

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Human Resources
Originating Department

Council Meeting Of: August 18, 2015

Account Code No. #: N/A

Candi Turpin
Prepared By

Budgeted Amount: N/A

August 11, 2015
Date Prepared

Agenda Title: An Ordinance Establishing Salaries And Certain Benefits For Salaried and Hourly Full-Time And Part-Time Employees Within The Service Of The City Of Oxford, Ohio, Paid From January 1, 2016 Through December 31, 2016.

Recommendation: Approve.

Discussion: Additions/corrections are noted in bold and items to be eliminated/changed are indicated by strikeout.

Section 1. The Human Resources Director position is amended to change from a part-time position to a full-time position.

Section 1. The Finance Department is amended to remove the Utility Collections Specialist I and Utility Collections Specialist II and add two full-time Utility Collection Specialists. The Accounting Specialist is amended to one (1) position instead of two (2) positions. There is an addition of one (1) full-time Finance Specialist.

Section 1. The Parks & Recreation Department is amended to add one (1) additional part-time custodian.

Section 1. The Safety Department – Fire Division is amended to add an additional Fire Captain for a total of three (3) Fire Captains.

These changes will result in total authorized personnel of one hundred and eleven (111) full time employees. There are three (3) positions that are filled part-time. These are noted by two asterisks (**) and are listed with pay in Section 3. We removed the language regarding seven (7) additional positions that are authorized, not budgeted (1 Accounting Assistant, 3 Police Officers, 1 Engineer, 1 Equipment Mechanic, and 1 Service Worker). We do not intend on filling these positions.

Section 2. Staff is recommending a two percent (2%) cost of living (COLA) increase or a market adjustment.

Section 3. The part-time Human Resources Director position has been removed. An additional part-time custodian has been added to the Parks & Recreation Department. The Assistant to the Chief – Technical position in the Safety Department – Police Division has been removed as this position will not be filled.

Section 6.D. A clause indicating that there is an additional Attachment B is added. This Attachment includes the policies and wage rates for Fire Captains.

Attachment A: The pay bands have been increased by 2% for 2016.

Attachment B: This attachment has been added and includes policies and wage rates for Fire Captains.

Approved By:

Department Head:
City Manager:

Initial Date

CLB 8-14-15
DRE \ 8/14/15

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING SALARIES AND CERTAIN BENEFITS FOR SALARIED AND HOURLY FULL-TIME AND PART-TIME EMPLOYEES WITHIN THE SERVICE OF THE CITY OF OXFORD, OHIO, PAID FROM JANUARY 1, ~~2015-2016~~ THROUGH DECEMBER 31, ~~2015~~2016.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT THE SALARIES, WAGES AND CERTAIN BENEFITS FOR A NUMBER OF OFFICIALS AND EMPLOYEES OF THE CITY OF OXFORD BE FIXED AS FOLLOWS:

SECTION 1: The following full-time positions are hereby established with respect to position title, authorized number and pay range:

POSITION TITLE	AUTHORIZATION		
	<u>TYPE</u>	<u># OF EMPLOYEES</u>	<u>PAY BAND</u>
<i>OFFICE OF THE CITY MANAGER</i>			
City Manager	(NC)	(1)	By Contract
Assistant to the City Manager	(NC)	(1)	5
Human Resources Director	(NC)	(1)**	7
Clerk of Council/AAll	(NC)	(1)	4
<i>ECONOMIC DEVELOPMENT DEPARTMENT</i>			
Economic Development Director	(NC)	(1)	7
<i>FINANCE DEPARTMENT</i>			
Finance Director	(NC)	(1)	By Contract
Assistant Finance Director	(C)	(1)	6
Payroll and Benefits Specialist	(C)	(1)	5
Utility Collections Specialist II	(C)	(4 2)	4
Utility Collection Spec. I.	(C)	(1)	2
Accounting Specialist	(C)	(2 1)	4
Finance Specialist	(C)	(1)	5
<i>LAW DEPARTMENT</i>			
Law Director	(NC)	(1)	By Contract

~~**Authorized-Part Time~~

PARKS & RECREATION DEPARTMENT

Parks & Recreation Director	(NC)	(1)	7
Recreation Programs Supervisor	(C)	(1)	5
Sports Activities Supervisor	(C)	(1)	5
Office Manager	(NC)	(1)	5
Receptionist	(C)	(1)	1
Sports Coordinator	(C)	(1)	3
Recreation Programs Coordinator	(C)	(1)**	3
Custodian	(NC)	(42)**	1

COMMUNITY DEVELOPMENT DEPARTMENT

Community Development Director	(NC)	(1)	7
Planner	(C)	(1)	6
Admin. Asst. to Director(Tech)	(NC)	(1)	5
Administrative Assistant II	(NC)	(2)	3

SAFETY DEPARTMENT - FIRE DIVISION

Fire Chief/Inspector	(NC)	(1)	7
Fire Captains	(C)	(23)	6
Administrative Assistant II	(NC)	(1)	3

SAFETY DEPARTMENT - POLICE DIVISION

Police Chief	(NC)	(1)	7
Police Lieutenant	(C)	(2)	By Contract
Police Sergeant	(C)	(6)	By Contract
Police Officer	(C)	(16)	By Contract
Public Safety Assistant	(C)	(3)	By Contract
Police Records Specialist	(C)	(1)	By Contract
Public Safety Communications Officer	(C)	(9)	By Contract
Office Manager	(NC)	(1)	5
Properties Custodian	(C)	(1)	2
Parking Clerk	(NC)	(1)	2

SERVICE DEPARTMENT

Service Director	(NC)	(1)	7
Deputy Director	(C)	(1)**	6
Environmental Specialist	(C)	(1)	5
Administrative Assistant III	(NC)	(1)	4
Custodian	(NC)	(1)	1

**Authorized – Part Time

ENGINEERING DIVISION

City Engineer	(C)	(1)	6
Engineer-in-training (EIT)	(C)	(1)	5
Engineering Aide	(C)	(1)	4

STREETS AND MAINTENANCE DIVISION

Streets and Maintenance Manager	(C)	(1)	6
Equipment Mechanic	(C)	(1)	5
Parks Maintenance Supervisor	(C)	(1)	5
Street Operations Specialist	(C)	(1)	4
Service Workers		(9)	

WASTEWATER DIVISIONCollection

Wastewater Collection Manager	(C)	(1)	6
Service Workers		(4)	

Plant

Wastewater Plant Manager	(C)	(1)	6
WWTP Laboratory Technician	(C)	(1)	3
Plant Mechanic II	(C)	(1)	4
Plant Mechanic I	(C)	(1)	3
Service Worker I	(NC)	(1)	1
WWTP Operators		(3)	

WATER DIVISIONDistribution

Water Distribution Manager	(C)	(1)	6
Service Workers		(4)	

Plant

Water Plant Manager	(C)	(1)	6
Utility Maintenance Technician	(C)	(1)	2
Utility Meter Reader	(NC)	(1)	1
Water Plant Operators		(2)	

TOTAL Full-Time Budgeted: 111 (~~118 authorized 7 not budgeted~~)

Positions that are authorized but not budgeted:

Accounting Assistant	(C)	(1)	2
Police Officers	(C)	(3)	Contract
Engineer	(C)	(1)	6
Equipment Mechanic	(C)	(1)	5
Service Workers		(1)	

NC = Non-Classified Employee

C = Classified Employee

SECTION 2: The compensation plan setting forth the range of base pay bands for each position title, being pay bands 1 through 7, is attached hereto (Attachment A) and incorporated herein as the Base Pay Band Provisions.

- A.** Adoption of this ordinance reflects a 2%(COLA) increase rounded up to the nearest penny of all employees not covered by a collective bargaining agreement. The Finance Director, Law Director and City Manager shall also receive the same increase to their current base salaries.
- B.** The City Manager, except as otherwise provided in the charter, is authorized to establish the starting salary not to exceed the position's market midpoint.
- C.** The City Manager is hereby authorized to increase an employee's salary not to exceed 5.0% within the same position per calendar year.
- D.** The City Manager is hereby authorized to increase an employee's salary not to exceed the market midpoint of the new position when a promotion occurs where an employee moves to a higher job classification.

