertising signs and backstops for tennis courts.
- (15) STRUCTURAL ALTERATION - Any change in the supporting member of a building such as bearing walls, columns, beams or girders, or any substantial change in the roof or in the exterior walls or change in the design or dimensions of the roof or exterior walls.
- (16) STUDIO - Means the working place of a painter, sculptor or photographer or other artists, or a place maintained and equipped for the transmission of radio or television programs.
- (17) SUBDIVISION - The division of a tract, lot or parcel of land into two or more lots, plats, sites or other divisions of land.

SECTION II: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)