



## **Agenda**

### **Oxford City Council**

#### **Court House**

**TUESDAY, AUGUST 6, 2013**

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### **EXECUTIVE SESSION**

**7:15 P.M.**

1. Roll Call. Richard Keebler, Mayor; Ken Bogard, Vice-Mayor; Kevin McKeehan  
Bob Blackburn; Kate Rousmaniere; John Harman; Steve Snyder

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**MEETING PROCEDURE:** Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

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### **REGULAR MEETING**

**7:30 P.M.**

### **PLEDGE OF ALLEGIANCE**

2. Approval of Agenda.

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| <p><b>This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours in advance so that reasonable accommodations can be made.</b></p> |
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3. Public Participation.

- A. Presentation - Oxford Seniors - Joan-Potter Sommer.
- B. Appointments to Boards and Commissions.
- C. Public Comments.

**The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.**

4. Consent Agenda.

- A. Minutes of the July 16, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

- B. Report regarding the July 9, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

- C. Report regarding the July 17, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)



Report

- D. Report regarding the July 18, 2013 Recreation Board Meeting. (Gail Brahier, Parks and Recreation Director)



Report

- E. A Resolution authorizing the Police Chief and the Finance Director to dispose of contraband no longer needed as evidence. (Bob Holzworth, Police Chief)



Staff Report/Resolution

- F. A Resolution authorizing the sale of salvaged, junk and/or abandoned motor vehicles. (Bob Holzworth, Police Chief)



Staff Report/Resolution

- G. A Resolution declaring approximately 100 cubic yards of various tree limbs and 3000 cubic yards of compost as surplus City property no longer needed for any municipal purpose and authorizing its sale to the highest bidder at public auction or by utilizing an on-line auction service. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

1. A Resolution authorizing the assessment of delinquent charges for the removal or destruction of noxious vegetation to be placed on the Butler County, Ohio property tax duplicate. (Jung-Han Chen, Community Development Director).



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 1141.04 Entitled Environmental Regulations, And Adopting New Oxford Codified Ordinance Section 1141.04 Entitled Environmental Regulations. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

2. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately Sixteen (16) Acres Of Land Generally Known As Indian Trace Apartments Located On The West Side Of U.S. 27 South Near The Intersection Of University Park Boulevard Oxford Ohio, And Rezoning The Property From R-3 Multi-Family Residential District To R-4 Multi-Family Residential District. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

3. An Ordinance Accepting The Planning Commission's Recommendation And Granting A Zoning Map Amendment For Approximately Sixty Six (66) Acres Of Land Generally Known As Southpointe (Level 27) Apartments And The Surrounding Undeveloped Tract Of Land Located On The East Side Of U.S. 27 South Near The Intersection Of Southpointe Parkway Oxford, Ohio, And Rezoning The Property From R-3 Multi-Family Residential District To R-4 Multi-Family Residential District. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

4. An Ordinance Amending Ordinance No. 3190. Supplemental Budget Ordinance Number 3 To Make Supplemental Appropriations For Fiscal Year 2013. (Joe Newlin, Finance Director).



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Chapter 139 Entitled Student/Community Relations Commission, And Adopting New Oxford Codified Ordinance Chapter 139 Entitled Student/Community Relations Commission, To Amend The Composition And Organizational Structure Of The Student/Community Relations Commission. (Jung-Han Chen, Community Development Director). (Amended).



## Staff Report/Ordinance

7. A. Announcements & Communications. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

1. Remarks from City Council and City Staff.

- B. Future Meetings.

WED - Aug 7 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Aug 7 Environmental Commission Meeting 6:30 p.m. Municipal Building

TUES - Aug 13 Planning Commission Meeting 7:30 p.m.

MON - Aug 19 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Aug 20 City Council Meeting 7:30 p.m.

WED - Aug 21 Board of Zoning Appeals Meeting 7:30 p.m.

THUR -Aug 22 City Council Budget Work Session - CIP 7:00 p.m.

FRI - Aug 23 Community Improvement Corporation Meeting 12:00 p.m. LCNB

WED - Aug 28 Civil Service Commission Meeting 7:00 p.m.

MON - Sept 2 Holiday - City Offices Closed

TUES - Sept 3 City Council Meeting 7:30 p.m.

WED - Sept 4 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Sept 4 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Sept 10 Planning Commission Meeting 7:30 p.m.

THUR - Sept 12 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

MON - Sept 16 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Sept 17 City Council Meeting 7:30 p.m.

WED - Sept 18 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Sept 25 Civil Service Commission Meeting 7:00 p.m.

FRI - Sept 27 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, July 16, 2013 at 7:00 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan and Kate Rousmaniere. Steve Snyder was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Ms. Gail Brahier, Parks and Recreation Director; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

### **ADJOURN TO EXECUTIVE SESSION**

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1) and (G)(2) for the purpose of discussing employment and property acquisition. Mr. Harman seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Blackburn,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

### **RETURN FROM EXECUTIVE SESSION**

Mr. McKeehan moved to return from Executive Session at 7:33 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

### **PLEDGE OF ALLEGIANCE**

Mayor Keebler requested the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Mr. Bogard moved to approve the agenda. Ms. Rousmaniere seconded. The motion passed 6-0-0.

### **PUBLIC PARTICIPATION**

### **PROCLAMATION** **'PHI DELTA THETA WEEK'**

Mayor Keebler read the Proclamation and presented it to Mr. Brandon Clark

**Mr. Brandon Clark**, thanked Council for the Proclamation and for their support of the Kleberg Emerging Leaders Conference on behalf of Phi Delta Theta. Mr. Clark noted next week there would be approximately 600 undergraduate members from across the United States and Canada in Oxford staying at Miami University.

Mr. Clark advised the fraternity was excited about the conference and looked forward to making an impact with the undergraduates by teaching them about leadership and helping them develop themselves. Mr. Clark noted his hope the undergraduates would take the skills back to their individual chapters to make them the best they could be. Mr. Clark thanked Council again for their support and noted he looked forward to continued participation.

Mayor Keebler wished Phi Delta Theta good luck and noted Council was glad to have the conference in Oxford again this year.

### **PRESENTATION** **OXFORD VISITORS BUREAU**

**Ms. Jessica Greene**, Executive Director, Oxford Visitors Bureau, noted she asked to speak this evening to give Council a six month update noting she became the Executive Director eight months ago. Ms. Greene advised a balanced budget was drafted and all operating policies and procedures were redrafted using best practices from the State Auditors Office. Ms. Greene noted the policies and procedures were not enacted until they were approved by the State Auditor. Ms. Greene advised Alyse was hired to redesign the Visitors Bureau logo and website and she had done a wonderful job. Ms. Greene noted a PR campaign was launched and website hits had sky rocketed. Ms. Greene noted the Summer Music Festival was doing great with a lot of support from community businesses. Ms. Greene advised the bureau was working on partnerships with the Oxford Museum Association, the Farmers Market and various civic groups to promote events that will enrich Oxford. Ms. Greene noted a new Visitors Guide would be launched in the near future. Ms. Greene showed various slides of the new website and event calendar and noted the event calendar was funded in part by the Oxford Chamber of Commerce and the Oxford Community Foundation.

Mayor Keebler advised he had visited the Visitors Bureau website several times and found it to be very easy to follow and it did a great job of featuring the local businesses. Mayor Keebler noted he was glad to learn about the balanced budget and the new policies and procedures noting they were important. Mayor Keebler advised he had received a lot of good comments about the Music Festival and it was great that concerts were scheduled every Thursday this summer (except for the 4<sup>th</sup> of July) featuring local bands and staying within budget.

Ms. Rousmaniere inquired what Ms. Greene's relationship was with Miami University with regard to calendaring.

Ms. Greene noted Miami University events were a large part of the Visitors Bureau event calendar and Miami was releasing a new calendar system in late July or early August and it would be incorporated into the Visitors Bureau event calendar.

Mr. McKeehan gave Ms. Greene "two thumbs up" for all of the accomplishments made during her tenure at the Visitors Bureau.

**APPOINTMENTS TO  
BOARDS AND COMMISSIONS**

Mr. Bogard moved to appoint John Thomas to the Recreation Board as a Talawanda School District representative for a term ending in 2015 and Melissa Engelhard for a term ending in 2016. Mr. Harman seconded. The motion passed 6-0-0.

**PUBLIC COMMENTS**

Mr. Larry Rankin, 610 French Drive, noted as Council began deliberations on the 2014 General Fund Operating Budget, he remained concerned that the City's costs, especially personnel costs, continued to increase while revenues remained mostly flat. Mr. Rankin noted his hope Council would give serious attention to personnel costs which comprised the bulk of the operating budget. Mr. Rankin suggested Council look at sick leave incentives, sick leave conversion at retirement, healthcare costs, overtime pay, vacation pay, tuition reimbursement, pension pickups, and longevity bonus pay. Mr. Rankin advised taxpayers paid nearly \$70,000 in longevity pay in 2012 to fulltime City employees with five years of service ranging from \$450 to \$1,075 each. Mr. Rankin noted perhaps some time ago the City felt this was necessary to attract and retain employees and to compete for employees in the private sector. Mr. Rankin advised he felt in 2013 those arguments were considerably less compelling. Mr. Rankin suggested Council eliminate longevity bonus pay possibly by phasing it out over the next 5 budget cycles.

**CONSENT AGENDA**

**MINUTES**

Minutes of the July 2, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

**REPORTS**

Report regarding the June 26, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the July 3, 2013 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)

**RESOLUTION  
VEHICLE PURCHASE**

A Resolution No. 4755 authorizing the City Manager to enter into a contract with Walt Sweeny Ford for the purchase of a 2014 Ford F-350 truck and specified options at a cost not to exceed \$26,791.00 which is below state contract price. (Mike Dreisbach, Service Director)

**RESOLUTION**  
**SALVAGE VEHICLE**

A Resolution No. 4756 declaring a 1992 Chevrolet K2500 four wheel drive pickup truck (current vehicle #46) as surplus City property no longer needed for any municipal purpose and authorizing its sale to the highest bidder at public auction or by utilizing an on-line auction service. (Mike Dreisbach, Service Director)

Mr. Blackburn moved to approve the consent agenda. Mr. McKeehan seconded. The motion passed 6-0-0.

**RESOLUTIONS**

**RESOLUTION**  
**COSTS OF CURB, GUTTER**  
**& SIDEWALK REPAIRS**

A Resolution No. 4757 determining the total cost of the assessment by lot, authorizing the list of assessments by lot to be filed with the Clerk of City Council and ordering the same be opened for public inspection and authorizing the Clerk of Council to publish notice in a newspaper of general circulation that the list of assessments by lot is available for public inspection. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised in February Council passed a Resolution of necessity for property to be improved in advance of major construction projects. Mr. Dreisbach noted by Ordinance property owners were responsible for maintaining their curbs, gutters and sidewalks and residents were notified that certain improvements had to be made prior to the City's construction projects. Mr. Dreisbach advised the construction projects were completed on Chestnut Street and College Avenue and it was time to begin the assessing process for the costs the City incurred. Mr. Dreisbach noted the work was completed for \$87,000 and Exhibit "A" on page 26 of the agenda was a list of the work done and the cost for each parcel. Mr. Dreisbach advised the Clerk would publish the costs in the newspaper for three consecutive weeks and property owners could file an objection if they had a concern or complaint about the assessment and Council could hear their objection. Mr. Dreisbach noted should there be no objections an assessment Ordinance would come before Council to assign the costs to the tax rolls for a period of 5 years at 5% interest. Mr. Dreisbach advised if property owners would rather pay in cash they could do so within 30 days after the passage of the assessing Ordinance.

Mr. Bogard inquired if property owners were notified of the assessment by certified mail. Mr. Dreisbach advised property owners were notified of the estimated cost by certified mail and now the actual costs would be published. Mr. Dreisbach noted without exception each cost was less than the estimated cost so there should be no surprises for property owners.

Mr. Bogard moved to adopt Resolution No. 4757. Mr. Harman seconded. The motion passed 6-0-0.

**RESOLUTION**  
**EQUIPMENT PURCHASE**

A Resolution No. 4758 authorizing the City Manager to enter into a contract with ADS, LLC for the replacement of water main flow stopping equipment at a cost not to exceed \$75,927.03.  
(Mike Dreisbach, Service Director)

Mr. Dreisbach advised the existing equipment was 20 years old and had reached the end of its useful life. Mr. Dreisbach noted the City developed specifications for the replacement equipment and received one bid since the equipment was proprietary and there were very few vendors across the U.S. that could produce it. Mr. Dreisbach advised the bid was 5% below the budgeted amount and asked Council for permission to obtain the critical equipment used for operations in the Water Distribution Division.

Mr. McKeehan inquired if the manufacturer was the same one that was used for the existing equipment. Mr. Dreisbach advised the manufacturer evolved from the same company. Mr. Dreisbach noted the machine was able to insert a plug into a water main to stop or limit flow which allowed repairs to water mains while disrupting the fewest number of customers possible.

Mr. McKeehan moved to adopt Resolution No. 4758. Mr. Harman seconded. The motion passed 6-0-0.

**ORDINANCE**  
**FIRST READING**  
**NEW CHAPTER 139**

An Ordinance Repealing Oxford Codified Ordinance Chapter 139 Entitled Student/Community Relations Commission, And Adopting New Oxford Codified Ordinance Chapter 139 Entitled Student/Community Relations Commission, To Amend The Composition And Organizational Structure Of The Student/Community Relations Commission. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the purpose of the proposed legislation was to increase the number of community and student members for the Student/Community Relations Commission (SCRC). Mr. Chen noted the current composition was 9 voting members and 6 ex-officio members and the proposed legislation would increase the voting members to 11 and the ex-officio members to 12. Mr. Chen advised there would be 5 student representatives appointed by the Associated Student Government and there would be 6 community members one of whom would reside in the mile square and one of whom would serve as a co-chair. Mr. Chen noted on the student side one member would be the Secretary for Off Campus Affairs and two would serve 2 year terms. Mr. Chen advised the purpose was to expand the connection between the student body and the community and allow the SCRC to be the platform for student/community issues to be discussed and make recommendations to Council. Mr. Chen noted this effort was a follow up to the town-gown seminar that Miami University representatives, City staff, and Ms. Rousmaniere attended last year and one piece was to further integrate the student population with the community.

Ms. Rousmaniere advised she liked the proposal and noted she attended the International Town-Gown Association conference earlier this summer and it was clear that the strongest cities in college towns were cities that had strong Student Community Relations Commissions. Ms. Rousmaniere advised she felt one of the best parts of the proposal was the that the student leader would serve a two year term.

Mayor Keebler noted that the initial terms for community members should be staggered. Mr. McHugh advised language would be added to cover staggered terms for the second reading.

**ORDINANCES**  
**SECOND READING**

**ORDINANCE**  
**CONDITIONAL USE**

An Ordinance No. 3223 Approving A Conditional Use Permit To Allow For The Expansion Of A Place Of Worship In A RO (Residential Office) District at 25 E. Walnut Street, Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised he had nothing further to add since the first reading of the proposed Ordinance. Mr. Chen asked for Council's approval of the proposed Ordinance subject to the conditions listed on page 34 of the agenda.

There were no comments from the petitioner, the public or Council members.

Mr. McKeehan moved to adopt Ordinance No. 3223. Ms. Rousmaniere seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. Harman, Mr. McKeehan, Ms. Rousmaniere, Mr. Blackburn, Mr. Bogard,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

**ORDINANCE**  
**CODE UPDATE**

An Ordinance No. 3224 To Approve Current Replacement Pages Of The Oxford Codified Ordinances. (Mary Ann Eaton, Clerk of Council)

Ms. Eaton had no further comments regarding the proposed Ordinance.

Mr. Bogard noted the code book was quite heavy as were the replacement pages. Mr. Bogard noted his hope that staff would come up with a plan to put the code in an electronic format and not waste so much paper.