SECTION 3: The following part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

<i>POSITION TITLE</i>	<i>AUTHORIZATION # OF EMPLOYEES</i>	<i>PAY RATE</i>
<i>ADMINISTRATION</i>		
Human Resources Director	1	\$43.51/hr
<i>FINANCE DEPARTMENT</i>		
Accounting Assistant	1	\$14.00/hr
<i>PARKS & RECREATION DEPARTMENT</i>		
Park/Recreation Technician	5	\$11.00/hour
Program/Facility Coordinator	3	\$14.00/hour
Senior Program Coordinator	1	\$16.25/hour
Recreation Programs Coordinator	1	\$12.00/hour
Custodian	1 2	\$13.00/hour
<i>SERVICE DEPARTMENT</i>		
Deputy Director	1	\$38.31/hr
Laborers	4	\$12.00/hour
Streets & Maintenance Division		
Wastewater Collection		
Water Plant Operators	2	\$20.66/hour
<i>SAFETY DEPARTMENT - FIRE DIVISION</i>		
Part-Time Firefighters/EMT's	30	up to \$16.04/hr
Firefighters and/or EMT's	64	up to \$16.04/hr
Fire Division Captains	3	up to \$17.12/hr
Fire Division Lieutenants	3	up to \$16.58/hr
<i>SAFETY DEPARTMENT - POLICE DIVISION</i>		
Assistant to the Chief—Parking & Transportation	1	\$25.81/hr
Assistant to the Chief—Technical	1	VACANT
Asst. to Chief - Business Liaison	1	\$25.81/hr
Police Officer	6	contract base pay
Public Safety Assistant	3	contract base pay
Public Safety Communications Officer	4	contract base pay
Parking Interns	8*	\$14.00/hr *Reimbursed

TOTAL Part-Time Authorized Strength: 144

CITY-WIDE

Intern/Temporary Part-time \$14.00/hour

SECTION 4: The following seasonal part-time positions are hereby established with respect to position title, authorized number and maximum compensation (rate per hour except as otherwise indicated):

<i>POSITION TITLE</i>	<i>AUTHORIZATION # OF <u>EMPLOYEES</u></i>	<i>PAY <u>RATE</u></i>
<i>PARKS & RECREATION DEPARTMENT</i>		
Park/Recreation Technician	36	\$11.00/hour
Program/Facility Coordinator	3	\$14.00/hour
<i>SERVICE DEPARTMENT</i>		
<i>STREET DIVISION</i>		
Laborer	7	\$12.00/hour
<i>WASTEWATER DIVISION</i>		
<u>Plant</u>		
Laborer	1	\$12.00/hour
<u>Collections</u>		
Laborer	1	\$12.00/hour
<i>WATER DIVISION</i>		
<u>Plant</u>		
Laborer	1	\$12.00/hour

TOTAL Seasonal Part-Time Authorized Strength: 49

SECTION 5: Department Heads and Supervisory Employees.

- A. Defined.** The positions of City Manager, Finance Director, Law Director, Police Chief, Community Development Director, Service Director, Parks and Recreation Director, Fire Chief, Human Resource Director and Economic Development Director are department heads. These employees in addition to Assistant Finance Director, Deputy Service Director, Streets and Maintenance Manager, Wastewater Collection Manager, Water Distribution Manager, Water Plant Manager and Wastewater Plant Manager for the purposes of group life and accidental death and dismemberment, are considered supervisory employees.
- B. Overtime.** Department heads are salaried employees and are not entitled to overtime.

- C. Vacation.** Department heads shall accrue vacation leave monthly at the following rates (except a first year department head who shall receive vacation accrual after the completion of the twelfth month):

After 12 months (1 year) - 120 hours
After 84 months (7 years) - 160 hours
After 156 months(13 years) - 200 hours

The City Manager is authorized to grant up to 80 hours of vacation leave during the first year of employment of a department head on the basis of extenuating circumstances.

The City Manager's vacation benefit shall be in accordance with the City Manager's contract.

- D. Other Benefits and Provisions.** Except as superseded by the provisions of this section, department heads and supervisory employees shall be entitled to all other benefits and provisions of this ordinance applicable to full-time employees of the City of Oxford.
- E. Sick Leave.** The Police Chief shall receive a bonus of \$310 per calendar quarter if he uses no sick leave during that quarter. If the Police Chief uses no sick leave for the calendar year, he shall receive an additional \$360. The bonus payment shall be issued at the end of each calendar quarter.

SECTION 6: General Provisions

- A. Pay Periods.** Employees shall be paid bi-weekly. Pay days shall be on Friday, except when City offices are closed for a holiday on Friday, in which case payday shall be the last workday preceding the holiday.
- B. Hours of Work.** Full-time, non-salaried employees' work week shall be forty hours. When directed by their supervisor to work overtime, such employees shall be compensated at the rate of one and one-half (1-1/2) times their base rate of pay for all hours actually worked in excess of forty hours per week. An employee who is called to work following the completion of their normal work day and one-half (1/2) or more hours prior to the commencement of their next normal work day shall receive a minimum of two (2) hours compensation for such call-in at one and one-half (1-1/2) times their normal rate.

C. Emergency Appointments. In case of civil unrest or other like emergency, the City Manager may appoint emergency police officers or other volunteer citizens as may be necessary for temporary service during the emergency and shall report this action to the City Council at its next meeting. Such emergency appointees shall be compensated for all time actually worked on behalf of the City.

D. Firefighters (excluding Fire Captains. See Attachment B). Firefighters are paid according to the schedule in Section 3 hereof of part-time employees. A firefighter may receive a supplement equal to one-half their ordinary job wage if their employer does not continue pay while they are away from work attending to a fire.

No Paid-on-Call or Part-time firefighter may work in excess of fifteen hundred (1500) hours in any given Calendar year or in excess of one hundred-six (106) hours in any pay period.

Any hours worked in the employee's hired capacity or similar function to their hired capacity shall be calculated as total hours worked for that pay period and year. Performing other department sanctioned duties other than those for which the employee was hired shall not be included in total hours.

E. Shift Differential Pay. The applicable rate of shift differential for the entire shift worked will be determined by the applicable rate for the majority of the hours in an assigned shift. If an assigned shift is evenly divided between two rates, the higher rate shall be applicable to all hours of the shift worked. A full-time employee who is assigned by their supervisor to work a shift after 4:00 p.m. and before 8:00 a.m. shall receive shift differential pay for all hours worked. The differential shall be twenty-five cents (\$0.25) per hour for all hours of a shift actually worked after 4:00 p.m. and before 12:00 midnight. The differential shall be forty-five cents (\$0.45) per hour for all hours of a shift actually worked after 12:00 midnight and before 8:00 a.m. Shift differential will be paid at its normal rate for scheduled hours worked on a holiday in addition to holiday pay. Overtime may be incurred for the work week (over 40 hours) attributable to working during a shift differential period (defined above). For purposes of calculating overtime pay, the base pay rate shall include the hourly shift differential amount. The shift differential rate used for overtime calculation will be the same rate used for shift differential as determined per the guidelines above.

SECTION 7: Employee Benefits

- A. **Uniforms.** The Police Chief shall receive credit in the same manner as the Detective Sergeant as specified in the Police Sergeants and Lieutenants contract.

The City shall provide full-time employees in the Service Department and the Parks & Recreation Department, who wear a uniform in the performance of their duties, with a uniform rental service.

- B. **Sick leave.** Sick leave shall be earned by all full-time employees at the rate of ten (10) hours per month and may be accumulated without maximum. Previously accumulated sick leave may be transferred as allowed by law. Under extraordinary circumstances, the City Manager may approve the transfer of sick leave credits from one City employee to another.

- C. **Sick Leave Incentive.** A full-time, non-contract employee shall receive an incentive of two hundred dollars (\$200.00) per calendar quarter if the employee uses no sick leave during that quarter. Use of any hours, including partial hours, of sick leave will result in the employee receiving no payment for that quarter. Any employee who uses no sick leave for a calendar year shall receive an additional two hundred dollar (\$200.00) incentive. The employee shall receive all such incentive payments at the end of each calendar quarter. Any payment shall reflect applicable federal, state, and local withholdings. Sick leave used for recuperative leave as defined in the Employee Handbook shall not be considered sick leave used for purposes of this paragraph.

As a part of the sick leave incentive, as of December 31, 2007, those employees having a sick leave balance will have those hours banked. Future accruals will not be added to the hours banked, however, all banked hours and any accruals will continue to show on the individuals pay stub to be used should the hours be needed for illness. The banked hours will be held until retirement, death or lay-off, at which time not more than 1200 banked hours may be converted to vacation time at the ratio of one-to-one for the first three hundred hours and three-to-one for the remaining nine hundred hours.

- D. **Sick leave conversion.** Prior to retirement, an employee with a banked sick leave balance of 280 hours up to a maximum of 1200 hours may convert the balance to vacation or pay at a rate of 5:1. However, there must be 240 hours remaining, and such conversion may only be made by written application to the Finance Department during the month of April, and pay, when requested, will be made on or before May 20th. Should an employee on lay-off (who has converted sick leave to vacation) return to City employment, they may within one year of reinstatement repurchase their accumulated sick leave by repaying at the same rate as the pay-off. Such repayment may be in cash, by payroll deduction or use of newly accumulated vacation time.

- E. **Payment of Health Insurance Premiums.** For each full-time, employee (~~forty hours per week~~) and Law Director who participates in the City group medical insurance programs, the City will make a per month per employee contribution as determined by the budget during the effective period of this Ordinance for health/medical insurance, major medical, prescription insurance, dental insurance and vision care insurance. The Employee will pay a contribution for single coverage or for family coverage, each pay period, with deductions being made from gross pay before taxes resulting in the cost being reduced.

- F. **Holiday Schedule.** There shall be fourteen (14) paid holidays for full-time employees

as follows: (10 holidays/4 personal days)

New Year's Day (January 1)
Martin Luther King, Jr. Day (third Monday in January)
Washington/Lincoln Day (third Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4)
Labor Day (first Monday in September)
Thanksgiving Day (fourth Thursday in November)
Day after Thanksgiving
Christmas Eve Day (The day preceding or following
Christmas Day holiday as designated by the City _____ Manager)
Christmas Day (December 25)
Four (4) Personal Days - 32 Hours

New employees hired during the year shall have their Personal Hours pro-rated based on initial hire date. With the exception of employees who work a continuous schedule, holidays falling on a Saturday shall be observed on the preceding Friday and holidays falling on a Sunday shall be observed on the following Monday.