Mr. Bogard moved to adopt Ordinance No. 3224. Mr. Blackburn seconded. The Ordinance was adopted by the following roll call:

AYE: Mr. McKeehan, Ms. Rousmaniere, Mr. Blackburn, Mr. Bogard, Mr. Harman,  
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

### **ANNOUNCEMENTS**

Mr. Elliott advised he presently served on the Butler County 9-1-1 Planning Committee and noted the committee was comprised of a county commissioner, city manager from the largest city in the county, a township trustee of the most populous township, another township trustee and city manager. Mr. Elliott noted the city managers of Fairfield, Oxford, and Middletown rotated serving on the committee for a year. Mr. Elliott advised there were 6 Public Safety Answering Points (PSAPs) in Butler County and state law required each county to reduce their number of PSAPs to 5. Mr. Elliott advised an agreement was reached for the Butler County Sheriff's Office to provide dispatch services to the City of Hamilton bringing Butler County into compliance with the state law. Mr. Elliott noted in 2018 the number of PSAPs would be reduced to 3 in order to receive the full allotment of cell phone surcharge money that was collected by the state and returned to the counties.

Mr. Elliott updated Council and the public with regard to the municipal income tax reform bill noting a substitute bill was submitted to Chairman Beck by several municipalities which was much more revenue neutral. Mr. Elliott advised he would watch the progress of the bill carefully and continue to provide updates.

Ms. Rousmaniere advised Jason Kline was a member of a local boy scout troop and he would be placing storm water medallions on curb-side catch basins in the northwest corner of Oxford over the next few weeks. Ms. Rousmaniere noted Mr. Kline would also provide hand-outs to residents which provided information about storm drains and pollution in Oxford's waterways. Ms. Rousmaniere advised the handout also provided tips on improving waterways such as keeping vehicles properly maintained, keeping yard waste and trash away from storm sewers, using lawn chemicals sparingly and properly disposing of hazardous materials. Ms. Rousmaniere noted as recently as 2010 some of Oxford's waterways were determined to be polluted by the EPA and the reasons included soil run-off, run-off from cleaning products, herbicides and lawn fertilizer. Ms. Rousmaniere advised the Environmental Commission supported Mr. Kline's project.

Mr. Bogard noted temperatures had been in the 90s and the heat index over 100 degrees and encouraged residents to drink water and stay hydrated.

### **ADJOURN**

Mr. Bogard moved to adjourn at 8:10 p.m. Ms. Rousmaniere seconded. The motion passed 6-0-0.

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 6, 2013

**Account Code No. #:**

Jung-Han Chen  
**Prepared By**

**Budgeted Amount:**

July 31, 2013  
**Date Prepared**

|                                                          |
|----------------------------------------------------------|
| <b>PLANNING COMMISSION MEETING REPORT – July 9, 2013</b> |
|----------------------------------------------------------|

**Public Hearing:**

**PC-10-2013 ZONING CODE TEXT AMENDMENT** to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

The deficiencies of adequate trash collection facilities, especially in the Uptown District were brought to the Planning Commission's attention. The Planning Commission addressed this during the May 14, 2013 Planning Commission Work Session. The Planning Commission deliberated the topic at their June 11, 2013 Regular meeting. The Planning Commission discussed the language and a Commission member's submittal at the meeting. The Planning Commission tabled the application to allow for staff to work out a revised language reflecting what had been identified as items to address: how to encourage recycling efforts; how to ensure adequate space has been set aside for collection purposes; how the site can be accessible for collection purposes; leaving a sufficient area for future tenants; the application of stipulations be limited to commercial and multi-family complexes.

At the July 9 meeting, Staff addressed these issues and presented a revised language along with "design guidelines". The design guidelines will be a reference document, and not part of the zoning code. The design guidelines are for staff and the refuse designer to utilize when addressing trash collection issues during the development plan review process. The intent of the design guidelines is to provide some flexibility, yet set certain expectations of the designer.

After the Public Hearing, the Planning Commission voted 7-0-0 to recommend approval to City Council.

**PC-11-2013 ZONING MAP AMENDMENT** Area 1: Land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 (Multi-Family Residential) District to R4 (Multi-Family Residential) District, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 (Multi-Family Residential) District to R4, (Multi-Family Residential) District approximately 66 acres, **City of Oxford, Applicant**

This Map amendment is a result of the new R-4 (Multi-Family Residential) District approved in February, 2013. The "new" R-4 Multi-Family Residential District site development regulations are the same as the previous "R-3" prior to the modifications. The Planning Commission then needed to amend the official zoning map to those areas more suitable for the R-4 District site development regulations.

These new areas are designated as new districts, but with the same site development regulations as before; thus, minimal impact, if any, with the proposed changes.

After the Public Hearing, the Planning Commission voted 7-0-0 to recommend approval to City Council.

**Administrative Findings:**

Proposed Minor Amendment to an Approved PUD, Stewart Square, Scott Webb, Applicant

The Applicant wished to install a projecting sign for a new Tenant located at Stewart Square. The Planning Commission noted that projecting signs are not allowed per the zoning code.

The Planning Commission denied the Applicant's request.

**Next Meeting:**

The next regularly scheduled Planning Commission meeting will take place August 13, 2013

**Approved by:**

|                  | Initial | Date    |
|------------------|---------|---------|
| Department Head: | JAC     | 7/31/13 |
| City Attorney:   |         |         |
| City Manager:    | JCE     | 8/2/13  |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager

Community Development  
Originating Department

Council Meeting Of: August 6, 2013

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

July 31, 2013

Date Prepared

Agenda Title: **Board of Zoning Appeals Meeting Report – July 17, 2013**

Prior to the Regular Meeting, the BZA conducted a Training Session with Legal Counsel.

Adjudication Hearing:-

**BZA-09-2013 6 E. Sycamore Street**, Best Western Sycamore Inn, variance to Section 1143.13(c)(2)A minimum front yard depth, **Scott Webb, Applicant, Agent**

The proposal was to build an addition to an existing hotel. The addition is part of a franchise requirement to provide a breakfast room area to the hotel. The Appellant provided an explanation of location choice.

The BZA expressed concern about safety at the southwest corner of the lot as it seemed the view could be obscured.

Upon review of the Decision Standards the Board of Zoning Appeals approved the variance request 4-0-0, asking that the Applicant examine the traffic pattern on the south side of the property and possibly install a traffic device.

Next Meeting:

The next BZA meeting will take place on August 21, 2013.

Approved By:

Department Head:

City Attorney:

City Manager:

| Initial                                                                              | Date    |
|--------------------------------------------------------------------------------------|---------|
|  | 7/31/13 |
|  | 8/2/13  |

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Parks and Recreation  
**Originating Department**

**Council Meeting Of:** 7/18/13

Gail S. Brahier  
**Prepared By**

**Account Code No. #:** N/A

**Budgeted Amount:** N/A

7/29/13  
**Date Prepared**

**Agenda Title:** Recreation Advisory Board Meeting, 7/18/13

**Recommendation:** N/A

**Discussion:**

Members present: Ken Bogard, Council Rep, Melissa Engelhard,  
and John Thomas                      Staff: Deanna Barbour and Gail Brahier

Ms. Brahier welcomed new Board members, and introduced sports staff Casey Wooddell and Jake Richardson. She distributed the 2012 Annual Report, and briefly reviewed the Aquatic facility brochure.

Mr. Bogard explained the proposed 5 year Capital Improvement Plan and process for the pool. He also reviewed the 27 S. ODOT project.

Discussion re: the July 3<sup>rd</sup> event review: Ms. Brahier said due to the distant launch site, she will increase the shell size of the fireworks. Mr. Bogard and Ms. Engelhard suggested night lighting to mark the OCP entry paths to alleviate walkers on Fairfield Road.

Ms. Engelhard reviewed her role on the Oxford Chamber Board, and distributed a flier re: Dog Days in Oxford, Aug. 3<sup>rd</sup>. Ms. Brahier mentioned the Parks and Recreation Department will be involved with that event. Ms. Engelhard also mentioned the Chamber is looking at hosting an Oxford Christmas Walk. Ms. Brahier said it would be beneficial to tie that into the Holiday Festival.

Mr. Thomas said he is pleased to be on the Recreation Board, as he understands the value of youth programming, and Oxford is lucky to have these programs offered. Ms. Brahier mentioned the dates for the Fall adidas tournament and the need to reserve the TSD turf field in the event of rain. Mr. Thomas said he will confirm dates.

Next Meeting - Oct. 17, 4 pm, OCP

**Approved By:**

**Initial Date**

**Department Head:**

GB/7/29/13

**City Attorney:**

**City Manager:**

[Signature] 8/2/13

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

*Police*

**Originating Department**

**Council Meeting Of:** August 6, 2013

*Robert Holzworth*

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

**July 16, 2013**

**Date Prepared**

**Agenda Title:** Resolution to destroy items held by the Oxford Police Department that have no evidentiary or monetary value.

**Recommendation:** Approve

**Discussion:** The attached list of property is being held by the Division of Police. The list consists of items including, but not limited to, alcoholic beverages, drug paraphernalia, evidentiary kits and other items confiscated as a result of usual and customary police activities. No item listed is necessary for evidentiary use nor is it of monetary value to be auctioned by the City of Oxford.

The Chief of Police requests authorization to specify a date at which time, in the presence of the Finance Director and Property Officer, the items listed may be correctly disposed of.

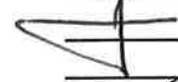
**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

 7/26/2013  
 8/2/13

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE POLICE CHIEF AND THE FINANCE DIRECTOR TO DISPOSE OF CONTRABAND NO LONGER NEEDED AS EVIDENCE.

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

SECTION 1: The Police Chief in the presence of the Finance Director is hereby authorized to dispose of the contraband set forth on Exhibit "A" attached hereto and incorporated herein by reference, consisting of alcoholic beverages and other items confiscated as a result of usual and customary police activities and for which there is no value to the City in retaining the same.

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

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MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

Copies of Exhibit “A” are available at City Hall  
during normal business hours

# CITY OF OXFORD

## STAFF SUMMARY REPORT

Report to the City Manager: Douglas R. Elliott, Jr.

*Police*

**Originating Department**

**Council Meeting Of:** August 6, 2013

*John Jones*

**Account Code No. #:** N/A

**Prepared By**

**Budgeted Amount:** N/A

**July 31, 2013**

**Date Prepared**

**Agenda Title:** Resolution to sell junk/abandoned motor vehicles to the highest bidder.

**Recommendation:** Adopt the Resolution

**Discussion:** Pursuant to Oxford City Code and in accordance with ORC 4513.62, the Division of Police requests that City Council approve the sale of salvage/junk/abandoned motor vehicles described in the attached memorandum to the highest bidder and that the proceeds from such sale be placed in the General Fund.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

*JH/ 7-31-2013*

*DA/ 8/2/13*

**RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE SALE OF SALVAGED, JUNK AND/OR ABANDONED MOTOR VEHICLES.

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

SECTION 1: The Chief of Police recommends that unclaimed motor vehicles ordered into storage pursuant to Section 4513.60 (A)(1) or Section 4513.61 of the Ohio Revised Code be sold to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price. The motor vehicles to be sold are listed in Attachment "A" attached hereto and incorporated herein by reference.

SECTION 2: City Council hereby accepts the recommendation of the Chief of Police and authorizes the sale of the salvaged, junk and/or abandoned motor vehicles listed in Attachment "A" to a motor vehicle salvage dealer or scrap metal processing facility at the highest obtainable salvage price.

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

---

MAYOR

ADOPTED:

ATTEST

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

# Memorandum

To: Acting Police Chief Jones  
Fr: Mike O'Leary, Property Technician  
Re: Salvage Vehicles  
Dt: July 31, 2013

Sir,

We respectfully request that the Oxford Police Department dispose of the attached list of vehicles in accordance with ORC section 4513.62.

13T3370



1977 Ford F-150

VIN: F10GNY84316

\*Poor Condition\*

Reason for Tow: Drug Abuse

Date of Tow: 03-14-13

13T3386



1997 Chevrolet K15

VIN: 3GNFK16R7VG187439

\*Poor Condition\*

Reason for Tow: DUS

Date of Tow: 04-05-13

COP103



2001 Chevrolet Impala  
VIN: 2G1WF55KX19296290  
\*Destroyed\*

12T3188



1993 Plymouth Duster  
VIN: 1P3XP6436PN618163  
\*Poor Condition\*

13T3405



1996 Ford Taurus

VIN: 1FALP52U6TG137287

\*Poor Condition\*

Reason for Tow: FRA Suspension

Date of Tow: 05-28-13

13T3390



1997 Chevrolet Cavalier

VIN: 1G1JC1242VM127875

\* Poor Condition\*

Reason for Tow: DUS

Date of Tow: 04-14-13

13T3377



2005 Suzuki Forenza  
VIN: KL5JD56Z25K117818  
\*Poor Condition\*  
Reason for Tow: OVI  
Date of Tow: 03-19-13

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

Service Department  
**Originating Department**

**Council Meeting Of:** August 6, 2013

Michael B. Dreisbach  
**Prepared By**

**Account Code No. #:** N/A

**Budgeted Amount:** N/A

July 29, 2013  
**Date Prepared**

**Agenda Title:** Resolution declaring approximately 100 cubic yards of various tree limbs and 3000 cubic yards of compost as surplus City property no longer needed for any municipal purpose and authorizing its sale to the highest bidder at public auction or by utilizing an on-line auction service.

**Recommendation:** Adopt the Resolution

**Discussion:**

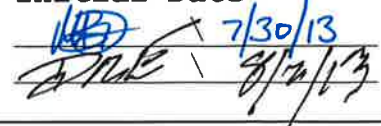
The City has accumulated approximately 100 cubic yards of tree limbs as a result of storm debris, pruning, hazard removal, etc.. The City has also produced 3000 cubic yards of compost that exceed the current needs of the City for landscape management purposes. The tree limb material is too large to reduce through the City's tub grinder for composting, and by OEPA rule, must be removed from our composting facility. This debris may have value to an entrepreneur to be processed into firewood.

Staff recommends that Council authorize the sale of the surplus organic material to the highest bidder at public auction which may include the use of an internet government auction site such as GovDeals if approved by the City Manager.

**Approved By:**

**Department Head:**  
**City Manager:**

**Initial Date**

 7/30/13  
8/1/13

## **RESOLUTION NO.**

A RESOLUTION DECLARING APPROXIMATELY 100 CUBIC YARDS OF VARIOUS TREE LIMBS AND 3000 CUBIC YARDS OF COMPOST AS SURPLUS CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING ITS SALE TO THE HIGHEST BIDDER AT PUBLIC AUCTION OR BY UTILIZING AN ON-LINE AUCTION SERVICE.

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

SECTION 1: The City Manager and the Service Director report that approximately 100 cubic yards of various tree limbs and 3000 cubic yards of compost is no longer needed for any municipal purpose and should be declared surplus.

SECTION 2: The City Manager and the Service Director recommend that the organic material be disposed of by sale to the highest bidder at public auction or by utilizing an on-line auction service.

SECTION 3: Council hereby finds and determines that approximately 100 cubic yards of various tree limbs and 3000 cubic yards of compost is no longer needed for any municipal purpose and is hereby declared to be surplus. Accordingly, the City Manager or his designee is hereby authorized to dispose of said organic material by sale to the highest bidder at public auction or by utilizing an on-line auction service.

SECTION 5: This resolution shall take effect at the earliest date allowed by law.

---

MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development Department  
**Originating Department**

**Council Meeting Of:** August 6, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By**

**Budgeted Amount:**

July 17, 2013  
**Date Prepared**

|                      |                                                                                                                                                                                                   |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>A Resolution Authorizing the Assessment of Delinquent Charges for the Cutting and Removal of Weeds, Vegetation and/or Grass to be Placed on the Butler County, Ohio Property Tax Duplicate</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                        |                 |
|------------------------|-----------------|
| <b>Recommendation:</b> | <b>Approval</b> |
|------------------------|-----------------|

**Discussion:**

Certain properties in the City have failed to abate tall grass violations, causing the City to hire a private contractor to mow these properties with City funds. A list of properties is attached with this resolution for your information. The purpose of this resolution is to assess these properties for the cost of abating the violations. The City will eventually be reimbursed either when the property tax is due or when the property is transferred.