- G. Pay for Work on Certain Holidays.** Any full-time employee, department heads excluded, who is required by the employee's supervisor to work on a designated holiday as a part of the employee's regularly scheduled duty and within the employee's normal hours of work shall receive pay in an amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked by the employee between the hours of 12:01 a.m. and 12:00 midnight, inclusive, on the designated holiday. When such an employee works on a holiday, the employee shall be entitled to an additional day off in lieu of the holiday.

Employees called to work on a designated holiday (to perform a special project or emergency repair) may receive pay in the amount equal to one and one-half (1-1/2) times the employee's base hourly rate of pay for all hours actually worked on the holiday in addition to the eight hours straight time pay for the holiday at the discretion of the City Manager. (Employees working less than eight (8) hours on a holiday have two options: 1) the employee can claim the eight (8) hour holiday and overtime for the actual number of hours worked; or 2) the employee can claim overtime for the number of hours worked, and use personal, vacation or comp time to make up the remaining hours and receive the holiday off at another time.)

When a calendar holiday falls on either weekend day(s) (including Christmas Eve and Christmas), the following rules apply:

- a) If an employee works the designated holiday, the employee is entitled to:

- 1) One and one-half (1-1/2) times their base
_____ hourly rate for the hours worked, and
2) a paid day to be taken at another time.

- _____ b) If an employee works a true calendar holiday(s) that falls on Saturday or Sunday, the employee is entitled to pay at one and one-half (1-1/2) times the base hourly rate for the hours worked.

H. **Group Life and Accidental Death and Dismemberment Insurance.**

The City will pay 100% of the premium for these fringe benefits for coverage in an amount equal to the employee's annual base salary, except that the amount of the insurance coverage provided will be subject to a reduction schedule included in the group policy. Such reductions generally begin at age 65 and are subject to ADEA regulations. These fringe benefits apply only to full-time employees working at least forty (40) hours per week and the Law Director. The City will pay 100% of the premium group life insurance coverage on the Police Chief in an amount equal to one and one-half(1-1/2)times the Police Chief's annual salary.

For each firefighter, the City will pay 100% of the premium for a Firefighter's Accident Policy, not to exceed \$10,000 in insurance coverage.

I. **Longevity Bonus Pay.** Longevity Bonus Pay will only be paid to eligible employees who accrue the required years of service on or before December 31, ~~2015~~2016 and are full-time employees of the City on or before December 31, ~~2015~~2016. To be eligible for Longevity Bonus Pay an employee must meet both requirements.

No partial or proportionate Longevity Bonus Pay will be paid. An employee shall accrue one year of service for twelve consecutive months of full-time employment. Part-time employees who become full-time employees may use hours worked as a part-time employee towards years of credit. Credit will not be given for partial years of service.

Full-time employees who leave the City's employment and are eligible to receive longevity pay based on the anniversary date in ~~2015~~2016 shall be given the appropriate longevity payment with final pay. All other eligible employees will receive Longevity Bonus pay in November ~~2015~~2016. All eligible full-time employees shall be paid in accordance with the following schedule. Contract employees shall be paid according to the appropriate contracts. The Chief of Police shall be paid longevity according to the current schedule in the Police Supervisors' contract.

After 5 years - \$450	After 18 years - \$775
After 6 years - \$475	After 19 years - \$800
After 7 years - \$500	After 20 years - \$825
After 8 years - \$525	After 21 years - \$850
After 9 years - \$550	After 22 years - \$875
After 10 years - \$575	After 23 years - \$900
After 11 years - \$600	After 24 years - \$925
After 12 years - \$625	After 25 years - \$950
After 13 years - \$650	After 26 years - \$975
After 14 years - \$675	After 27 years - \$1000
After 15 years - \$700	After 28 years - \$1025
After 16 years - \$725	After 29 years - \$1050
After 17 years - \$750	After 30 years - \$1075

- J. Vacation.** An employee shall accrue vacation monthly at the following rate unless otherwise covered by a collective bargaining unit. At the end of the first year (after 12 months) a non-contract employee will be credited with eighty (80) hours of vacation. At that time the employee will start accruing monthly vacation according to the following schedule:

After 12 months (1 year) - 80 hours
After 24 months (2 years) - 88 hours
After 48 months (4 years) - 96 hours
After 60 months (5 years) - 104 hours
After 72 months (6 years) - 112 hours
After 84 months (7 years) - 120 hours
After 96 months (8 years) - 128 hours
After 108 months (9 years) - 136 hours
After 120 months (10 years)- 144 hours
After 132 months (11 years)- 152 hours
After 144 months (12 years)- 160 hours
After 156 months (13 years)- 168 hours
After 168 months (14 years)- 176 hours
After 180 months (15 years)- 184 hours
After 192 months (16 years)- 192 hours
After 204 months (17 years)- 200 hours

The City Manager is authorized to grant up to 40 hours of the employee's vacation leave to be used in advance of their first year anniversary on the basis of extenuating circumstances.

- K. Reimbursement.** Employees authorized and required by the assigned supervisor to drive personal vehicles on official City business shall be reimbursed for actual miles driven at the IRS standard mileage rate in effect. Employees who are out of the City on official business or at authorized training functions shall be reimbursed for meals at the actual meal cost not to exceed IRS recognized per diem rate including those rates for high cost cities (receipts are required). The City Manager is authorized to adopt specific procedures regarding travel reimbursement.

- L. Continuing Education/Tuition Reimbursement.** For ~~2015~~2016, \$1,000 will be budgeted. Depending upon the availability of funds, an employee may be reimbursed for the cost of tuition and required course books for any job-related course, provided that the employee submits a written request for reimbursement on the appropriate form, with a copy of the course description, before taking the class. If only one employee submits a request for a class and receives at least a "B" average in the class, the employee will receive 50% of the amount budgeted. An employee who receives a final grade of "A" will receive 100% of the amount budgeted as reimbursement. Should there be more than one employee requesting tuition reimbursement, the funds will be distributed equally among those employees who have completed their classes and received their final grades as noted above. For example, if three (3) employees submit requests and all three receive a final grade of "A" for their classes, the amount budgeted will be divided among the three and the funds will be distributed equally at the end of the year. Requests for reimbursement should be submitted to the Human Resources Director.

SECTION 8: Applicability

Irrespective of any language or wording herein above, this ordinance shall not be, and no provision or portion hereof shall be, applicable to any employee of the City of Oxford employed pursuant to a written contract relative to wages and working conditions. This entire ordinance is effective and applicable only as to employees whose employment is not covered pursuant to the terms and conditions of a written contract with the City.

SECTION 9: Repeal of Conflicting Ordinances

All other ordinances and resolutions or parts of ordinances and resolutions in conflict with the provisions of this ordinance be and the same are hereby repealed.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

ATTACHMENT A

CITY OF OXFORD OHIO
PAY BANDS (~~2015~~2016)

	<u>MINIMUM</u>		<u>MAXIMUM</u>	
<i>PAY BAND 7</i>				
Annual	\$61,131	\$62,358	\$109,886	\$112,091
Hourly	\$29.39	\$29.98	\$52.83	\$53.89
<i>PAY BAND 6</i>				
Annual	\$47,549	\$48,506	\$84,427	\$86,112
Hourly	\$22.86	\$23.32	\$40.59	\$41.40
<i>PAY BAND 5</i>				
Annual	\$40,726	\$41,538	\$68,640	\$70,012
Hourly	\$19.58	\$19.97	\$33.00	\$33.66
<i>PAY BAND 4</i>				
Annual	\$35,797	\$36,504	\$58,032	\$59,197
Hourly	\$17.21	\$17.55	\$27.90	\$28.46
<i>PAY BAND 3</i>				
Annual	\$32,448	\$33,093	\$54,683	\$55,786
Hourly	\$15.60	\$15.91	\$26.29	\$26.82
<i>PAY BAND 2</i>				
Annual	\$30,347	\$30,950	\$49,254	\$50,032
Hourly	\$14.59	\$14.88	\$23.68	\$24.15
<i>PAY BAND 1</i>				
Annual	\$27,435	\$27,976	\$44,491	\$45,386
Hourly	\$13.19	\$13.45	\$21.39	\$21.82

ATTACHMENT B

CITY OF OXFORD OHIO

Fire Captains' Policies and Wage Rates

Holidays

Fire Captains working a 24/48 schedule will be paid a holiday check on December 1 of each year. This check will consist of eight (8) hours pay for each of the 10 holidays (80 hours total) at \$27.88 per hour or \$2,230.40 total. For 2015, this amount will be for five holidays or \$1,115.20 total. If a Fire Captain is called in to work on an unscheduled Holiday, hours worked will be paid at a double-time rate.

Personal Days

Fire Captains working a 24/48 schedule will be entitled to take two (2) 24 hour personal days per calendar year. These hours must be taken each year and may not be accrued.

Sick Leave

Fire Captains working a 24/48 schedule shall accrue sick leave hours at a rate of 13 hours per calendar month. Sick leave may be accumulated without maximum.

Sick Leave Incentive

Fire Captains working a 24/48 schedule will be eligible to receive a sick leave incentive which is the same as other city employees.

Vacation

Fire Captains working a 24/48 schedule will be eligible for vacation after one year of employment and as follows: on the first anniversary date 72 hours; on the second through ninth anniversary date 120 hours; on the 10th anniversary date and thereafter 168 hours.

Funeral Leave

Fire Captains working a 24/48 schedule will be eligible to take up to two (2) 24 hour days per calendar year for the purpose of attending the funeral of a member of the employee's immediate family. The definition of immediate family is outlined in the personnel handbook.