The Butler County Auditor's Office only places delinquent charges on property taxes once per year. The deadline is September 9, 2013.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial    Date**

*JHC* 7/29/13

*BTG* 8/7/13

## **RESOLUTION NO.**

A RESOLUTION AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR THE REMOVAL OR DESTRUCTION OF NOXIOUS VEGETATION TO BE PLACED ON THE BUTLER COUNTY, OHIO PROPERTY TAX DUPLICATE.

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

SECTION 1: The City of Oxford follows the procedure set forth in the Oxford Codified Ordinance Sections 935.19 to 935.22 for the removal of noxious vegetation.

SECTION 2: The owners of property located within the City of Oxford which are indexed on the list attached and incorporated herein as Exhibit "A", had noxious vegetation on their property and they have been provided with written notice to cut and remove weeds, vegetation, and/or grass.

SECTION 3: The owners of property on Exhibit "A" have continued to fail to cut and remove weeds, vegetation, and/or grass and they are not in compliance with the notices.

SECTION 4: As a result of the owners referenced on Exhibit "A" continuing to fail to cut and remove weeds, vegetation, and/or grass on their properties, the City hired private contractors to cut and remove weeds, vegetation, and/or grass.

SECTION 5: All expenses and labor costs incurred by the City of Oxford, Ohio during the cutting and removal of weeds, vegetation, and/or grass were paid out of Municipal funds.

SECTION 6: The owners of the property indexed on Exhibit "A" were each provided with written notice to refund the labor costs incurred by the City of Oxford, Ohio within fifteen (15) days after the expenses were incurred. The owners were also notified that failure to remit the labor costs incurred by the City of Oxford, Ohio would result in an assessment to the property tax duplicate.

SECTION 7: The owners of the property on Exhibit "A" failed to refund the labor costs incurred by the City of Oxford, Ohio and this delinquent charge can be recovered by certification to the Butler County Auditor's Office for placement on the next property tax duplicate of the owner of said property pursuant to Oxford Code Section 935.22(B) and Ohio Revised Code Section 731.54.

SECTION 8: The City Manager is hereby authorized to certify delinquent charges to the Butler County Auditor for placement on the property tax duplicate of the owners of the property located within the City of Oxford referenced on Exhibit "A".

SECTION 9: Should any of the owners of property listed on Exhibit "A" pay to the City of Oxford all of the costs incurred by the City in connection with their properties after the adoption of this Resolution, and prior to the filing of this resolution with the Butler County Auditor's office, the City Manager is hereby authorized to remove the owners name and parcel from Exhibit "A".

SECTION 10: The Clerk of Council shall immediately on adoption of this Resolution certify a copy of this Resolution and shall cause a copy to be filed at the Butler County Auditor's office.

SECTION 11: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION 12: This Resolution shall take effect at the earliest date allowed by law.

---

MAYOR

ADOPTED:

ATTEST:

---

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

**EXHIBIT "A"**

| <b><u>Violations</u></b><br><b><u>Through July, 2013</u></b> |                                         |                                                                              |                                  |
|--------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------|----------------------------------|
| <b><u>Parcel ID#</u></b>                                     | <b><u>Property Address:</u></b>         | <b><u>Owner/Address:</u></b>                                                 | <b><u>Amount(s):</u></b>         |
| H4100120000063<br>(Lot 2172 ENT)                             | 720 David Drive<br>Oxford, OH 45056     | Matthew Peachey<br>720 David Drive<br>Oxford, OH 45056                       | \$210.00                         |
| H4100024000036<br>(Lot 1068 ENT)                             | 6243 Timothy Lane<br>Oxford, OH 45056   | Marjorie Legg<br>3103 Patrick Henry Dr.<br>Apt 125<br>Falls Church, VA 22044 | \$210.00<br>\$335.00<br>\$210.00 |
| H4100016000065<br>(Lot 2561 ENT)                             | 5987 Vereker Drive<br>Oxford, OH 45056  | Lixin Tian<br>5987 Vereker Dr.<br>Oxford, OH 45056                           | \$210.00<br>\$210.00             |
| H4100008000247<br>(Lot 409E90 &<br>N PT VAC ST)              | 218 W. Vine St.<br>Oxford, OH 45056     | Robert Ziegler<br>836 DuFour Lane<br>Oxford, OH 45056                        | \$160.00<br>\$160.00             |
| H4100122000074<br>(Lot 1893 ENT)                             | 628 Brookview Court<br>Oxford, OH 45056 | Harold Gray<br>628 Brookview Court<br>Oxford, OH 45056                       | \$235.00                         |

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 6, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

July 30, 2013

**Date Prepared:**

|                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> <b>PC-10-2013 Zoning Code Text Amendment to Amend Chapter 1141, Accessory, Temporary, Supplemental and Environmental Regulations, Specifically 1141.04(J) Trash Collection Facilities</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                 |
|---------------------------------|
| <b>Recommendation: Approval</b> |
|---------------------------------|

**Discussion:**

The deficiency of adequate trash collection facilities, especially in the Uptown area, was recently brought to Planning Commission's attention. Given that the Uptown area has been going through a redevelopment phase, it is now critical to incorporate necessary provisions in the Code to address this issue. Staff presented draft language for discussion at the June Planning Commission meeting. The Planning Commission felt that more work was needed on the language and tabled the case for further deliberation. Several challenges to deal with were discussed: (1) how to encourage recycling efforts; (2) how to ensure adequate space has been set aside for collection purposes; (3) how the site can be accessible for collection purposes; (4) leaving a sufficient area for future tenants; (5) the application of stipulations be limited to commercial and multi-family complexes.

Staff took a "design guidelines" approach to coordinate with the refuse collector and other City staff in addressing the trash collection issue during the development plan review process. This is a rather different approach that nowhere in Ohio a City has implemented. Staff also consulted with the City of Fort Collins, Colorado to hear their experiences from adopting design guidelines. The draft "design guideline is attached as Exhibit "A" for your information

The intent of design guidelines is to provide some flexibility, yet set certain expectations of the designer that trash collection facilities will be part of the development review process. This is the "how" of a trash collection facility, without limiting creativity and flexibility.

This approach will allow for greater collaboration between service providers and City staff in dealing with the trash collection issue. It also will provide a set of guidelines as what the City's general expectations are. More importantly, it provides the general intent of City Council policies to be accomplished at the staff level, without going through the formal variance process at the Board of Zoning Appeals.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

JHC, 7/31/13  
DHC 8/2/13

## ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1141.04 ENTITLED ENVIRONMENTAL REGULATIONS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1141.04 ENTITLED ENVIRONMENTAL REGULATIONS.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on July 9, 2013 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.04 entitled Environmental Regulations, and adopting new Oxford Codified Ordinance Section 1141.04 entitled Environmental Regulations.

SECTION II: Council hereby repeals Section 1141.04 of the Oxford Code of Ordinances and adopts new Section 1141.04 as follows: (deletions are struck through and additions are bolded)

### **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 Collection Facility.~~

- ~~(1) Adequate waste disposal on-site facilities shall be shown on the plans submitted for a zoning permit, including a change of use permit. The Zoning Administrator may accept an alternative plan that adequately provides for the disposal of all waste generated by the proposed use. If such facilities or alternative plan are not acceptable, the permit may be denied.~~
- ~~(2) A trash collection facility shall include a large container such as a dumpster or a small container such as a garbage can, bag or other similar container. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district.~~
- ~~(3) A large trash collection facility shall be situated in a permanent location and placed on a concrete pad (4000 psi minimum). A dumpster pad shall be of a dimension that will allow a dumpster to sit entirely on the pad and to permit the front or rear wheels of a trash disposal truck to rest on the pad while emptying the dumpster. No part of the container shall overhang the limits of the pad.~~
- ~~(4) If a site contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.~~
- ~~(5) The Zoning Administrator may approve plans for shared dumpster facilities.~~

**(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.

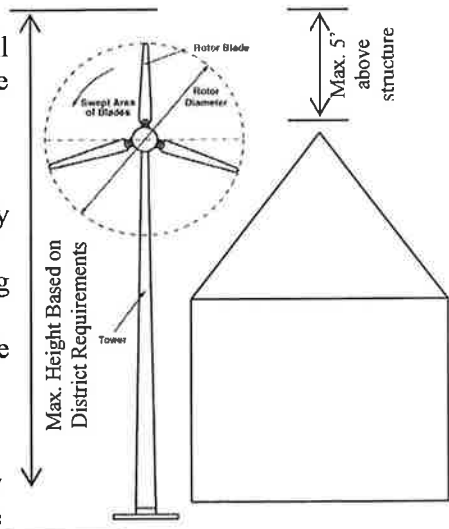
- B. The amount of space provided for the collection and storage of recyclable materials shall be designed to accommodate collection and storage containers that are appropriate for the recyclable materials generated. Recyclable materials storage areas shall be clearly marked and shall be located abutting 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.

(1) 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 III: This Ordinance shall take effect at the earliest time allowed by law.

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



# Trash and Recycling Facilities

DRAFT



Design Considerations



City of Oxford Guidance Document  
July 2013

## Table of Contents

|                                          |    |
|------------------------------------------|----|
| Introduction .....                       | 2  |
| Applicability .....                      | 2  |
| Design .....                             | 2  |
| Space Allocation .....                   | 2  |
| Location .....                           | 3  |
| Accessibility .....                      | 3  |
| Screening.....                           | 5  |
| Signage .....                            | 5  |
| Maintenance .....                        | 5  |
| Variances .....                          | 5  |
| Layout Suggestions / Illustrations ..... | 6  |
| The good, bad and ugly (examples) .....  | 16 |

## Introduction

The City of Oxford Zoning Code contains provisions for trash and recycling collection in section 1141.04(j). The purpose of the Code Section is to:

1) 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) The general standard is that:

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.

## Applicability

The trash/recycling facilities codes contained in the City of Oxford Zoning Code apply to all new commercial or multiple-dwelling structures and all existing commercial or multiple-dwelling structures where there is a redevelopment, change of use or change to a structure. 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.

## Design

**Materials:** Trash and recycling areas must be enclosed such 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 material, shall be painted to match the enclosure, and shall be properly maintained. Enclosure areas should be constructed on a concrete pad, for longevity and safety of handlers. Gravel, packed dirt and rutted asphalt will not be allowed. Gates should be positioned to swing clear of the enclosure's front width. Gate pins should be installed to hold gates open for integrity and safety.

**Layout:** Whenever possible, recyclable materials storage areas shall be located adjacent to refuse collection and storage areas in order to provide convenient recyclable materials drop-off, storage, and collection. (Refer to Illustration H)

## Space Allocation

How much space is adequate for the collection and loading of trash and recyclable materials? This is a hard question to answer due to the variability in development types and collection methods.

The amount of space provided for the collection and storage of materials shall be designed to accommodate collection and storage containers consistent with the materials generated. It is recommended the recycling storage area be at least as large as the amount of space provided for the collection and storage of refuse materials.

**Estimating area needed:** See next page

Based on the container sizes below, the typical development site should allocate a 10'x20' area of land in order to accommodate both recycling and trash containers. The area could be more or less depending on service vehicle type, servicing angle and frequency of pick up. See example drawings.

**EXAMPLE CONTAINER SIZE AND SERVICE VEHICLES FOR ESTIMATING LAND AREA**

| Container Type                     | Width | Depth | Height | Wheeled |
|------------------------------------|-------|-------|--------|---------|
| 95 gallon wheeled cart             | 2.5'  | 2.5'  | 4.5'   | Y       |
| <b>REAR LOADED (RL) DUMPSTERS</b>  |       |       |        |         |
| RL 2 yd dump.                      | 6'    | 5'    | 3.75'  | Y       |
| RL 3 yd dump.                      | 6'    | 6'    | 4.1'   | Y       |
| RL 4 yd dump.                      | 6'    | 7.5'  | 4.1'   | Y       |
| RL 6 yd dump.                      | 6'    | 9.6'  | 4.1'   | N       |
| RL 8 yd dump.                      | 6'    | 11.1' | 5'     | N       |
| <b>FRONT LOADED (FL) DUMPSTERS</b> |       |       |        |         |
| FL 2 yd dump.                      | 7'    | 3'    | 3'     | Y       |
| FL 3 yd dump.                      | 7'    | 3.5'  | 4'     | N       |
| FL 4 yd dump.                      | 7'    | 4.25' | 4.25'  | N       |
| FL 6 yd dump, side/top access      | 7'    | 5.5'  | 5'     | N       |
| FL 6 yd dump, sloped top           | 7'    | 5.5'  |        | N       |
| FL 8 yd dump, side/top access      | 7'    | 5.5'  | 6.67'  | N       |
| FL 8 yd dump, sloped top           | 7'    |       | 6'     | N       |
| <b>COOKING OIL STORAGE</b>         |       |       |        |         |
| Stationery tank                    | 3'    | 3'    | 4'     | N       |
| Dumpster                           | 5'    |       | 4'     | Y       |

| Vehicle Type             | Access Requirements/Concern                                                                                                                                              |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Front loader             | 15 ft. vertical clearance. Rolloff 25-30 ft. vertical clearance. 60-70 ft. horizontal distance. The greater vertical clearance, the smaller horizontal distance required |
| Rear loader              | 15 ft. vertical clearance. 50-60 ft horizontal clearance.                                                                                                                |
| Stake bed                | Access to containers only. Forklift may be required.                                                                                                                     |
| Cooking Oil truck/tanker | 10' wide by 20' long. Maintain proximity for hose or dump.                                                                                                               |

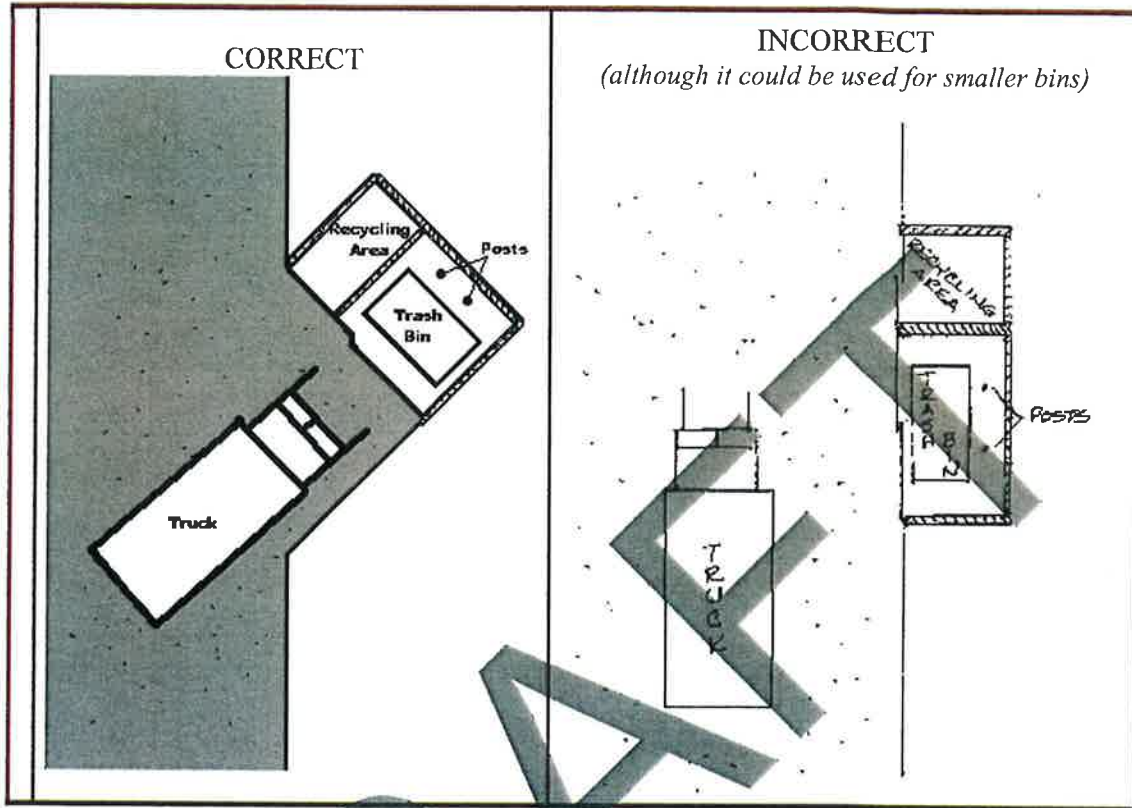
## Location

Recyclable materials storage areas shall be located adjacent to refuse collection and storage areas in order to provide convenient recyclable materials drop-off, storage, and collection.