Kelly Days

Fire Captains working a 24/48 schedule will be entitled to a Kelly day (day off on the 10th scheduled day) when the employee is scheduled to work 10 24 hour days in a 28 day cycle. This will amount to three or four Kelly days per year depending on each employee's schedule.

Life Insurance

Fire Captains working a 24/48 schedule will be eligible for premium group life insurance (term) coverage in an amount equal to 1.5 times the employee's annual base salary paid for by the City.

Compensatory Time

Fire Captains working a 24/48 schedule are not eligible to receive compensatory time (hours) for overtime hours worked.

All other employee benefits are outlined in the salary ordinance and employee handbook.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development

Originating Department

Council Meeting Of: August 4, 2015

Sam Perry

Account Code No. #:

Prepared By:

1159.07

Budgeted Amount:

July 29, 2015

Date Prepared:

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of Gross Floor Area Ratio (FAR), **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

This is an amendment proposed as a result of a recent Board of Zoning Appeals (BZA) case in which an appeal was granted to allow the stairways to not be counted as part of the building in the Uptown Zoning District.

The Uptown district contains requirements for overall building size using a minimum requirement for commercial area and a maximum requirement for residential area. The term used is "Gross Floor Area" (GFA), which is a mathematical ratio of the land area compared to the building square footage. Proposed buildings in the Uptown district are typically designed with the maximum residential area. Recently a BZA case was heard in which the required egress stairways were proposed to be excluded from the building size calculation. The appeal was granted which will allow a building permit for a larger building.

Staff proposed a zoning text amendment which is being recommended by the Planning Commission that gives additional examples for portions of the building to be included in the GFA. "Stairways" are specifically called out in the proposed amendment, as well as elevators and hallways. None of these three are specifically listed in the current code.

The proposed amendment includes an update to the supporting definition of GFA in a separate chapter, 1159.

The term GFA is a standard term used in urban planning policies typically without much additional caveat. Due to the fact that outdoor patios, decks and balconies were specially listed for the Oxford code, it created the situation in which "stairways, hallways and elevators" now also need to be added.

The Commission held a hearing and voted 5-0-0 to recommend the amendments to City Council.

Approved By:

Department Head:

City Attorney:

City Manager:

[Signature] 7-31-15
[Signature] 7-31-15

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1159.07 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "F") AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1159.07 ENTITLED DEFINITIONS (BEGINNING WITH THE LETTER "F").

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 14, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1159.07 entitled Definitions (Beginning with the letter "F") and adopting new Oxford Codified Ordinance Section 1159.07 entitled Definitions (Beginning with the letter "F").

SECTION II: Council hereby repeals Section 1159.07 and adopts new Section 1159.07 as follows:

1159.07 DEFINITIONS (BEGINNING WITH LETTER "F").

(1) **FAMILY** - In all districts (zones), a family shall be a person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member or members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exits.

(2) **FAMILY COMMUNITY RESIDENCE** - A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of no more than four persons (at least three of whom are unrelated persons with handicaps), plus up to one paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts.

(3) **FARM ANIMALS** - Animals other than household pets that shall be kept and maintained for commercial production or sale; or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

(4) **FARM IMPLEMENT SALES** - The retail sales and service of mechanical equipment customarily used for agricultural purposes.

(5) **FLOOD PLAIN AREA** - Those lands in the City of Oxford, Ohio, that are subject to flood hazards as determined on the Federal Emergency Management Agency or the Butler County Soil & Water Conservation District or both.

(6) **FLOOR AREA, GROSS** - The sum of the gross horizontal areas of all floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. **The gross floor area ratio includes all stairways that serve multi-story buildings.**

(7) **FLOOR AREA, NET** - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

(8) **FLOOR AREA RATIO (FAR)** - The gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 1/2 foot vacated right-of-way).

(9) **FOOTPRINT** – Horizontal area within and including the exterior walls of a structure.

(10) **FRATERNITY/SORORITY HOUSE** - A building that is occupied by a group of enrolled Miami University students who are active members of a fraternal organization recognized by Miami University. These organizations shall be limited to fraternities, sororities, and like groups approved by Miami University for communal off-campus living on that site. Occupancy exception: may include employees or agents of the organization not to exceed three (3) persons.

(11) **FRONTAGE** - The width of a lot or parcel abutting a public right-of-way measured at the front property line.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation
Originating Department

Council Meeting Of: 8/18/2015

Gail S. Brahier
Prepared By

Account Code No. #: 110.620.52320

Budgeted Amount: \$3,400 fiscal year

8/11/15
Date Prepared

Agenda Title: Lease Agreement for Ricoh color copier MPC5503 through Woodhull

Recommendation: Approve

Discussion: *The only changes to this report originally submitted 1/20/15 are leasing the Ricoh copier through Woodhull instead of directly through Ricoh, rounding monthly rate from 218.18 to \$219 and color copies from .0837 to .0849.

The Ricoh MPC5503 copier will replace the current black and white MP5000, adding color and wireless printing capabilities. Parks and Recreation has used a Ricoh copier for several years and are pleased with the quality of copies, number of pages run per minute(ppm), minimal maintenance, and quick repair when needed.

While a slight increase than the previous monthly rate of \$196 for BW only, staff time and city funds will be saved by staff not leaving work premises to make color copies, or pay outside vendors for color event fliers.

Comparison for 60 month lease:

Ricoh \$219 per mo. (Lease through Woodhull)

50 ppm 10,000 B&W per month includes parts, labor, and toner.
Overages BW .0094, Color .0849

Xerox -\$239.32 per mo.

35 ppm 10,000 B&W per month includes parts, labor, and toner.
Overages BW .0296 2,500 included

Peter Paul Office - \$247.70 per mo.

45 ppm, 9,300 B&W per month includes parts, labor, and toner.
Overages BW .0098, Color .075

Approved By:

Department Head:
City Manager:

Initial Date

GB \ 8/11/15
DRE \ 8/14/15

RESOLUTION NO.

A RESOLUTION RESCINDING RESOLUTION NO. 4886 ADOPTED JANUARY 20, 2015 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WOODHULL FOR A 60-MONTH LEASE OF A RICOH MPC5503 COLOR COPIER.

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

SECTION 1: The City Manager has reviewed information submitted for the replacement of the existing copier equipment and recommends that the current copier equipment be replaced with the Ricoh MPC5503 color copier.

SECTION 2: The City Manager recommends that the City enter into a 60-month lease with Woodhull for the Ricoh MPC5503 color copier at a monthly cost of \$219.00 plus \$0.0094 per black and white copy in excess of 10,000 copies and \$0.0849 per color copy.

SECTION 3: Council having reviewed the City Manager's recommendation, hereby authorizes the City Manager to enter into an agreement, in a form acceptable to the City Law Director, with Woodhull for a 60-month lease of the Ricoh MPC5503 color copier.

SECTION 4: Funds have been appropriated in an amount in excess of the annual cost authorized.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

Parks and Recreation

101 East High Street
Oxford, Ohio 45056



Ricoh MP C5503

55 Pages Per Minute – Black & White Images
55 Pages Per Minute – Full Color Images
180 Images Per Minute – Scanning
Four Paper Trays and a Bypass Tray
2300 – Total Sheet Paper Capacity
Unlimited Duplexing (2-Sided)
1,000 Sheet Staple / Sort Finisher
Scan To / Print From USB & SD Card
Customizable Home Screen
Auto Shut Trays



Payment Including Service \$219.00*

Network Printing and Scanning

Scan to email and Scan to File – PDF, JPEG and TIFF Formats
PCL for Windows Platform (PS3, Mac and UNIX Optional)

additional price Included

Configuration and Training

Network Configuration & Training
Web Admin Tools
Comprehensive End-User Walk-up Training

additional price Included

Customer Care Program

Unlimited Service Calls and Travel
Parts, Toner, Developer and Supplies (excludes paper & staples)

Based on 10,000 Black & White Images Monthly 0.0094
Per Click Color Billed at 0.0849

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 9/18/2015

Joe Newlin

Account Code No. _____

Prepared By:

Budgeted Amount: _____

9/4/2015
Date Prepared

Agenda Title: **3.65 Mill Property Tax Resolution**

Recommendation: **Approve**

Discussion:

This resolution is the annual standard resolution sent to us from the Butler County Auditor.

The purpose is to legally adopt the Oxford property tax rate for next year as approved by the Auditor's office.

Approved By:

Department Head:
City Manager:

Initial Date

[Signature] 8/14/15
[Signature] 8/14/15

RESOLUTION NO.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION OF BUTLER COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

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

SECTION 1: Council in accordance with Ohio Revised Code, and having previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2016.

SECTION 2: The Budget Commission of Butler County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation.

SECTION 3: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION: 4: There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation, as set forth on Schedule A attached hereto and incorporated herein by reference:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR
(VILLAGE COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the CITY of **OXFORD**, Butler County, Ohio, met in

_____ session on the _____ day of _____, 20_____, at the
(regular or special)

office of _____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax
Budget for the next succeeding fiscal year commencing **January 1, 2016**; and

WHEREAS, the Budget Commission of Butler County, Ohio has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be
levied by this Council, and what part thereof is without, and what part within the ten mill tax
limitation; therefore be it

RESOLVED, By the Council of the **CITY OF OXFORD** Butler County, Ohio, that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are
hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of
each tax necessary to be levied within and without the ten mill limitation as follows:

=====

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

=====

FUND	AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	AMOUNT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED	
			=====	=====
			INSIDE 10 MILL LIMIT	OUTSIDE 10 MILL LIMIT
=====				
GENERAL FUND	1,060,000.00		3.65	

GENERAL BOND RETIREMENT FUND				

PARK FUND				

RECREATION FUND				

FIRE LEVY				

POLICE LEVY				

TOTAL	1,060,000.00	0.00	3.65	0.00
=====				

and be it further

RESOLVED, That the Clerk of this Council be, and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted the _____ day of _____, 20____.

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

=====

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Butler County, ss.

I, _____, Clerk of the Council of the Village of _____,

within and for said County, and in whose custody the Files and Records of said Council are required

by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and

copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the

the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

CLERK OF COUNCIL

NOTE: A copy of this Resolution must be certified to the County Auditor before the first day of
October in each year, or at such later date as may be approved by the Board of Tax appeals.

=====

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
(VILLAGE COUNCIL)

ADOPTED _____, 20____

FILED _____, 20____

CLERK OF COUNCIL

COUNTY AUDITOR

DEPUTY AUDITOR

=====

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager's Office

Council Meeting Of: August 18, 2015

Originating Department

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 13, 2015

Date Prepared

Agenda Title: A Resolution authorizing an extension of the City of Oxford and Miami University Law Enforcement Mutual Assistance Agreement.

Recommendation:

Discussion:

The Law Enforcement Mutual Assistance Agreement between the City of Oxford and Miami University expired June 30, 2015. The proposed Resolution extends the agreement until October 31, 2015 while the parties review a revised three year agreement.

Approved By:

Initial Date

Department Head: _____

City Manager: _____

DRE

8/14/15

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXTENSION AGREEMENT OF THE LAW ENFORCEMENT MUTUAL ASSISTANCE AGREEMENT WITH MIAMI UNIVERSITY.

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

SECTION 1: The City Manager and the Police Chief recommend the City enter into an Extension Agreement of the Law Enforcement Mutual Assistance Agreement with Miami University which enhances the safety and security of persons and property throughout the City.

SECTION 2: Council accepts the recommendation of the City Manager and the Police Chief and hereby authorizes the City Manager to enter into an Extension Agreement of the Law Enforcement Mutual Assistance Agreement with Miami University on behalf of the City for a period ending October 31, 2015 with the right to cancel the Extension Agreement upon a thirty (30) day written notice of intent to terminate.

SECTION 3: The City Manager and the Chief of Police are further authorized to present to Miami University, the signed Extension Agreement of the Law Enforcement Mutual Assistance Agreement for approval by the University.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW(STAFF)

EXTENSION OF MUTUAL ASSISTANCE AGREEMENT

This Extension of Mutual Assistance Agreement (hereinafter "**Extension**") is dated this _____ day of _____, 2015 between the City of Oxford, Ohio (hereinafter "**Oxford**"), an Ohio municipal corporation with offices at 101 East High Street, Oxford, Ohio 45056, and Miami University (hereinafter "**Miami**"), an Ohio non-profit corporation with offices at 501 East High Street, Oxford, Ohio 45056.

WITNESSETH THAT:

WHEREAS, the parties to this Extension previously entered into a Mutual Assistance Agreement, with an effective date of July 1, 2012 (the "**Original Agreement**") for the purpose of obtaining additional police protection for their constituents by making the most efficient use possible of available police manpower; and

WHEREAS, Section 3345.041 of the Ohio Revised Code allows for a municipal corporation to enter into agreements of Mutual Aid for police protection with a university police force; and

WHEREAS, each of the parties to this Extension desires to temporarily extend the Original Agreement which set forth mutually agreeable terms and conditions for the furnishing of law enforcement mutual aid.

NOW, THEREFORE, in consideration of the promises and obligations herein, the parties hereby agree as follows:

SECTION 1. AGREEMENT TO EXTEND THE ORIGINAL AGREEMENT

The parties mutually agree to extend the Original Agreement until October 31, 2015.

SECTION 2. CONSIDERATION

The consideration herein is derived from the mutual benefit to each of the parties in increased general police services, and that no charge shall be made for the services rendered under the provisions of this Agreement.

SECTION 3. MISCELLANEOUS

- A. Should any part hereof or any provision contained herein be rendered or declared illegal by reason of any existing or subsequent statute or ordinance or by decision of any authorized governmental agency or court, such invalidation shall not effect the remaining portions of this Agreement.

- B. Either party may terminate this Agreement at any time, upon thirty (30) days prior written notice.
- C. This Agreement may be amended or revised only in writing accepted by both Oxford and Miami.
- D. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF Oxford and Miami, each by a duly authorized representative, have entered into this Agreement effective as of the date set forth above.

CITY OF OXFORD, OHIO

MIAMI UNIVERSITY

Douglas R. Elliot, Jr.,
City Manager

David K. Creamer
Sr. Vice President for Finance and
Services

Date

Date

Robert B. Holzworth.,
Chief of Police

John M. McCandless,
Chief of Police

Date

Date

Approved as to Form and Correctness:

Reviewed by:

Stephen M. McHugh, Esq.
Director of Law

Robin Parker
General Counsel

Date

Date

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: Aug. 18 and Sept. 1, 2015

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

August 12, 2015
Date Prepared

Agenda Title: Approval of Easements in Conjunction with the Replacement of the Bonham Rd. Bridge over Four Mile Creek.

Recommendation: Approve

Discussion:

The Butler County Engineer's Office (BCEO) will be replacing the existing Bonham Rd. bridge over Four Mile Creek in 2016. In order to achieve the design goal of improving safety by straightening the bridge approaches and by adding pedestrian sidewalk on the north side of the bridge, the BCEO has requested the City approve permanent and temporary easements for the project.

Attached to this report is Exhibit "D" detailing the parcels impacted and the easements necessary for the project. Parcel No. 3, owned by the City of Oxford, aka, Village of Oxford (City), indicates a permanent easement of ~ 0.56 acres to allow for straightening of the bridge deck approaches and land necessary for installation of sidewalk. This is generally a strip of land, ~ 20' in width, along the northern part of Bonham Rd. The area widens to ~ 50' in the area abutting the creek. This easement will not have a significant impact on the use of the City's property.

Exhibit "A", also attached to this report, includes a letter from Shirley A. Oney, agent for BCEO. The letter explains the rights available to the City and requests the signature of the City Manager indicating the City waives the right to compensation for easements, and releases BCEO from the expense of obtaining an appraisal for the property. Exhibit "B" indicates the legal description of the taking, and that the take will be used for road purposes. Exhibit "C" indicates the legal description of a temporary easement, only in effect during construction of the project. Upon completion of the project, all temporary easements will dissolve.

Staff recommends the City Council authorize the City Manager to take all actions necessary to execute these documents granting the BCEO a permanent easement and two temporary easements without compensation for the construction of the new Bonham Rd. bridge over Four Mile Creek.

Approved By:

Department Head:

City Manager:

Initial

Date

MBD

8/12/15

MBD 8/14/15

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT AN EASEMENT FOR ROAD PURPOSES IN 0.5573 ACRES OF RIGHT OF WAY TO THE BUTLER COUNTY BOARD OF COMMISSIONERS AND AUTHORIZING THE CITY MANAGER TO GRANT TEMPORARY EASEMENTS IN 0.0562 ACRES OF RIGHT OF WAY AND 0.0975 ACRES OF RIGHT OF WAY TO THE BUTLER COUNTY BOARD OF COMMISSIONERS TO ALLOW FOR THE COMPLETION OF THE BONHAM ROAD BRIDGE REPLACEMENT PROJECT OVER FOUR MILE CREEK PROJECT #BUT-TR58-0.39, PID NO. 90755, PARCEL #3, 3T1, & 3T2 IN OXFORD, OHIO AND WAIVING THE RIGHT TO RECEIVE JUST COMPENSATION.

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

SECTION 1: The City Manager is hereby authorized to grant an easement for road purposes in 0.5573 acres of right of way and grant temporary easements of 0.0562 acres and 0.0975 acres to the Butler County Board of County Commissioners to allow for the completion of the Bonham Road bridge replacement project #BUT-TR58-0.39, PID NO. 90755, Parcel #3, 3T1, & 3T2 in Oxford, Ohio.

SECTION 2: Oxford City Council acknowledges that Butler County is replacing the existing Bonham Road bridge over Four Mile Creek in 2016 in order to improve public safety by straightening the bridge approaches and adding sidewalks and therefore Oxford City Council hereby waives the right to receive just compensation for the property subject to these easements.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

DONATION LETTER

August 7, 2015

City of Oxford
101 East High St.
Oxford, OH 45056

Re: Bonham Road
Project # BUT-TR58-0.39
Parcel #3, 3T1, & 3T2
PID No. 90755

Dear Mr. Elliott:

Your real property is needed by the Board of County Commissioners, Butler County, Ohio, (Butler County), for a transportation improvement project. As such, you are hereby advised that you have the right to have your property appraised by a competent appraiser and you have the right to accompany the appraiser on the inspection of your property. You have the right to be provided a written offer for the full amount of the fair market value as determined by the agency based upon the appraisal. You have the right to negotiate with the agency and if an acceptable agreement cannot be reached, the right to have the value determined by a court of law. You also have the right to be paid the full amount of the fair market value before being required to surrender possession of your property. Notwithstanding these rights, we understand you are willing to waive all or any part of your rights noted and willingly agree to donate the property needed for the transportation project. The property is described in the attached Exhibit "A" which is incorporated herein.