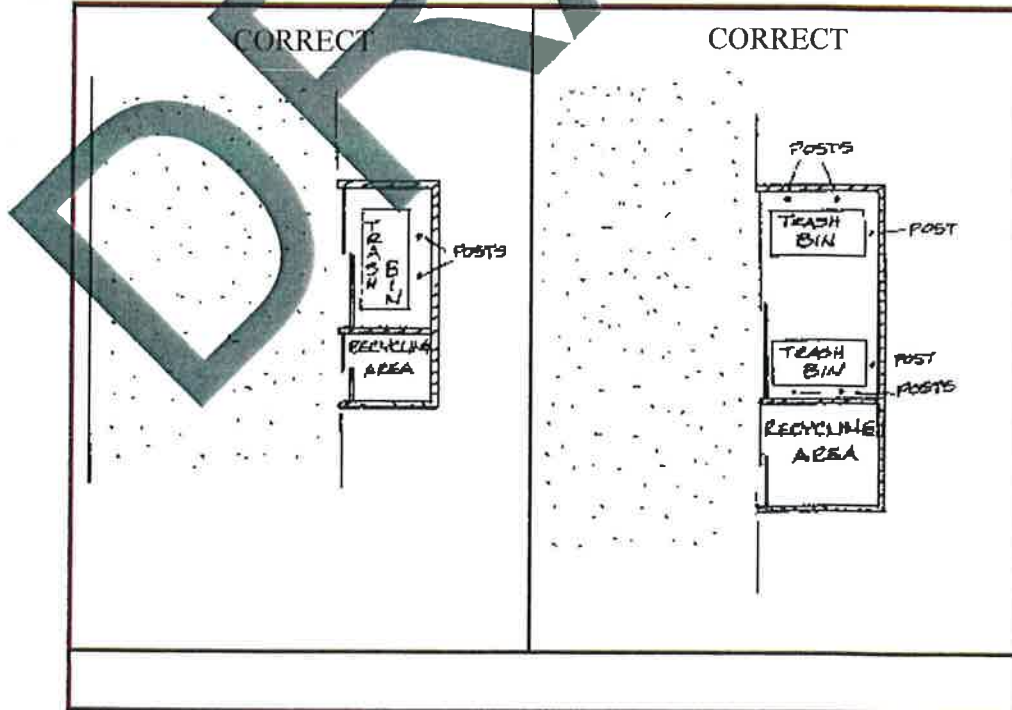
## Accessibility

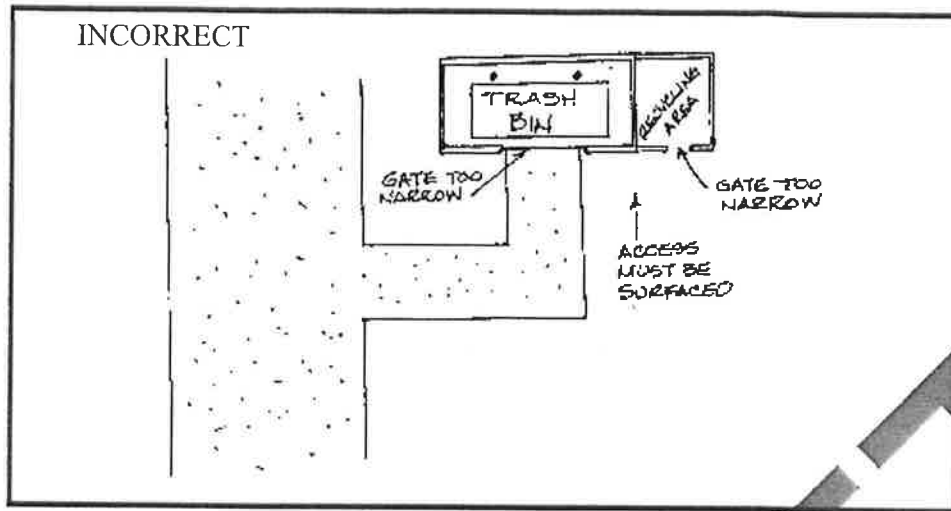
All areas designated for collection and loading of these materials must provide access for those who deposit materials as well as those responsible for collecting and loading the materials. Each trash and recycling enclosure shall be designed to allow walk in access without having to open the main enclosure service gates. If the collection truck must enter your property to service bins, the truck must be able to circulate the parking area without backing up. Trash/Recycling vehicles require up to 25' of vertical clearance over the enclosure and the approach to the enclosure. Trucks are approximately 31 feet long, 8 feet wide and have an outside turning circle of 88.5 feet. Since the enclosure area should be designed to provide adequate, safe and efficient accessibility for service vehicles, the following design examples are provided:

**Large Bins (3-10 yds):** Bins are stationary (no wheels) & require that the truck drive straight up to the enclosure.



**Small bins (2 yds or smaller):** Bins may be rolled into/out of the enclosure. Manual movement can only be for a short distance.





## Screening

Trash and recycling areas must be enclosed such that they are screened from public view.

Generally, landscape and building elements are used to screen areas of low visual interest or visually intrusive site elements (i.e. trash collection) from off-site view. Such screening shall be established on all sides of such elements except where an opening is required for access. If access is possible only on a side that is visible from a public street, a removable or operable screen shall be required. The screen shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen.

**Screening Materials:** Required screening shall be provided in the form of new or existing plantings, walls, fences, screen panels, topographic changes, buildings, horizontal separation or a combination of these techniques.

## Signage

It is a good idea to provide signage in recycling areas, especially with larger, commercial facilities.

Clear signage is imperative to proper circulation of traffic and can also help to reduce inappropriate or illegal dumping. Signage examples include painted arrows/lines on ground as well as directional signposts at key points in the area. Containers should be clearly marked.

## Maintenance

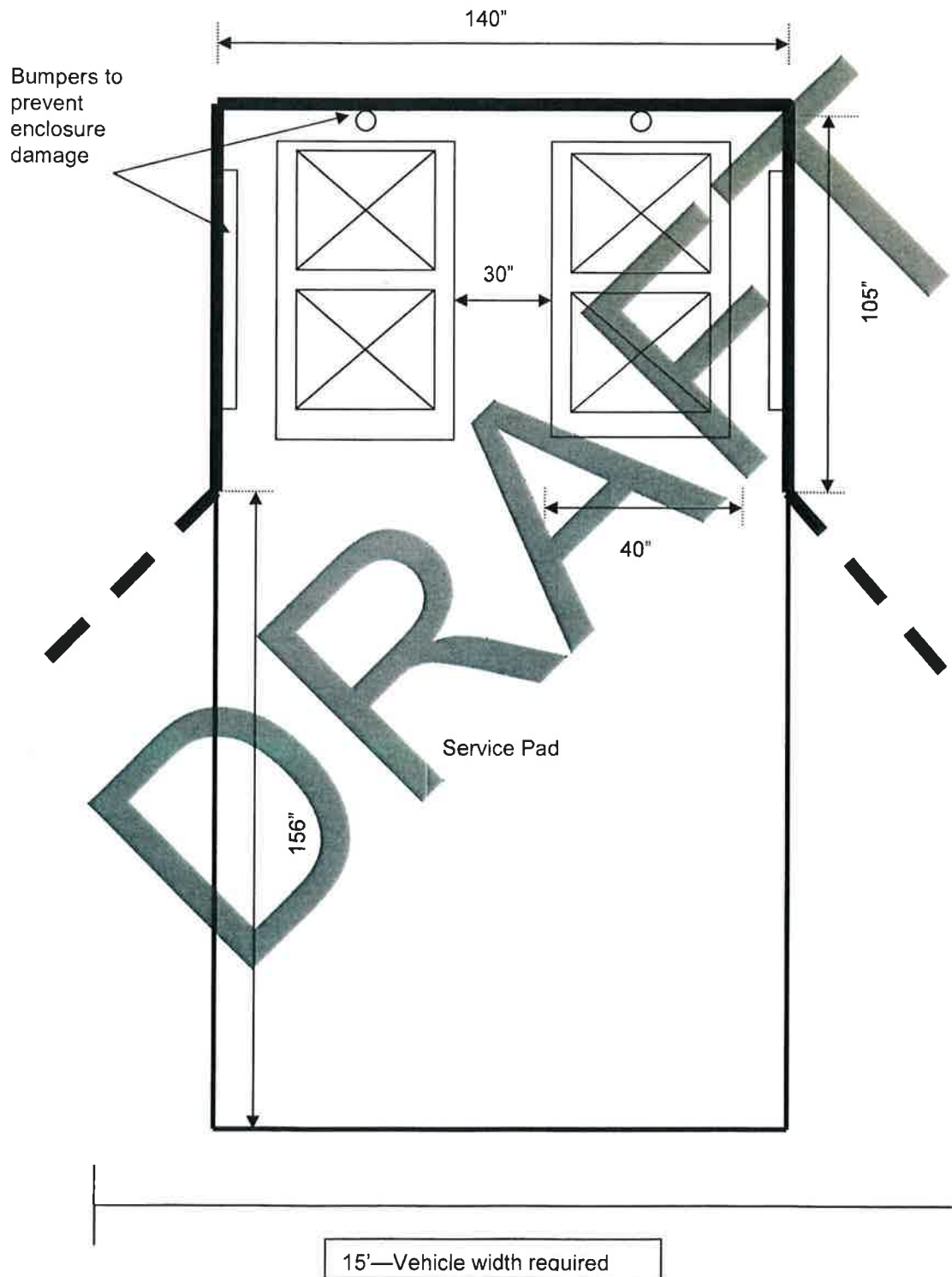
The property owner is responsible for supplying and maintaining adequate containers for recycling and waste disposal. The types of materials used in construction of the enclosure can greatly impact future maintenance requirements.

## Review and Permitting

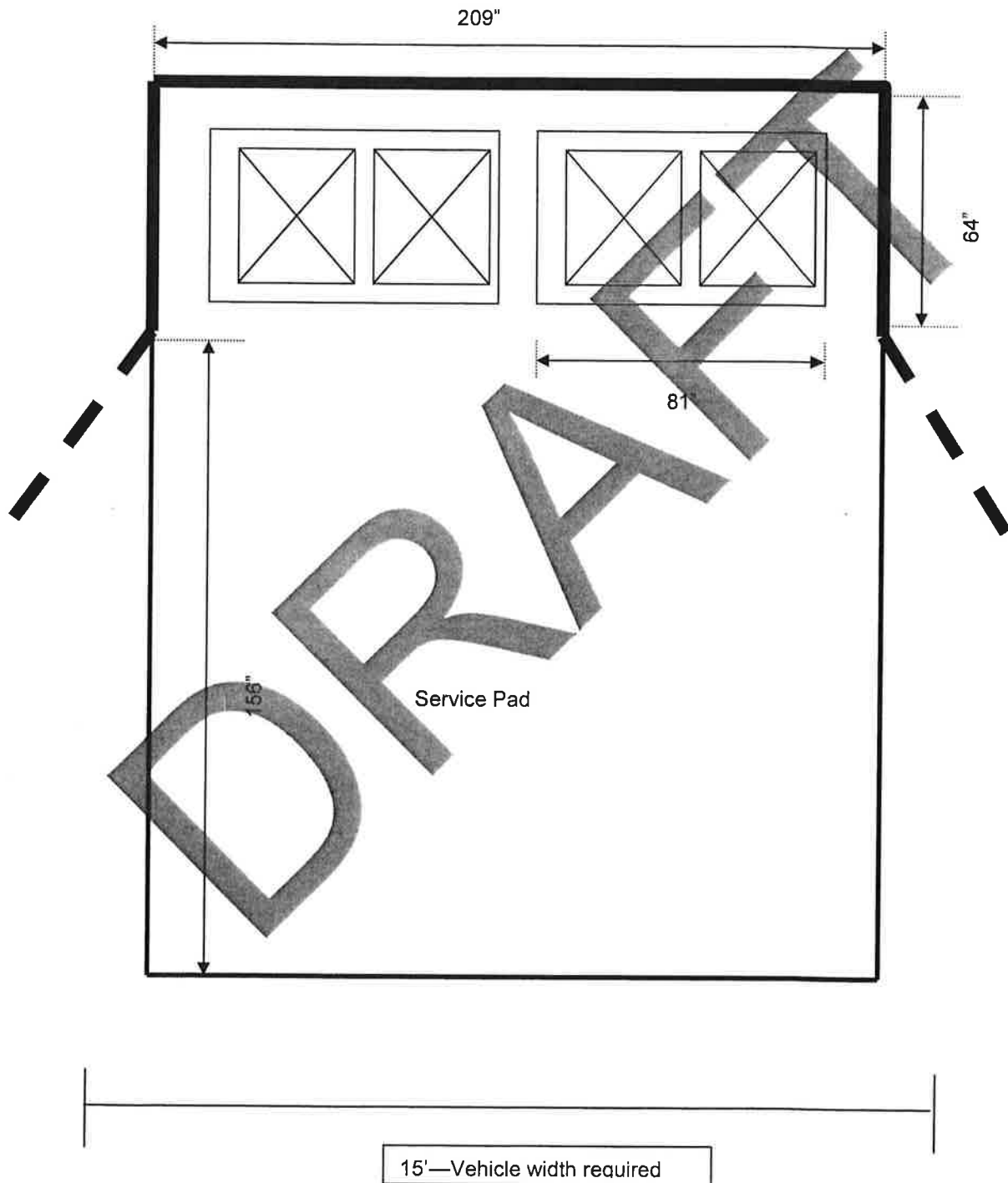
These guidelines are intended to be just that, guidance for a good design for development. These should allow some flexibility for the site designer while still ensuring that development undergoing a permit application review will result in new or improved trash/recycling collection facilities.

ALL OF THESE DRAWINGS NEED TO BE REVISED TO SHOW PED ACCESS

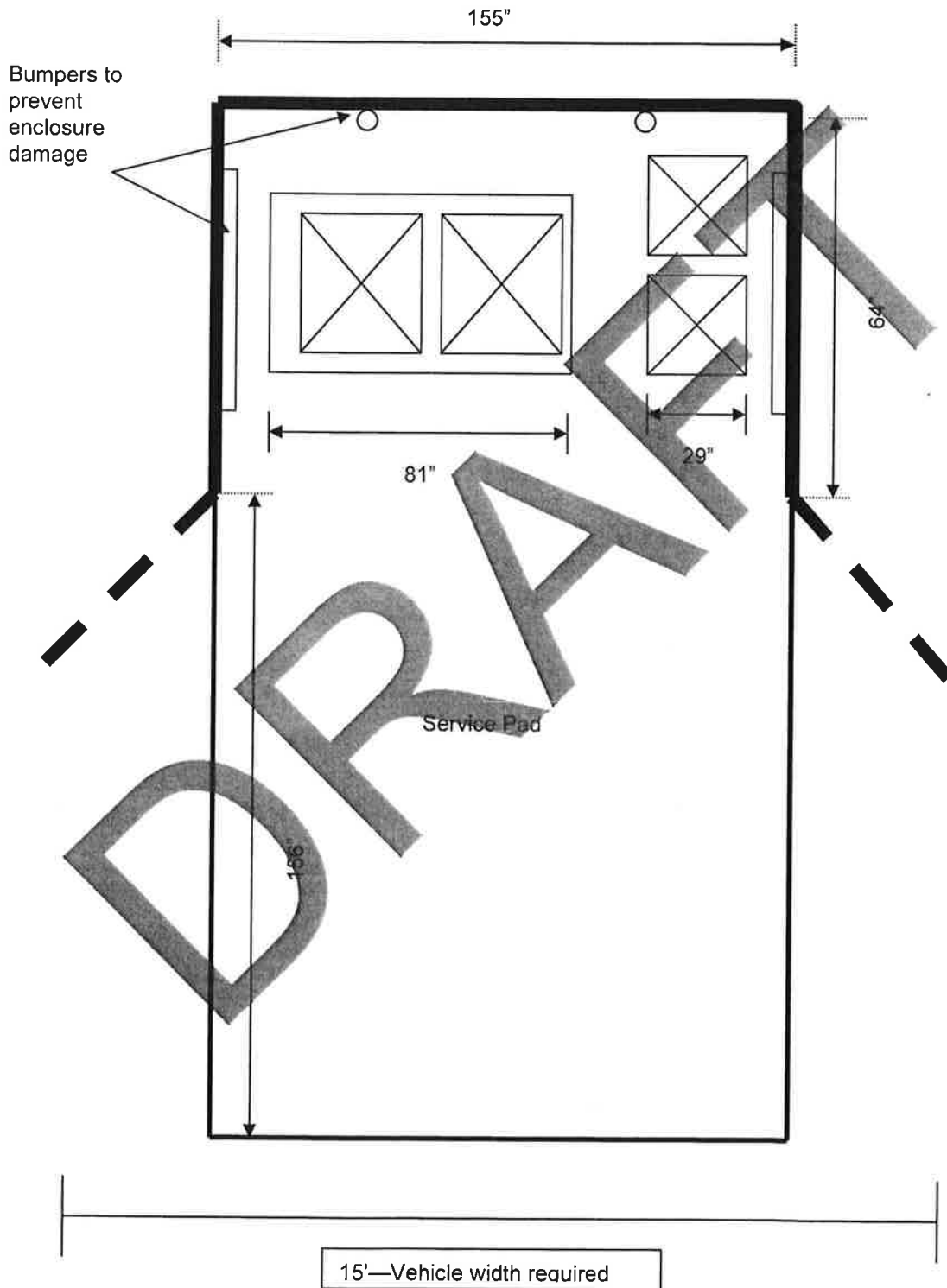
This illustration shows one 2-yard recycling bin and one 2-yard trash bin.