Please be advised that if you desire to use the donation for a tax deduction, you should seek advice from the Internal Revenue Service or a tax expert regarding the current rules for appraisal valuation.

The undersigned hereby acknowledges that he has been fully advised by a Butler County representative of their rights reflected above and agrees to: (1) Waive the right to receive just compensation for the property, (2) Release Butler County from obtaining an appraisal of the acquired property and (3) Execute the necessary instruments.

Respectfully,



Shirley A. Oney, Agent
Butler County Engineer's Office
Right of Way Specialist

**The Village of Oxford, Ohio, a municipal corporation
aka City of Oxford, a Ohio Municipal Corporation**

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

Date

EASEMENT FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS THAT: The Village of Oxford, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, the Grantor herein, as a DONATION to the Grantee named herein, does hereby grant, bargain, sell, convey and release to the Board of County Commissioners, Butler County, Ohio, the Grantee, its successors and assigns forever, an easement, which is more particularly described in Exhibit "A" attached hereto, within the following described real estate:

PARCEL # 3

PROJECT #BUT-TR58-0.39

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Auditor's Parcel ID: H4100-009.000-016

Prior Instrument Reference: Book 8796, Page 1921 (City of Oxford, Lot Consolidation)
Book 8769, Page 1637 (Annexation – Lot #3850)
DR 274, Page 371 (Deed No. 3816)

On record at the office of the Butler County Recorder.

The property conveyed herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

TO HAVE AND TO HOLD said easement and right of way unto the Grantee, its successors and assigns forever. And the Grantor, for itself and its successors and assigns, that it is the true and lawful owner of said premises, and is lawfully seized the same in fee simple, and has good right and full power to grant, bargain, sell, convey, and release the same in manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, and it will warrant and defend the same against all claims of persons whomever.

IN WITNESS WHEREOF, The Village of Oxford, Butler County, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, has caused its name to be subscribed by Douglas R. Elliott, Jr., its City Manager, and its duly authorized agent on the ____ day of _____, 2015.

The Village of Oxford, Butler County, Ohio, a
municipal corporation, aka City of Oxford, a
Municipal Corporation

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

STATE OF OHIO, COUNTY OF BUTLER ss:

BE IT REMEMBERED, that on the ____ day of _____, 2015, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Douglas R. Elliott, Jr., who acknowledged being the City Manager and duly authorized agent of The Village of Oxford, Butler County, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, and who acknowledged the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

This instrument was prepared by:
Butler County Engineer's Office

EXHIBIT "A"
BUTLER COUNTY
BUT-TR58-0.39
BONHAM ROAD BRIDGE REPLACEMENT
PARCEL 3

Situated in Section 23, Town 5, Range 1, Miami River Survey, City of Oxford, Butler County, Ohio and being more particularly described as follows;

COMMENCING at an existing ½" iron pin with cap stamped DDS Assoc. 7121 in the north line of Section 23 and at the northeast corner of Lot No. 4 of the Subdivision of Lands of the Miami University;

Thence along the east line of said Lot 4, South 01°59'11" West, 699.48 feet to a point in the proposed north right of way line of Bonham Road and the **POINT OF BEGINNING**;

Thence continuing along said east line of Lot 4, South 01°59'11" West, 46.06 feet to a point the centerline of Bonham Road AND South 03°25'07" West, 48.82 feet to a point in the proposed south right of way line of Bonham Road;

Thence leaving said east line along the proposed south right of way line of Bonham Road the following three (3) courses:

- 1) South 67°45'20" West, 118.36 feet,
- 2) South 69°28'27" West, 100.04 feet,
- 3) North 88°29'41" West, 27.31 feet to a point in the existing south right of way line of Bonham Road;

Thence along the existing south right of way line of Bonham Road, South 67°45'20" West, 178.12 feet AND South 50°58'19" West, 18.14 feet to a point in the west line of the Grantor;

Thence leaving said south line along the west line of the Grantor the following four (4) courses:

- 1) North 07°11'06" West, 35.32 feet,
- 2) South 50°58'19" West, 180.09 feet,
- 3) South 70°44'34" West, 77.59 feet,
- 4) North 27°18'56" West, 80.41 feet to a point in the proposed north right of way line of Bonham Road;

Page 2
Parcel 3
BUT-TR58-0.39
Bonham Road Bridge Replacement

Thence leaving said west line along the proposed north right of way line of Bonham Road the following five (5) courses:

- 1) Along an arc deflecting the to the right having a radius of 1,101.74 feet, central angle of $11^{\circ}22'17''$, arc length of 218.66 feet, the chord of said arc bears North $60^{\circ}15'54''$ East, 218.30 feet,
- 2) South $82^{\circ}58'15''$ East, 19.33 feet,
- 3) North $67^{\circ}45'20''$ East, 270.02 feet,
- 4) South $22^{\circ}14'40''$ East, 8.00 feet,
- 5) North $67^{\circ}45'20''$ East, 223.40 feet to the **POINT OF BEGINNING**.

Containing 1.3601 acres - Gross Take Area and being subject to all legal easements of record.

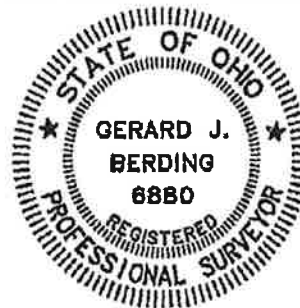
Present Roadway Occupied – 0.8028 Acres

Net Take Area – 0.5573 Acres.

Being part of those lands conveyed to The City of Oxford, Ohio, AKA The Village of Oxford, Butler County, Ohio by deed and recorded in Deed Book 274, Page 371 of the Butler County Recorder's Office and also identified as Parcel No. H4100009000016 of the Butler County Auditor's Office.

The bearings on this legal description are based upon Ohio State Plane Coordinate System, South Zone (NAD 83).

Gerard J. Berding 07/22/2015
Gerard J. Berding, P.S. 6880 Date



TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: The Village of Oxford, Butler County, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, the Grantor herein, as a DONATION, does hereby authorize the Board of County Commissioners, Butler County, Ohio, the Grantee herein, or their duly authorized agents or contractors to enter upon and use its land as recorded in Book 8796, Page 1921, (City of Oxford, Lot Consolidation), Book 8769, Page 1637 (Annexation — Lot #3850), and DR 274, Page 371 (Deed No. 3816), in the office of the Butler County Recorder, hereinafter described as Parcel # 3T1 & 3T2, during the period beginning with the breaking of ground for the construction of the road improvement, and terminating when the completed work has been fully accepted by the Butler County Engineer's Office. The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

PARCEL # 3T1 & 3T2

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Project # BUT-TR58-0.39

IN WITNESS WHEREOF, The Village of Oxford, Butler County, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, has caused its name to be subscribed by Douglas R. Elliott, Jr., its City Manager, and its duly authorized agent on the _____ day of _____, 2015.

The Village of Oxford, Butler County, Ohio, a
municipal corporation, aka City of Oxford, a
Municipal Corporation

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

STATE OF OHIO, COUNTY OF BUTLER ss:

BE IT REMEMBERED, that on the _____ day of _____, 2015, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Douglas R. Elliott, Jr., who acknowledged being the City Manager and duly authorized agent of The Village of Oxford, Butler County, Ohio, a municipal corporation, aka City of Oxford, a Municipal Corporation, and who acknowledged the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

EXHIBIT "A"
BUTLER COUNTY
BUT-TR58-0.39
BONHAM ROAD BRIDGE REPLACEMENT
PARCEL 3T1

Situated in Section 23, Town 5, Range 1, Miami River Survey, City of Oxford, Butler County, Ohio and being more particularly described as follows;

COMMENCING at an existing 1/2" iron pin with cap stamped DDS Assoc. 7121 in the north line of Section 23 and at the northeast corner of Lot No. 4 of the Subdivision of Lands of the Miami University, Thence along the east line of said Lot 4, South 01°59'11" West, 699.48 feet to a point in the proposed north right of way line Bonham Road, Thence leaving said east line along the proposed north right of way line of Bonham Road the following three courses: 1) South 67°45'20" West, 223.40 feet, 2) North 22°14'40" West, 8.00 feet and 3) South 67°45'20" West, 252.00 feet to the **POINT OF BEGINNING**;

Thence continuing along said north line the following three (3) courses

- 1) South 67°45'20" West, 18.02 feet,
- 2) North 82°58'15" West, 19.33 feet,
- 3) along an arc deflecting to the left having a radius of 1101.74 feet, central angle of 11°22'17", arc length of 218.66 feet the chord of said arc bears South 60°15'54" West, 218.30 feet to a point in the west line of the Grantor;

Thence leaving said north line along the west line of the Grantor, North 27°18'56" West, 10.10 feet;

Thence leaving said west line through the lands of the Grantor along an arc deflecting to the right having a radius of 1111.74, central angle of 11°17'52", arc length of 219.22 feet the chord of said arc bears North 60°18'06" East, 218.86 feet, AND South 83°19'22" East, 40.21 feet to the **POINT OF BEGINNING**.

Page 2
Parcel 3T1
BUT-TR58-0.39
Bonham Road Bridge Replacement

Containing 0.0562 acres and being subject to all legal easements of record.

Being part of those lands conveyed to The City of Oxford, Ohio, AKA The Village of Oxford, Butler County, Ohio by deed and recorded in Deed Book 274, Page 371 of the Butler County Recorder's Office and also identified as Parcel No. H4100009000016 of the Butler County Auditor's Office.

The bearings on this legal description are based upon Ohio State Plane Coordinate System, South Zone (NAD 83)

Gerard J. Berding 07/22/2015
Gerard J. Berding, P.S. 6880 Date

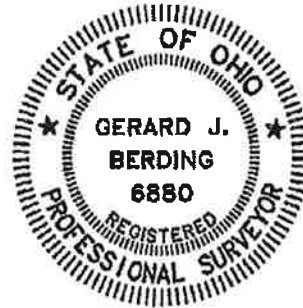


EXHIBIT "A"
BUTLER COUNTY
BUT-TR58-0.39
BONHAM ROAD BRIDGE REPLACEMENT
PARCEL 3T2

Situated in Section 23, Town 5, Range 1, Miami River Survey, City of Oxford, Butler County, Ohio and being more particularly described as follows;

COMMENCING at an existing ½" iron pin with cap stamped DDS Assoc. 7121 in the north line of Section 23 and at the northeast corner of Lot No. 4 of the Subdivision of Lands of the Miami University, Thence along the east line of said Lot 4, South 01°59'11" West, 745.53 feet to a point in the centerline of Bonham Road, Thence continuing along said east line South 03°25'07" West, 48.82 feet to the **POINT OF BEGINNING**;

Thence continuing along said east line, South 03°25'07" West, 7.77 feet;

Thence leaving said east line through the lands of the Grantor the following six (6) courses:

- 1) South 69°31'05" West, 65.03 feet,
- 2) South 67°22'25" West, 150.00 feet,
- 3) South 83°23'53" West, 25.96 feet,
- 4) South 67°45'20" West, 175.00 feet,
- 5) South 48°30'20" West, 18.20 feet,
- 6) South 65°49'59" West, 7.08 feet to a point in the west line of the Grantor;

Thence along said west line of the Grantor, North 07°11'06" West, 14.50 feet to a point in the existing south right of way line of Bonham Road;

Thence along the existing south right of way line of Bonham Road, North 50°58'19" East, 18.14 feet AND North 67°45'20" East, 178.12 feet to a point;

Thence leaving said south line along the proposed south right of way line of Bonham Road the following three (3) courses:

- 1) South 88°29'41" East, 27.31 feet,
- 2) North 69°28'27" East, 100.04 feet,
- 3) North 67°45'20" East, 118.36 feet to the **POINT OF BEGINNING**.

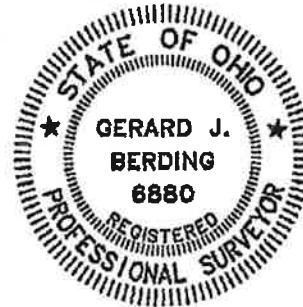
Containing 0.0975 acres and being subject to all legal easements of record.

Page 2
Parcel 3T2
BUT-TR58-0.39
Bonham Road Bridge Replacement

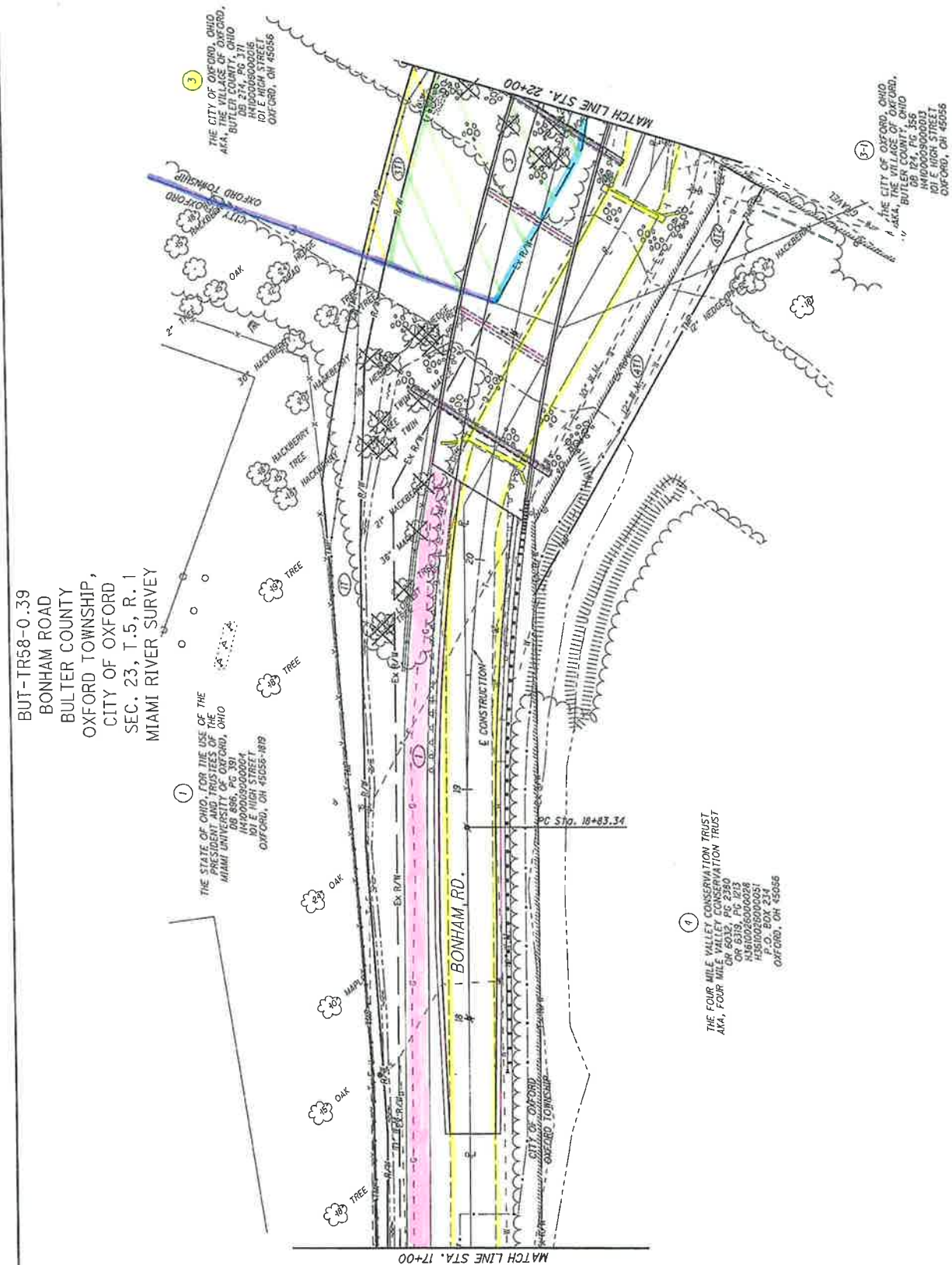
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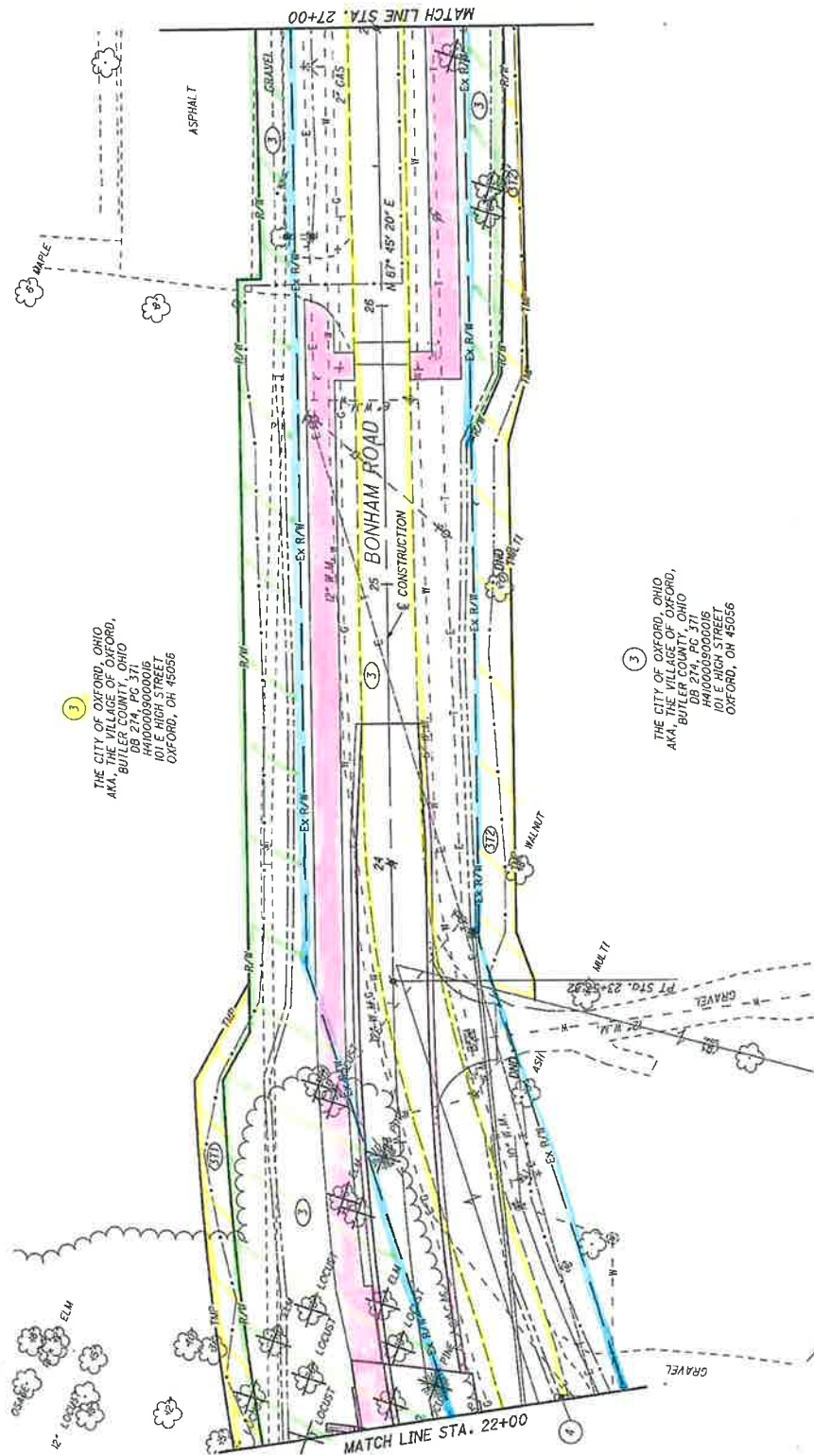
Gerard J. Berding 07/22/2015
Gerard J. Berding, P.S. 6880 Date