This illustration shows an alternative alignment for one 4-yard recycling bin and one 4- yard trash bin.

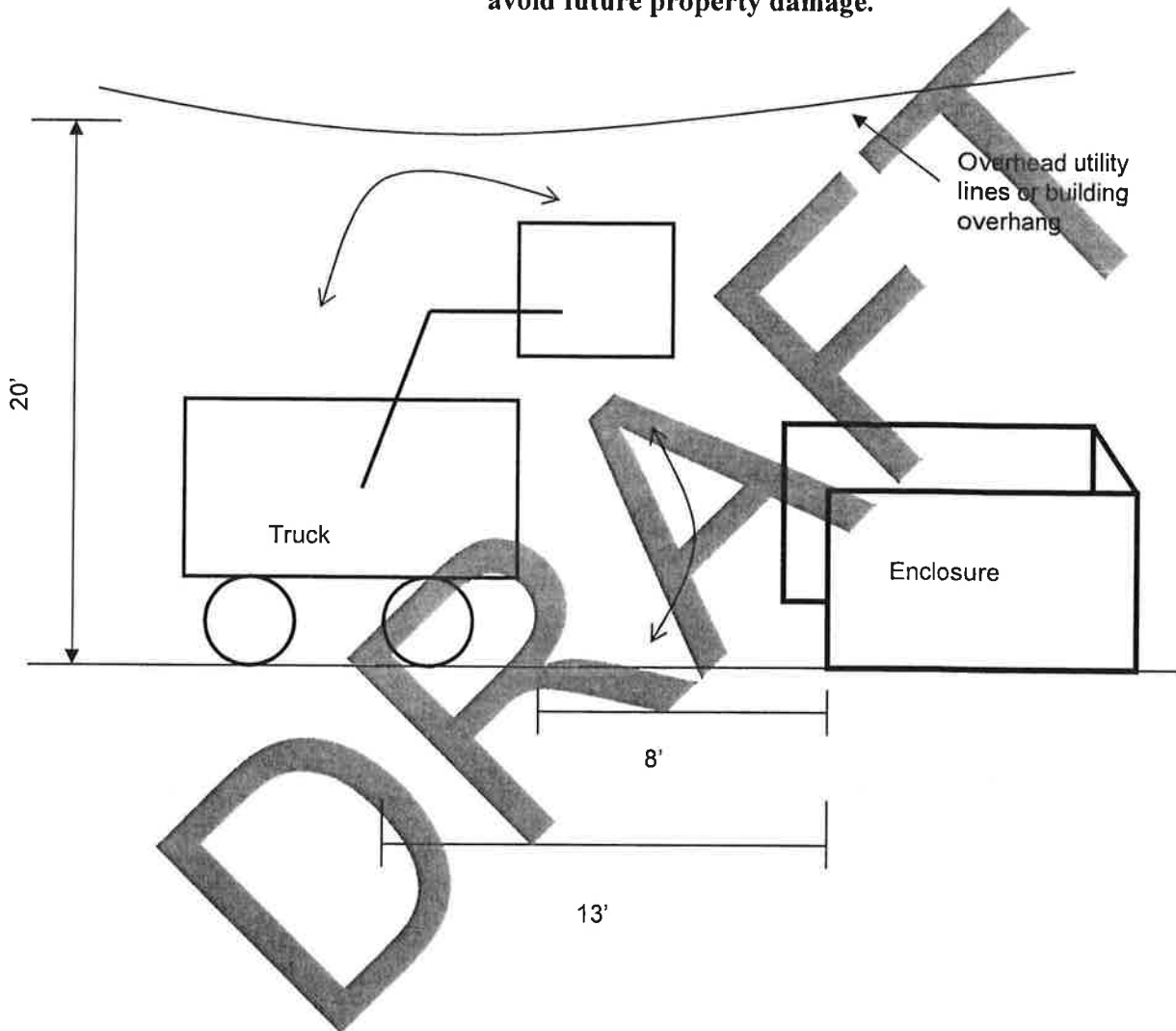


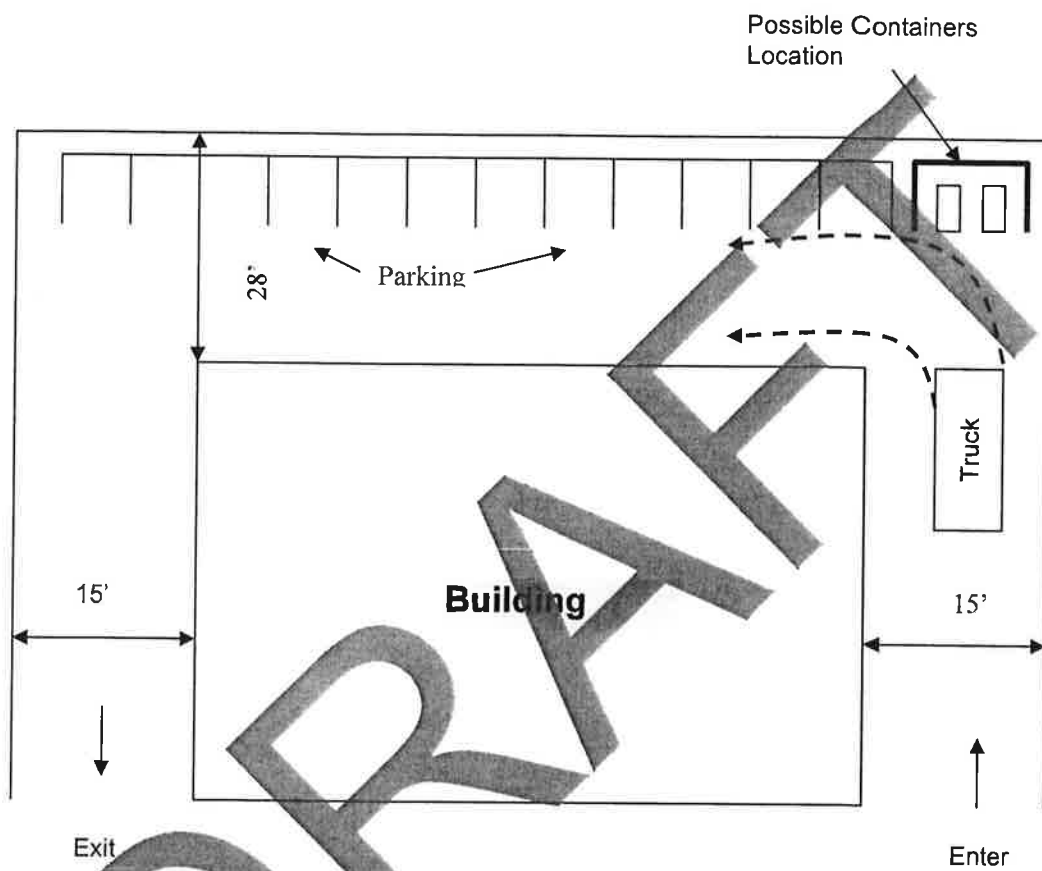
This illustration shows an alignment for one 3-yard recycling bin and two 95-gallon trash carts



Twenty-foot clearance of overhead obstructions is necessary where the vehicle will lift and empty the container. Generally, the driver will move the container out away from the enclosure about eight feet before dumping.

**If overhead obstructions exist it is advisable to have the hauler review plans in order to avoid future property damage.**

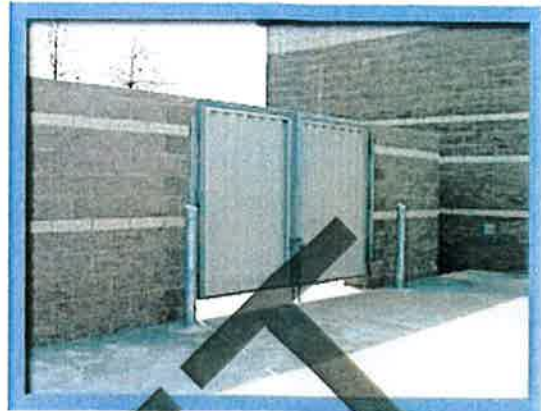




## The good, bad and ugly... (examples)



Enclosures do not have to be unsightly - this enclosure was designed to complement a new commercial office building.



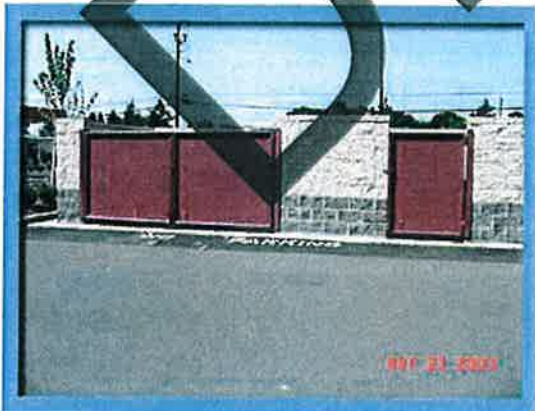
Using design elements from the main building, this enclosure sits in the middle of a parking lot providing great access for service vehicles.



Built with the same cedar siding as the professional office building, this spacious enclosure looks good and works well. Posts provide extra protection.



This large enclosure uses provides continuity and blending by using design elements from the main building.



Another large, well-designed enclosure, this includes a smaller service door. It encourages employees/janitorial staff to put materials inside the enclosure since they do not have to open the heavier gates.



This enclosure has been damaged and is too small for a group of strip mall tenants. Tenants leave trash outside, creating an unsightly and potentially unhealthy area. Furthermore, it is not conducive to recycling.



This shopping area places containers in full view of the street. It is unsightly for the residential development across the street, it promotes illegal dumping, and is prone to contamination of recyclables.



Small and unsightly, this enclosure does not meet the needs of this multifamily dwelling.



Don't try this at home! The collector is pulling out a 1,200 pound container that could have been picked up mechanically if the enclosure had been well designed.

**Certification of Action  
Oxford Planning Commission  
Recommendation to City Council**

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | August 6, 2013                                                                                                                                                                                                                                                                                                                                                                                         |
| <b><u>Case Number</u></b>                          | PC-10-2013                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Applicant Information</u></b>                | City of Oxford, Applicant                                                                                                                                                                                                                                                                                                                                                                              |
| <b><u>Requested Action</u></b>                     | Zoning Code Text Amendment                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Summary of Request</u></b>                   | <b>ZONING CODE TEXT AMENDMENT</b> to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, <b>City of Oxford, Applicant</b>                                                                                                                                                                                         |
| <b><u>Public Hearing Information</u></b>           | On June 11, 2013 and July 9, 2013 Public Hearings took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on April 26, 2013.                                                                                                                                                                                                                                       |
| <b><u>Commission Action</u></b>                    | The Planning Commission tabled this case at their June 11, 2013 meeting. The case was heard again at the July 9, 2013 Planning Commission meeting. The Planning Commission voted 7-0-0 recommending approval to City Council.                                                                                                                                                                          |
| <b><u>Commission Findings and Conclusions</u></b>  | The Planning Commission recommended this Zoning Code Text Amendment approval so that trash collection facilities would be addressed during staff review of new construction, redevelopment or change of use, ensuring they are compatible with surrounding land uses, are adequately sized, conveniently located, accessible, and accommodate the potential needs of the proposed uses(s) on the site. |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Proposed Language to City Council</li><li>2. Staff Reports dated July 2, 2013 and May 21, 2013, Including Proposed Language</li><li>3. Language Submitted by Richard Keebler at the June 11, 2013 Planning Commission Meeting</li><li>4. Interoffice Reviews</li><li>5. Zoning Code Text Amendment Application dated April 26, 2013</li></ol>                 |

## 1141.04(j) Trash/Recycling Collection Facility -- Zoning Text Amendment

PC-10-2013 – With revisions after July 9, 2013 Planning Commission discussion ✓

(In concert with a design guideline bulletin)

- (1) Purpose.** The purpose of this 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.

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**  
**Planning Commission**

**Case # PC-10-2013**

**Date – July 9, 2013**  
**(Revised)**

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**APPLICATION**

|                 |                                                                                                                                                                                                    |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant:      | City of Oxford                                                                                                                                                                                     |
| Action Request: | <b>ZONING CODE TEXT AMENDMENT</b> to Amend Chapter 1141,<br>Specifically Section 1141.04(j) Environmental Regulations,<br>Concerning Trash Collection Facilities, <b>City of Oxford, Applicant</b> |

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**DESCRIPTION**

This is a follow up from this item being tabled on June 11, 2013. A proposed text amendment updating the specifics of trash collection areas was presented on June 11th. Several comments and suggested revisions were made by the Commission and Staff. Since that time, staff studied further the potential consequences of codifying very specific land area requirements and is now suggesting a slightly different approach. Staff discovered that generally municipalities use zoning codes to require screening of such areas and sometimes the type of surface material, but typically not the specific amount of land to be used.

The suggested approach would not include specific land area dimensions in the code language, but would instead, involve a design guideline manual, as well as coordination with the actual trash collection provider, during the development review process. Staff studied closely a design guideline manual, as well as code language from the City of Fort Collins, CO. Their code language actually resulted from a community goal to divert more waste away from the landfill and toward recycling, but the community found that the collection areas were not functioning well with the increased demand for recycling space. The result was an update to both trash and recycling facilities which helped the city create a consistent look that is now the expected norm for developments. The attached language is customized for Oxford, particularly with the addition of the four inch thick concrete pad, and other necessary consistencies with our existing zoning laws.

**ZONING CODE**

The attached text amendment illustrates changes to Chapter 1141 Accessory, Supplementary and Environmental Regulations, specifically Trash Collection Areas.

**COMPREHENSIVE PLAN**

In Chapter 5 (Land Use) on page 3.22 of the 2008 Comprehensive Plan, one of the six strategies for "Supporting the redevelopment of commercial areas along Locust Street" was LU 5.3: "Enhance the Zoning Code to provide for increased buffering between commercial and residential uses including screening, noise restrictions, lighting restrictions, trash receptacle screening." The proposed language gives more practical guidance toward increasing the likelihood of trash and recyclable materials being contained in a safe, tidy and functional manner.

In Chapter 9 (Community Facilities and Services) on page 9.4 of the 2008 Comprehensive Plan, one of the seven strategies for "Improving City Services" was CF 3.1: "Expand recycling to high density multi-family buildings. The proposed language gives more attention to space for recycling materials; therefore it brings the developments in the community closer to this goal.

**DECISION CRITERIA**

A copy of the Text Amendment Decision Criteria is attached.

## ANALYSIS

Trash collection facilities have not been a discussion item in the past but have always fell under staff administrative reviews when zoning permits have been applied for. The 2008 Comprehensive Plan supports the Planning Commission's efforts in updating city policies on this topic. As noted above in the description, City staff is suggesting a slightly different approach than previously recommended. However, in order to fully re-cap all the recent efforts made by Staff and Commission, below is a table comparing the major points of the currently codified language with the proposed latest text. The previously recommended language is not included in this comparison table.

| <b>Current</b>                                                       | <b>Proposed</b>                                                                           |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Applicable to: No specific land uses or zones listed                 | Applicable to: Commercial and Multi-family                                                |
| No thickness requirement for base                                    | 4" thick concrete pad required                                                            |
| <u>Screening from:</u> R.O.W. or adjacent property                   | <u>Screening from:</u> Public view                                                        |
| <u>Adequacy:</u> No specific guidance                                | <u>Adequacy:</u> Generally case-by-case for<br>1. capacity, 2. number and 3. distribution |
| <u>Aesthetics:</u> Screening only                                    | <u>Aesthetics:</u> Screening and coordinate appearance<br>w/building                      |
| <u>Location:</u> Comply with rear and side yard<br>pavement setbacks | <u>Location:</u> Not permitted in the front yard. Must<br>demonstrate accessibility       |
| <u>Graphical reference:</u> None                                     | <u>Graphical reference:</u> References a design guide                                     |
| <u>Functionality:</u> Unknown                                        | <u>Functionality:</u> Consult with collection service<br>provider                         |
| Does not address recycling                                           | Addresses recycling                                                                       |

The attached proposed code language continues the broad intent of the currently codified language, but expands on the somewhat vague term "adequate" by challenging the site designer to consider multiple characteristics of the property and the specific land use. Consistent with the "general intent" approach, the proposed language includes more detailed ways to accomplish the "how" of a good trash and recycling collection area without limiting the creativity and flexibility often needed. The two latest additions of particular note that accomplish these goals are:

1. Coordination with collection service provider in the code
2. Consultation of the Design Guideline in the code (The Design Guideline will not be part of the codified ordinance, but instead be a reference document)

The collection provider (currently Rumpke) that the city contracts with knows if a particular trash/recycling area is in a location that can be serviced. There are many variables well outside the scope of a zoning code such as overhead power lines and the geometry of driveway curb cut. The provider can often give input on the best size and location depending on the surrounding constraints and also the specific land use. The owner/tenant can also request up to six regular pick-ups per week, depending upon the volume. The type of container(s) and frequency of pick up is all handled outside the zoning code. However, that information will be important to know during the planning stages, so the proper size, number and location of sites can be designed.

The use of Design Guidelines is not a new approach for the City of Oxford. There are at least two well-known uses of Design Guidelines as a standard part of development review for the City. This approach allows the general intent of City Council policies to be accomplished at the staff level, without subtle changes having to go through the formal variance process at Board of Zoning Appeals. One example of design guidelines is the Historic District Guidelines. Another example is the Storm Water Management Design Manual.

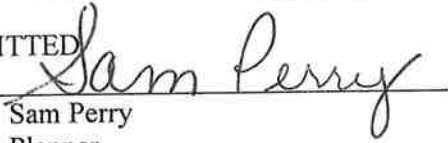
## RECOMMENDATION

In summary, the attached language is not substantially different than the previous code language, but is a change in procedural steps of plan/permit review, by allowing the needed flexibility for different situations. The addition of the design guide will support the intent of the code language. Therefore the proposal should result in the most effective process for designers while being efficient, safe and attractive for the general public. Staff recommends that the Planning Commission forward the proposed legislation to City Council for adoption.

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SUBMITTED

BY:

  
Sam Perry  
Planner

Community Development Department

DATE: July 2, 2013

## ATTACHMENT

## Section 1135.02(c)

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

### Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

## **1141.04(j) Trash/Recycling Collection Facility -- Zoning Text Amendment**

PC-10-2013 -- July 9, 2013 ✓

(In concert with a design guideline bulletin)

- (1) Purpose.** The purpose of this 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, change of use or change to a structure. 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 and/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. Each trash and recycling enclosure shall be designed to allow walk-in access without having to open main enclosure service gates.
  - 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 applicant shall consult the Design Guidelines manual as a design aid.
  - i. This section does not relieve property owners of any requirements in Chapter 931, Solid Waste Collection and Disposal; Recycling.

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**  
**Planning Commission**

**Case # PC-10-2013**

**Date – June 11, 2013**

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**APPLICATION**

Applicant: City of Oxford  
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapter 1141,  
Specifically Section 1141.04(j) Environmental Regulations,  
Concerning Trash Collection Facilities, **City of Oxford, Applicant**

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**DESCRIPTION**

The deficiency of adequate trash collection facilities, especially in the Uptown area was brought to Planning Commission's attention recently. Given that the Uptown area has been going through a redevelopment phase, it is now critical to incorporate necessary provisions in the Code to address this issue. At the May Planning Commission Work Session, Staff presented their ideas on this topic for discussion and the Planning Commission agreed that it was a good idea to further deliberate this topic during a regular meeting.

**ZONING CODE**

The attached text amendment illustrates changes to Chapter 1141 Accessory, Supplementary and Environmental Regulations.

**COMPREHENSIVE PLAN**

Not applicable.

**AGENCY REVIEWS**

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

|              |                          |
|--------------|--------------------------|
| Police:      | Received with no comment |
| Fire:        | No comment received      |
| Engineering: | Received with no comment |
| Econ. Dev.   | No comment received      |

**DECISION CRITERIA**

A copy of the Text Amendment Decision Criteria is attached.

**ANALYSIS**

Trash collection facilities have not been a discussion item in the past but have always fell under staff administrative reviews when zoning permits have been applied for. However, the on-going development in the Uptown area has highlighted that this issue does require a more concrete stipulation for addressing any future development projects.

Normally, trash generation is not an issue; however, trash containment is a common problem in an urbanized area, especially where rental properties are concentrated. Initiatively, the proportion of trash corresponds with the number of individuals residing in a dwelling unit and the numbers of dwellings on a property. This issue is more prominent in the Uptown District and other highly concentrated rental areas. The Uptown area is unique in that it promotes mixed-use development and is prime real estate for rental and commerce. Therefore, we need to consider residential and commercial uses at the same time for the Uptown District.

The Economic Development Director has been instrumental in developing the proposed language since he has been working with various property owners to collectively address the trash issue. His input has been invaluable in getting this matter to the Planning Commission's attention. Furthermore, his interaction with the property owners has provided him with a direct perspective. The proposed language outlines specific storage areas to be set aside based on the uses.

Keep in mind, the proposed language only requires storage areas be based upon the use, which then determines the size of the container. The proposed language further stipulates that a larger trash collection facility will need to include a concrete pad, larger than the storage area, to allow sufficient room for the container to be emptied by the trash truck.

It also stipulates that a large trash collection facility has to be screened from view and satisfy the setback requirement. Again, it is a much less issue in an owner-occupied neighborhood and the proposed language is, by and large, focusing on the Uptown environment.

### **RECOMMENDATION**

Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

---

SUBMITTED

BY: Jung Han Chen  
Jung-Han Chen  
Community Development Director

DATE: May 21, 2013

## ATTACHMENT

(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

### Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

## Chapter 1141 Accessory, Temporary, Supplemental and Environmental Regulations

### 1141.04 Environmental Regulations

#### (j) Trash Collection Facility.

~~(1) Adequate waste disposal on-site facilities shall be shown on the plans submitted for a zoning permit, including a change of use permit. The Zoning Administrator may accept an alternative plan that adequately provides for the disposal of all waste generated by the proposed use. If such facilities or alternative plan are not acceptable, the permit may be denied.~~

~~———— (2) A trash collection facility shall include a large container such as a dumpster or a small container such as a garbage can, bag or other similar container. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district.~~

~~———— (3) A large trash collection facility shall be situated in a permanent location and placed on a concrete pad (4000 psi minimum). A dumpster pad shall be of a dimension that will allow a dumpster to sit entirely on the pad and to permit the front or rear wheels of a trash disposal truck to rest on the pad while emptying the dumpster. No part of the container shall overhang the limits of the pad.~~

~~———— (4) If a site contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.~~

~~———— (5) The Zoning Administrator may approve plans for shared dumpster facilities.~~

(1) A trash collection facility shall include a large container such as a dumpster or a small container such as a garbage can or other similar container. No trash collection facility shall be stored in the front yard and shall conform to side and rear yard pavement setbacks of the applicable zoning district.

(2) Adequate on-site waste disposal facilities shall be shown on the plans submitted for a zoning permit, including a change of use permit based on the following requirements:

- a. A minimum of 2.5' by 3' storage space is required for each residential dwelling unit.
- b. A minimum of 3' by 6' of storage space is required for commercial space up to 2,500 sq. ft. of space.
- c. A minimum of 6' by 6' of storage space is required for commercial space over 2,500 sq. ft. of space.

(3) If a site contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.

(4) A trash collection facility that contains a dumpster shall be situated in a permanent location and placed on a concrete pad (4000 psi minimum). A dumpster pad shall be of a dimension that would allow a dumpster to sit entirely on the pad and to permit the front or rear wheels of a trash disposal truck to rest on the pad or public right-of-way when emptying the dumpster. No part of the dumpster shall overhang the limits of the pad.

(5) Any mixed-use structures or lots must provide storage space in an amount equal to the sum of all individual uses combined.

*Distributed  
@ mtg*

1141.04 (j) Trash Collection Facility

- (1) One or more trash facilities shall be provided on each site or property to collect waste generated on that site.
- (2) A trash collection facility shall include one or more containers such as dumpsters, waste wheelers, trash cans, or similar containers as appropriate for the wastes being collected. A trash collection facility may also include a trash compactor if needed to meet the trash collection storage needs of the proposed property use.
- (3) No trash collection facility shall be located in the front yard, and the facility shall conform to side and rear yard pavement setbacks of the applicable zoning district.
- (4) The trash collection facility(ies) shall be adequately sized for the site and type of use being served. The proposed trash collection facility(ies) shall be shown on the plans submitted for a zoning permit, including a change of use permit, based on the following minimum requirements:
  - a. A minimum 36" wide x 42" deep space is required for each residential unit.
  - b. A minimum 7' wide x 10' deep space is required for each commercial space up to 2,500 sq.ft.
  - c. A minimum 10' wide x 10' deep space is required for each commercial space 2,500 sq. ft. and larger.

Any sites expected to host a restaurant or other eating establishment which will generate waste cooking oil shall provide additional space within the trash collection facility for a waste oil container.

- (5) Any trash collection facility that contains a dumpster and/or compactor shall be situated in a permanent location and shall be screened so as not to be visible from the public right-of-way or adjacent property. It shall have as its base a minimum 4000 psi concrete slab.
- (6) An appropriate paved surface shall be provided between the trash collection facility and the public right-of-way or other refuse truck loading area to facilitate movement of the containers. Where the facility includes a dumpster or other container designed to be loaded directly from the trash collection facility to the refuse truck, and the container

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 5/31/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-10-2013 ZONING CODE TEXT AMENDMENT** to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

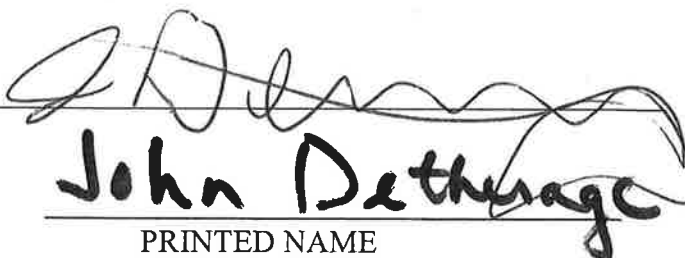
  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/6/13** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments            without/comments

Drawings reviewed by:

  
**John Dethage**  
PRINTED NAME

Date: 6-9-13

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 5/31/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-10-2013 ZONING CODE TEXT AMENDMENT** to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/6/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....  
Drawings are returned: w/comments without/comments

Drawings reviewed by: \_\_\_\_\_

*A. Popescu*

Date: 6-3-13

*VICTOR POPESCU*

\_\_\_\_\_  
PRINTED NAME

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 5/31/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-10-2013 ZONING CODE TEXT AMENDMENT** to amend Chapter 1141, Accessory, Temporary, Supplemental & Environmental Regulations, specifically 1141.04(j) Trash Collection Facilities, **City of Oxford, Applicant**

  X   Review             Revisions             Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/6/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned:    w/comments    without/comments

Drawings reviewed by:

Lt. [Signature] #24

Date: 6/4/13

Lt. John A. Jones #24  
PRINTED NAME

**Zoning Code Text Amendment Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION**

Name of Applicant: City of Oxford  
(Attach a Letter of Agency if the applicant is not the property owner.)  
Mailing Address: 101 E High St.  
Oxford OH 45056  
Telephone Number(s): 524 5204  
Email Address: jchen@cityofoxford.org

**SUBMISSION REQUIREMENTS**

A written, detailed description, where applicable, is required for each subsection.

All applications must include:

- A. A general description of the proposed amendment.
- B. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- C. A statement that identifies potential negative consequences of the proposed amendment.
- D. Any existing section number and text that is proposed to be deleted or amended.
- E. Any new or amended text as it is proposed to be codified including its proposed location in the Code. (section numbers)
- F. A narrative statement that describes the expected effects of the proposed text.
- G. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

**Planning Commission and Council Review** The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

**Decision Standards** A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls. The proposed amendment will:

- A. make the Code conform more closely with the Comprehensive Plan.
- B. improve the public health, safety, and general welfare of Oxford.
- C. clarify the intent of the Code.
- D. better implement the intent of the Code.
- E. improve enforcement of the Code.

All materials and the application fee in the amount of **\$150.00 plus actual postage**, payable to the City of Oxford must be delivered to the office of Community Development, 101 East High Street, Oxford, Ohio 45056 45 days prior to the proposed meeting date. Any questions should be directed to the Community Development Department at (513) 524-5204.

**NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.**

SIGNATURE OF APPLICANT: Jung Han Chen Date: 4/26/13

PRINTED NAME: Jung-HAN Chen

**FEE / RECEIPT**

\$150 Fee plus Actual Postage Paid / Receipt Number: NA

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 6, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

July 30, 2013

**Date Prepared:**

**PC-11-2013 ZONING MAP AMENDMENT** Area 1: Land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 (Multi-Family Residential) District to R4 (Multi-Family Residential) District, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 (Multi-Family Residential) District to R4, (Multi-Family Residential) District approximately 66 acres, **City of Oxford, Applicant**

**Recommendation: Approval**

**Discussion:**

In 2012, after an almost year-long study, a proposal to amend the R-3 site development regulations took place. The changes resulted from the Nonconforming Subcommittee recommendations to the existing site development regulations to encourage redevelopment of large apartment complexes and to attempt to bring those apartments into conformance with the Zoning Code.

During the process, it was also recommended that a “different” set of development regulations be put in place for those properties located in the outskirts of the City.

A two-step process was developed to address this: first, a set of site development regulations were created for the R-4 Multi-Family Residential District, in February, 2013. The “new” R-4 Multi-Family Residential District site development regulations are the same as the previous “R-3” prior to the modifications. The second step was to amend the official zoning map to those areas more suitable for the R-4 District site development regulations.

In essence, these new areas are designated as new districts, but with the same site development regulations as before; therefore, there is very minimal impact, if any, with the proposed changes.

**Approved By:**

**Department Head:  
City Attorney:  
City Manager:**

*JHC 7/31/13*  
*DRK 8/2/13*

## **ORDINANCE NO.**

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY SIXTEEN (16) ACRES OF LAND GENERALLY KNOWN AS INDIAN TRACE APARTMENTS LOCATED ON THE WEST SIDE OF U.S. 27 SOUTH NEAR THE INTERSECTION OF UNIVERSITY PARK BOULEVARD OXFORD, OHIO, AND REZONING THE PROPERTY FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO R-4 MULTI-FAMILY RESIDENTIAL DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 9, 2013 on the City of Oxford's application for a Zoning Map Amendment for approximately sixteen (16) acres of land generally known as Indian Trace Apartments located on the West side of U.S. 27 South near the intersection of University Park Boulevard Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from R-3 Multi-Family Residential District to R-4 Multi-Family Residential District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning approximately sixteen (16) acres of land generally known as Indian Trace Apartments located on the West side of U.S. 27 South near the intersection of University Park Boulevard Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from R-3 Multi-Family Residential District to R-4 Multi-Family Residential District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

**Certification of Action  
Oxford Planning Commission  
Recommendation to City Council**

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | August 6, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b><u>Case Number</u></b>                          | PC-11-2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Applicant Information</u></b>                | City of Oxford, Applicant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b><u>Requested Action</u></b>                     | Zoning Map Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><u>Summary of Request</u></b>                   | <b>ZONING MAP AMENDMENT</b> Area 1: Land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 (Multi-Family Residential) District to R4 (Multi-Family Residential) District, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 (Multi-Family Residential) District to R4, (Multi-Family Residential) District approximately 66 acres, <b>City of Oxford, Applicant</b> |
| <b><u>Public Hearing Information</u></b>           | On July 9, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on June 7, 2013. Public Hearing notices were mailed out to surrounding properties on June 24, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b><u>Commission Action</u></b>                    | The Planning Commission voted 7-0-0 recommending approval to City Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><u>Commission Findings and Conclusions</u></b>  | The Planning Commission recommended this Zoning Map Amendment approval so that the zoning would reflect the new R-4 Multi-Family Residential District and encourage urbanized development in the future.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report dated June 26, 2013</li><li>2. Proposed Re-Zoning Map</li><li>3. Property Notifications</li><li>4. Interoffice Reviews</li><li>5. Zoning Map Amendment Application dated May 24, 2013</li></ol>                                                                                                                                                                                                                                                                                                                                                                                                                  |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**  
**Planning Commission**

**Case # PC-11-2013**

**Date – July 9, 2013**

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**APPLICATION**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant:      | City of Oxford                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Action Request: | <b>ZONING MAP AMENDMENT</b> from “R3” Multi-Family Residential District to “R4” Multi-Family Residential District generally known as Indian Trace Apartments approximately 16 acres, located on the west side of U.S. 27 South near the interaction of University Park Blvd, and the area generally known as Southpointe Apartments, approximately 66 acres, located on the east side of U.S. 27 South near the intersection of Southpointe Parkway. <b>City of Oxford, Applicant</b> |

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**DESCRIPTION**

The proposed map amendment would revise the zoning classification of the above mentioned properties from R-3 Multi-Family Residential District to a new R-4 Multi-Family Residential District.

As you may recall, in 2012 the Planning Commission reviewed site development regulations for the R-3 District to specifically address apartments located in and around the core of the City. The changes reflected an urbanized, built environment and were intended to seek ways to encourage redevelopment utilizing sustainable development best practices.

**ZONING CODE**

The text portion of the proposed zoning classification has already been put in place concurrent with the R-3 site development revision.

**COMPREHENSIVE PLAN**

Not applicable.

**AGENCY REVIEWS**

Requests for review were made to the Police, Fire, Engineering and Economic Development Departments. The following comments have been received:

|              |                          |
|--------------|--------------------------|
| Police:      | Received with no comment |
| Fire:        | Received with no comment |
| Engineering: | Received with no comment |
| Econ. Dev.   | No comment received      |

**DECISION CRITERIA**

A copy of the Text Amendment Decision Criteria is attached.

**ANALYSIS**

The areas in question are located in a rural setting, along U.S. 27 South, a major thoroughfare to and from Oxford. These areas are on the outskirts of Oxford and would require an automobile to and from the site.

In 2012, after an almost year-long study, a proposal to amend the R-3 site development regulations resulting from the Nonconforming Subcommittee recommended changes to the existing site development regulations to encourage redevelopment of large apartment complexes and to attempt to bring those apartments into conformance with the Zoning Code. During the process, it was also recommended that a

“different” set of development regulations be put in place for those properties located in the outskirts of the City. The idea was to create site development regulations for the urbanized built environment and maintain the existing multi-family site development regulations for those outlying properties.

A two-step process was taken to address this challenge. The first step was to create a set of site development regulations for the R-4 Multi-Family Residential District, which took place in February, 2013. The second step was to amend the official zoning map to those areas more suitable for the R-4 District site development regulations. This is what is being presented tonight.

In essence, these new areas are following the former R-3 site development regulations and will have minimal impact, if any, with the proposed changes.

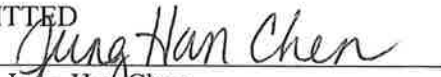
#### **RECOMMENDATION**

Staff recommends that the Planning Commission accept the amendment and move forward with this request to City Council for legislative action.

---

SUBMITTED

BY:

  
Jung-Han Chen  
Community Development Director

DATE: June 26, 2013

## ATTACHMENT

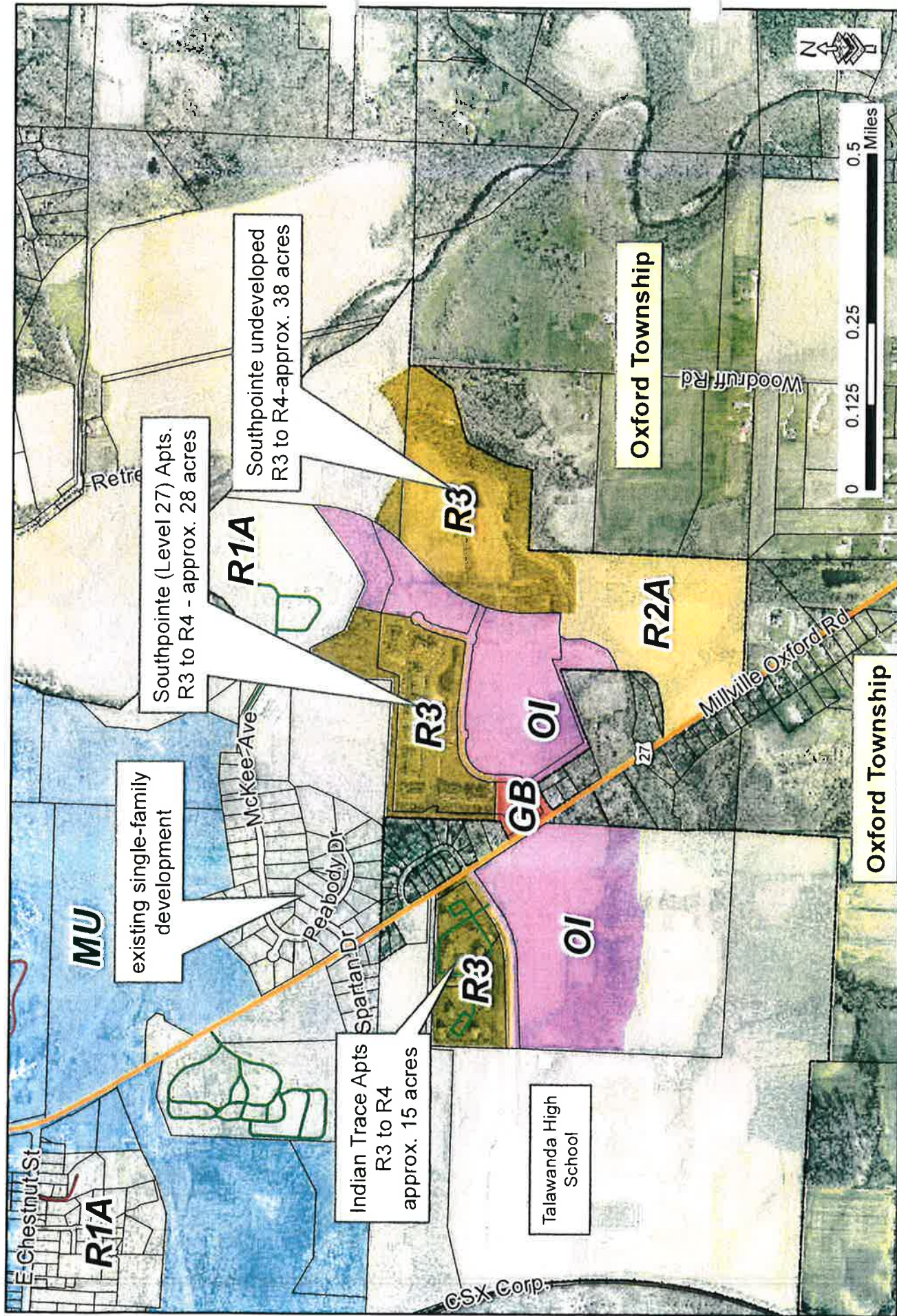
(c) Planning Commission and Council Review. The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

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

- (1) Decision standards. A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

### Text Amendments

- A. The proposed amendment will make the Code conform more closely to the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.



# Proposed Rezoning Map

City-initiated Rezone from R-3 to R-4

Map Produced July 5, 2013

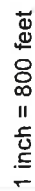
R-1A, Single-Family Low Density Residential  
R-2A, Single- and Two-Family Residential  
R-3, Multi-Family Residential  
MU, Miami University

GB, General Business  
OI, Office & Light Industrial



## Property notifications

 Subject Properties  
 200 Ft. Buffer  
 Oxford Corporation Limit  
 Parcel  
 16.5' Vacated ROW  
 Building Footprint  
 Paved Roadway



CITY OF  
**OXFORD**  
HOME OF MPM UNIVERSITY

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

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 6/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-11-2013 Zoning Map Amendment** Area 1: The land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 to R4, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 to R4, approximately 66 acres **City of Oxford, Applicant**

☒ Review ☐ Revisions ☐ Other

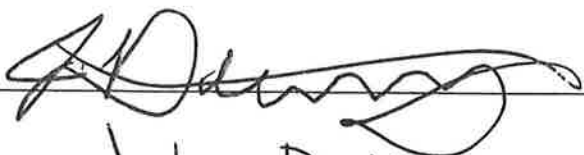
Comments or status update requested by: Lynn Taylor

Please return no later than: **7/2/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:

  
John Detherage  
PRINTED NAME

Date: 6-26-13

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 6/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-11-2013 Zoning Map Amendment** Area 1: The land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 to R4, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 to R4, approximately 66 acres **City of Oxford, Applicant**

  X   Review            Revisions            Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **7/2/13** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

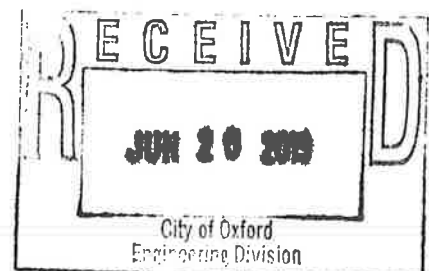
Drawings reviewed by: \_\_\_\_\_

*V. Popescu*

Date: 6-20-13

**VICTOR POPESCU**

PRINTED NAME



City of Oxford  
Inter-Office Review Transmittal Sheet

Date: 6/20/2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-11-2013 Zoning Map Amendment** Area 1: The land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 to R4, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 to R4, approximately 66 acres **City of Oxford, Applicant**

  X   Review             Revisions             Other

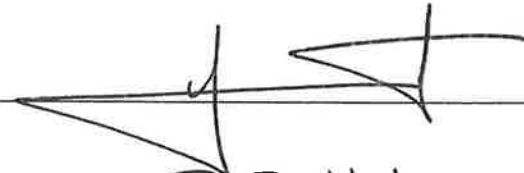
Comments or status update requested by: Lynn Taylor

Please return no later than: **7/2/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned:    w/comments    without/comments

Drawings reviewed by:

  
R. B. HOLZWORTH  
PRINTED NAME

Date: 6/24/2013

**Zoning Map Amendment Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION**

Name of Applicant: City of Oxford  
(Attach a Letter of Agency if the applicant is not the property owner.)  
Mailing Address: 101 E. High  
Oxford, OH 45056  
Telephone Number(s): (513) 524-5204 Email Address: \_\_\_\_\_  
Location of Property: \_\_\_\_\_  
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)  
Legal Description: \_\_\_\_\_  
Total Area: \_\_\_\_\_ Acres / Square Feet (circle one)  
Existing Use of Property: APT  
Current Zoning: R3  
Proposed Zone(s): R4  
Proposed Use: \_\_\_\_\_

**SUBMISSION REQUIREMENTS**

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website ([www.butlercountyohio.org/auditor](http://www.butlercountyohio.org/auditor)) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. \*Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

**NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.**

SIGNATURE OF APPLICANT: [Signature] Date: 6/1/13

PRINTED NAME: Jung-Han Chen

**FEE / RECEIPT**

\$150 Fee plus Actual Postage Paid / Receipt Number: NA

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** August 6, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

July 30, 2013

**Date Prepared:**

**PC-11-2013 ZONING MAP AMENDMENT** Area 1: Land locally known as Indian Trace Apartments, generally located on the west side of U.S. 27 South near the intersection of University Park Blvd, to be rezoned from R3 (Multi-Family Residential) District to R4 (Multi-Family Residential) District, approximately 16 acres. Area 2: The R3 zoned land within the property locally known as Southpointe Apartments, generally located on the east side of U.S. 27 South near the intersection of Southpointe Pkwy, to be rezoned from R3 (Multi-Family Residential) District to R4, (Multi-Family Residential) District approximately 66 acres, **City of Oxford, Applicant**

**Recommendation: Approval**

**Discussion:**

In 2012, after an almost year-long study, a proposal to amend the R-3 site development regulations took place. The changes resulted from the Nonconforming Subcommittee recommendations to the existing site development regulations to encourage redevelopment of large apartment complexes and to attempt to bring those apartments into conformance with the Zoning Code.

During the process, it was also recommended that a "different" set of development regulations be put in place for those properties located in the outskirts of the City.

A two-step process was developed to address this: first, a set of site development regulations were created for the R-4 Multi-Family Residential District, in February, 2013. The "new" R-4 Multi-Family Residential District site development regulations are the same as the previous "R-3" prior to the modifications. The second step was to amend the official zoning map to those areas more suitable for the R-4 District site development regulations.

In essence, these new areas are designated as new districts, but with the same site development regulations as before; therefore, there is very minimal impact, if any, with the proposed changes.

Approved By:

**Department Head:**  
**City Attorney:**  
**City Manager:**

*JHC 7/31/13*  
*DK 8/2/13*

## **ORDINANCE NO.**

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING A ZONING MAP AMENDMENT FOR APPROXIMATELY SIXTY SIX (66) ACRES OF LAND GENERALLY KNOWN AS SOUTHPOINTE (LEVEL 27) APARTMENTS AND THE SURROUNDING UNDEVELOPED TRACT OF LAND LOCATED ON THE EAST SIDE OF U.S. 27 SOUTH NEAR THE INTERSECTION OF SOUTHPOINTE PARKWAY OXFORD, OHIO, AND REZONING THE PROPERTY FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO R-4 MULTI-FAMILY RESIDENTIAL DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1125.01 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 9, 2013 on the City of Oxford's application for a Zoning Map Amendment for approximately sixty six (66) acres of land generally known as Southpointe (Level 27) Apartments and the surrounding undeveloped tract of land located on the East side of U.S. 27 South near the intersection of Southpointe Parkway Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and requesting the rezoning of the property from R-3 Multi-Family Residential District to R-4 Multi-Family Residential District.

SECTION 2: The Oxford Planning Commission, after the public hearing and deliberation, recommended granting the Zoning Map Amendment, and found that the proposed rezoning request was in keeping with the intended characteristics of the general vicinity of the property and was the most appropriate zoning classification of the property in question.

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendment, rezoning approximately sixty six (66) acres of land generally known as Southpointe (Level 27) Apartments and the surrounding undeveloped tract of land located on the East side of U.S. 27 South near the intersection of Southpointe Parkway Oxford, Ohio, a map of which is attached hereto and incorporated herein as Exhibit "A" and rezoning the property from R-3 Multi-Family Residential District to R-4 Multi-Family Residential District.

SECTION 4: Council hereby grants the rezoning of the property as requested by the applicant, incorporating the application and documents submitted by the applicant as a term and condition of the granting of this rezoning request and orders that the official zoning map be amended.

SECTION 5: This Ordinance shall take effect at the earliest time allowed by law.

---

MAYOR

ADOPTED:

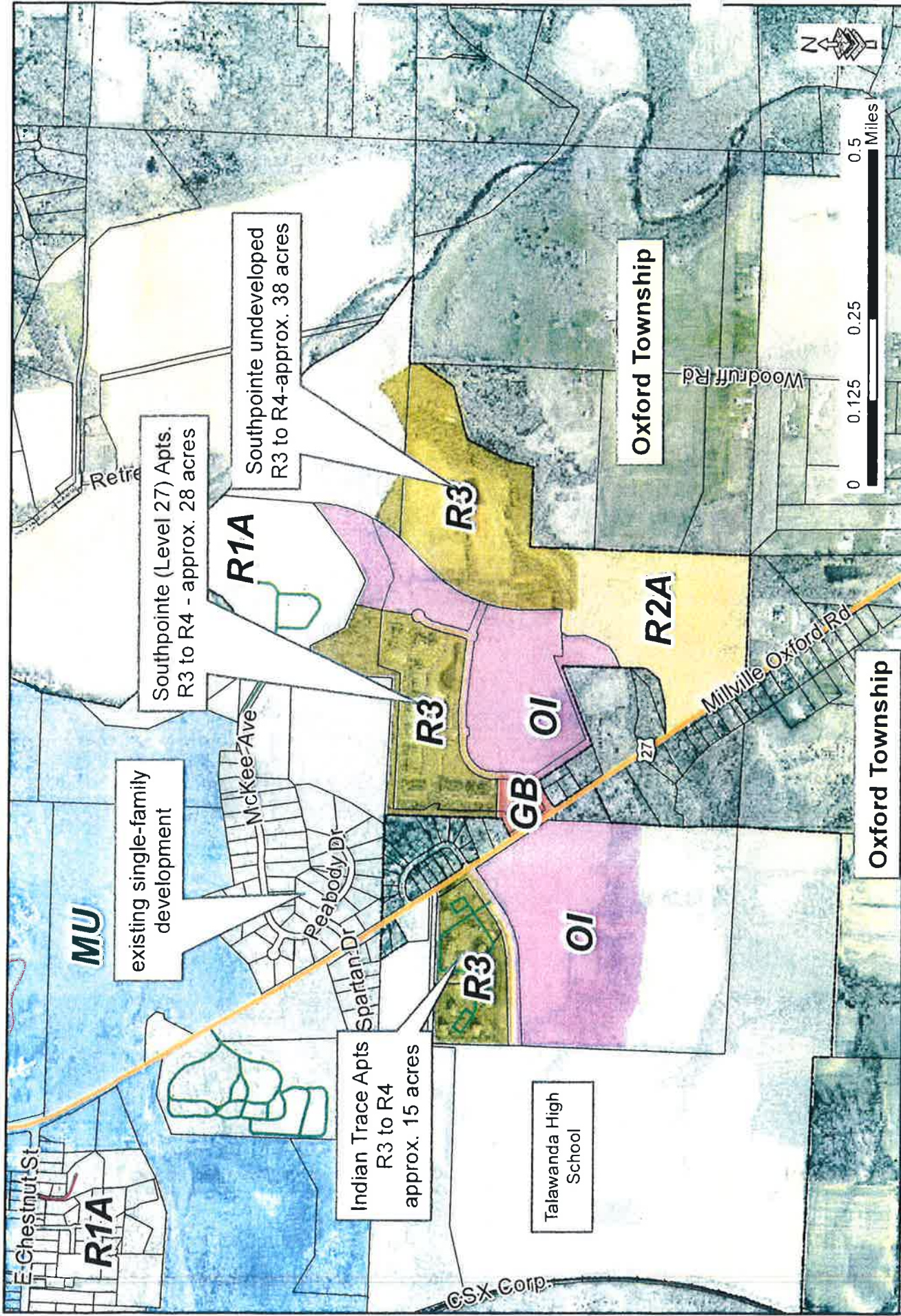
ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)



# Proposed Rezoning Map

City-initiated Rezone from R-3 to R-4

Map Produced July 5, 2013

R-1A, Single-Family Low Density Residential  
 R-2A, Single- and Two-Family Residential  
 R-3, Multi-Family Residential  
 MU, Miami University

GB, General Business  
 OI, Office & Light Industrial



# CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

\_\_\_\_\_  
Finance  
Originating Department

Council Meeting Of :

\_\_\_\_\_

\_\_\_\_\_  
Joe Newlin

Account Code No. :

\_\_\_\_\_  
see below

\_\_\_\_\_  
Prepared By

Budgeted Amount :

\_\_\_\_\_

\_\_\_\_\_  
Date Prepared

|                      |                                    |
|----------------------|------------------------------------|
| <b>Agenda Title:</b> | <b>2013 Supplemental Budget #3</b> |
|----------------------|------------------------------------|

|                        |                |
|------------------------|----------------|
| <b>Recommendation:</b> | <b>Approve</b> |
|------------------------|----------------|

## Issue 1

Hotel and Convention Tax revenue is averaging 14% more in 2012 and 2011 (through the end of June) need to increase budgeted revenue in both the General Fund and Hotel & Convention Tax Fund by 14% to a revised estimate of \$194,650 an increase of \$23,905. City will only pay the OVB actual amount received up to the additional \$23,905.

### Action Needed:

#### Revenue Side

|                            |           |                                           |
|----------------------------|-----------|-------------------------------------------|
| General 110                | 23,905.00 | Estimated increase in revenue             |
| Hotel & Convention Tax 120 | 23,905.00 | Estimated increase in revenue             |
| General 110                | 1,434.00  | Transfer from Hotel & Convention Tax Fund |

#### Expense Side

|                            |           |                                                    |
|----------------------------|-----------|----------------------------------------------------|
| Hotel & Convention Tax 120 | 22,471.00 | Amount owed to Oxford Visitors per 2013 Budget 94% |
| Hotel & Convention Tax 120 | 1,434.00  | Transfer to General Fund                           |

|                                |           |  |
|--------------------------------|-----------|--|
| Net Effect on Fund Balance/(s) | 25,339.00 |  |
| Increase/(Decrease)            |           |  |

## Issue 2

Budgeted repayment of Advance for \$395,000 to the General Fund (OPW portion of College Ave. rebuild) actual advance in 2012 was \$400,000 to the Capital Improvement Fund. Need to increase budgeted amount of both revenue in the General Fund and expenditure in Capital Improvement Fund by \$5,000.

### Action Needed:

#### Revenue Side

|             |          |                                       |
|-------------|----------|---------------------------------------|
| General 110 | 5,000.00 | Advance from Capital Improvement Fund |
|-------------|----------|---------------------------------------|

#### Expense Side

|                         |          |                                   |
|-------------------------|----------|-----------------------------------|
| Capital Improvement 141 | 5,000.00 | Advance Repayment to General Fund |
|-------------------------|----------|-----------------------------------|

|                                |   |  |
|--------------------------------|---|--|
| Net Effect on Fund Balance/(s) | - |  |
| Increase/(Decrease)            |   |  |

**Issue 3**

Receipt of \$60,000 from FIJI house (Phi Gamma Delta) Insurance Company per section 1301.04 Fire Insurance Proceeds funds to be returned after proof of repairs, removal, or securing the building has been received by the City Manager.

**Action Needed:**

## Revenue Side

|             |           |                                     |
|-------------|-----------|-------------------------------------|
| General 110 | 60,000.00 | Un-budgeted receipt in General Fund |
|-------------|-----------|-------------------------------------|

## Expense Side

|             |           |                                    |
|-------------|-----------|------------------------------------|
| General 110 | 60,000.00 | Un-budgeted refund in General Fund |
|-------------|-----------|------------------------------------|

|                                                       |   |
|-------------------------------------------------------|---|
| Net Effect on Fund Balance/(s)<br>Increase/(Decrease) | - |
|-------------------------------------------------------|---|

|                                                             |           |
|-------------------------------------------------------------|-----------|
| Total Net Effect on Fund Balance/(s)<br>Increase/(Decrease) | 25,339.00 |
|-------------------------------------------------------------|-----------|

## Breakdown by Fund

|                            |            |
|----------------------------|------------|
| General 110                | 30,339.00  |
| Hotel & Convention Tax 120 | -          |
| Capital Improvement 141    | (5,000.00) |

|                                                       |           |
|-------------------------------------------------------|-----------|
| Net Effect on Fund Balance/(s)<br>Increase/(Decrease) | 25,339.00 |
|-------------------------------------------------------|-----------|

Approved By:

Department Head:

City Manager:

Initials

Date

JW 7/31/13

DCE 8/2/13

**ORDINANCE NO.**

AN ORDINANCE AMENDING ORDINANCE NO. 3190. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 3 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2013.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, 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                | 23,905.00 |
| Hotel & Convention Tax Fund 120 | 23,905.00 |
| General Fund 110                | 60,000.00 |

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

|                                 |           |
|---------------------------------|-----------|
| General Fund 110                | 60,000.00 |
| Hotel & Convention Tax Fund 120 | 22,471.00 |
| Hotel & Convention Tax Fund 120 | 1,434.00  |
| Capital Improvement Fund 141    | 5,000.00  |

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

|                                 |          |
|---------------------------------|----------|
| Transfer from:                  |          |
| Hotel & Convention Tax Fund 120 | 1,434.00 |

|                  |          |
|------------------|----------|
| Transfer to:     |          |
| General Fund 110 | 1,434.00 |

SECTION 5: The following advance(s) be executed:

|                              |          |
|------------------------------|----------|
| Advance from:                |          |
| Capital Improvement Fund 141 | 5,000.00 |

|                  |          |
|------------------|----------|
| Advance to:      |          |
| General Fund 110 | 5,000.00 |

SECTION 6: The following increase/(decrease) in revenues be made:

|                  |          |
|------------------|----------|
| General Fund 110 | 1,434.00 |
| General Fund 110 | 5,000.00 |

SECTION 7: In all other respects, Ordinance No. 3190 shall remain in full force and effect.

SECTION 8: This ordinance shall take effect immediately upon its adoption.

\_\_\_\_\_  
MAYOR

ADOPTED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

# CITY OF OXFORD

## STAFF SUMMARY REPORT

**Report to the City Manager**

**Council Meeting Of:** July 16, 2013

**Account Code No. #:**

**Budgeted Amount:**

Community Development

**Originating Department**

Jung-Han Chen

**Prepared By**

June 26, 2013

**Date Prepared**

|                      |                                                                                                                                                 |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>ORDINANCE REPEALING ORDINANCE NO. 3000 AND ADOPTING A NEW CHAPTER 139 STUDENT/COMMUNITY RELATIONS COMMISSION OF THE OXFORD CODIFIED CODE</b> |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|

|                        |                 |
|------------------------|-----------------|
| <b>Recommendation:</b> | <b>Approval</b> |
|------------------------|-----------------|

**Discussion:**

During the last school year, the SCRC has had difficulties to bring enough student representatives and issues related to town-gown issues at its bi-weekly meetings. The co-chairs of the Commission invited staff and the MU Off-Campus Coordinator and the Director of MU Community Engagement Office to brainstorm how to position the Commission to be the conduit between student population and the community members in general.

The current composition from the student side does not provide enough interaction between the student governing body, ASG, and the community and tends to focus on IFC and PanHellenic representatives. Furthermore, there was a tendency that the terms of those student representatives being for one year lacked the continuity that a functioning commission requires. It is also felt that the SCRC should have a stronger presence dealing with issues related to the community and the university.

This is an effort to enhance the SCRC to be a Commission which will allow town and gown to collaboratively work together to discuss town-gown issues and make recommendations to improve the town-gown relationship. The changes are to expand the community voting members from currently three to six; with one Mile Square residents and one members being the co-chairs. It also provides a venue to further engage the Associated Student Government (ASG) in community affairs, since the proposed student voting members shall be designated by the ASG, including the Secretary for the Off-Campus Affair who also serve as the co-chair. Two of them will serve a term of two years.

This is a follow-up to the town-gown seminars that MU and City staff attended last year as an attempt to find ways to further integrate student population with community affairs and to expand community members' interaction with students as a regular basis.

**Approved By:**

**Department Head:**

**City Attorney:**

**City Manager:**

**Initial Date**

JHC 7/9/13

JHC 7/12/13

## ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 139 ENTITLED STUDENT/COMMUNITY RELATIONS COMMISSION, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 139 ENTITLED STUDENT/COMMUNITY RELATIONS COMMISSION, TO AMEND THE COMPOSITION AND ORGANIZATIONAL STRUCTURE OF THE STUDENT/COMMUNITY RELATIONS COMMISSION.

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

SECTION 1: Council hereby repeals Chapter 139 of the Oxford Code of Ordinances to amend the composition and organizational structure of the Student/Community Relations Commission and adopts new Chapter 139 as follows:

### **139.01 ESTABLISHED.**

There is hereby created a Student/Community Relations Commission consisting of ~~nine~~ **eleven** voting members and ~~six~~ **twelve** ex-officio members.

### **139.02 COMPOSITION AND APPOINTMENT.**

(a) The composition of the Commission and method of appointment thereto shall be as follows:

- ~~(1) One member of the Oxford City Council;~~
- ~~(2) Three residents of the City of Oxford, at least one of whom shall reside in the Mile Square to be appointed by the Oxford City of Council to serve a three (3) year term.~~
- ~~(3) One Miami University graduate student, appointed by the Miami University Graduate Student Association to serve a one (1) year term~~
- ~~(4) Four undergraduate students of Miami University who are members of university recognized organizations, one of whom shall be the Associated Student Government Secretary for Off-Campus Affairs, to be appointed by the Miami University Coordinator of Off-Campus Affairs for a one (1) year term.~~
- (1) Six residents of the City of Oxford, at least one of whom shall reside in the Mile Square to be appointed by the Oxford City Council. Appointments shall initially be staggered as to length of term with two (2) members for one (1) year, two (2) members for two (2) years, and two (2) members for three (3) years. Commission members shall thereafter serve for a term of three (3) years without compensation.**
- (2) Five Miami University students, appointed by the Associated Student Government, one of whom shall be the Secretary for Off Campus Affairs and two of whom shall serve a two (2) year term.**

(b) The Commission shall also have ~~six (6)~~ **twelve (12)** ex-officio members as follows:

- (1) The City Manager or the City Manager's designee;
- (2) The Miami University Dean of Students or the Dean's designee;
- (3) The Miami University Coordinator of Off-Campus Affairs;
- (4) One representative of the Oxford Chamber of Commerce;
- (5) One member of the Oxford Police Department **and one member of the Miami University Police Department;**
- (6) One representative of the Talawanda School District;
- (7) **One member of the Oxford City Council**
- (8) **One representative from each of the following Miami University recognized organizations: Interfraternity Council, PanHellenic Association; Graduate Student Association and International Student Association.**

Each of the above ex-officio members shall be appointed to serve a one (1) year term.

#### **139.03 ORGANIZATION.**

The Commission shall elect its own chairperson, secretary, and such other officers as it deems advisable. The Commission shall have full power to organize itself and to determine its own rules, regulations and bylaws. The Commission will meet not less than once per month during the academic year at a regularly scheduled time, date and place.

#### **139.04 PURPOSE.**

The purpose of the Commission shall be to identify and explore any and all matters that the Commission determines are related to student/community relations, and serve in an advisory capacity to the City Council. The Commission shall report and recommend to City Council as the Commission or City Council deems necessary. The Commission is expressly authorized and directed to make such recommendation to Council relative to legislation or policy matters as the Commission determines to be in the interest of student/community relations.

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

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MAYOR

ADOPTED:

ATTEST:

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CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: BOB BLACKBURN

PREPARED BY: LAW (STAFF)