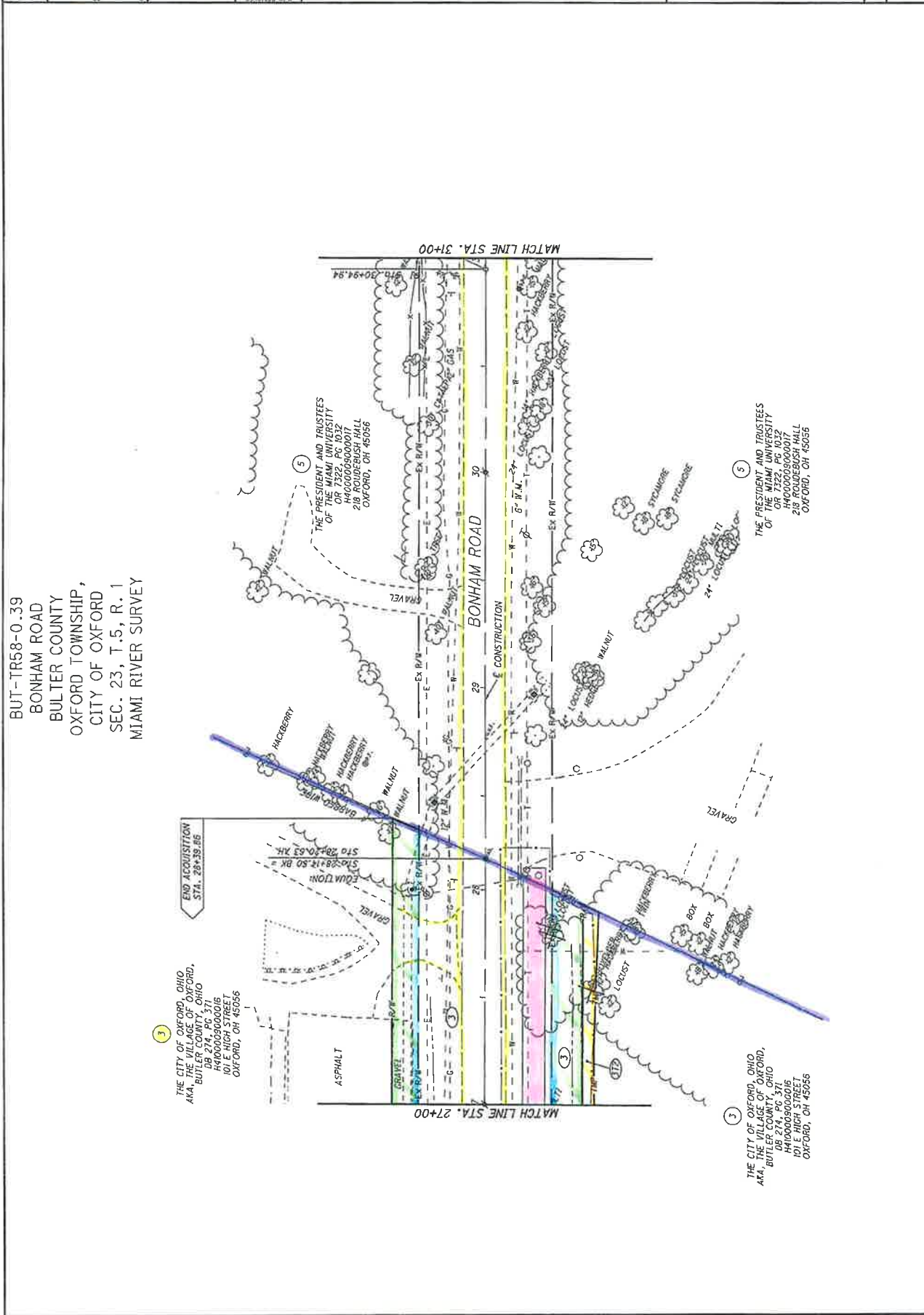


ELLEN BUERK, TRUSTEE
OR 6215, PG 405
H3620045000001
LOT 18
SHADOWY HILLS SUBDIVISION
PG 196, PG B
520 N PATTERSON AVE
OXFORD, OH 45056



THE FOUR MILE VALLEY CONSERVATION TRUST
AKA, FOUR MILE VALLEY CONSERVATION TRUST
(4)
OR 6312, PG 2160
OR 6319, PG 1213
H3610026000028
H3610026000051
P.O. BOX 234
OXFORD, OH 45056





**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development Department
Originating Department

Council Meeting Of: August 18, 2015

Jung-Han Chen

Account Code No. #:

Prepared By

Budgeted Amount:

August 10, 2015
Date Prepared

Agenda Title:	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
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Recommendation:	Approval
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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 14, 2015.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

JHC 8/11/15

JHC 8/14/15

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 owner of property located within the City of Oxford which is 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 owner of property on Exhibit "A" has 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 owner referenced on Exhibit "A" continuing to fail to cut and remove weeds, vegetation, and/or grass on their property, 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 owner of the property indexed on Exhibit "A" was 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 owner was 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 owner 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 owner of the property located within the City of Oxford referenced on Exhibit "A".

SECTION 9: Should the owner of property listed on Exhibit "A" pay to the City of Oxford all of the costs incurred by the City in connection with the property 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: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

Violations
Through July, 2015

<u>Parcel ID#</u>	<u>Property Address:</u>	<u>Owner/Address:</u>	<u>Amount(s):</u>
H4100015000066 (Lot 2648 ENT)	25 Meadow Circle Oxford, OH 45056	Christopher A. Peters 25 Meadow Circle Oxford, OH 45056	\$160.00

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Sam Perry
Prepared By:

Account Code No. #:

July 29, 2015
Date Prepared:

Budgeted Amount:

1143.10

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c)
UP (Uptown) District site development regulations and Chapter 1159.07(6) definition of
Gross Floor Area Ratio (FAR), **City of Oxford, Applicant**

Recommendation: Approval

Discussion:

This is an amendment proposed as a result of a recent Board of Zoning Appeals (BZA) case in which an appeal was granted to allow the stairways to not be counted as part of the building in the Uptown Zoning District.

The Uptown district contains requirements for overall building size using a minimum requirement for commercial area and a maximum requirement for residential area. The term used is "Gross Floor Area" (GFA), which is a mathematical ratio of the land area compared to the building square footage. Proposed buildings in the Uptown district are typically designed with the maximum residential area. Recently a BZA case was heard in which the required egress stairways were proposed to be excluded from the building size calculation. The appeal was granted which will allow a building permit for a larger building.

Staff proposed a zoning text amendment which is being recommended by the Planning Commission that gives additional examples for portions of the building to be included in the GFA. "Stairways" are specifically called out in the proposed amendment, as well as elevators and hallways. None of these three are specifically listed in the current code.

The proposed amendment includes an update to the supporting definition of GFA in a separate chapter, 1159.

The term GFA is a standard term used in urban planning policies typically without much additional caveat. Due to the fact that outdoor patios, decks and balconies were specially listed for the Oxford code, it created the situation in which "stairways, hallways and elevators" now also need to be added.

The Commission held a hearing and voted 5-0-0 to recommend the amendments to City Council.

Approved By:

Department Head:
City Attorney:
City Manager:

SP 7/31/15
JAE 7/31/15

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.10
ENTITLED UPTOWN DISTRICT, AND ADOPTING NEW OXFORD CODIFIED
ORDINANCE SECTION 1143.10 ENTITLED UPTOWN DISTRICT.

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 14, 2015 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.10 entitled Uptown District, and adopting new Oxford Codified Ordinance Section 1143.10 entitled Uptown District.

SECTION II: Council hereby repeals Section 1143.10 of the Oxford Codified Ordinances and adopts new Section 1143.10 as follows: (Additions are Bolded)

1143.10 UPTOWN DISTRICT.

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

(b) Uses.

(1) Permitted uses.

- A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.
- B. Retail services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Apparel and jewelry.
 - 2. Bars and establishments serving alcohol.
 - 3. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 4. Drugs and pharmaceuticals.
 - 5. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 6. Flowers, potted plants, and garden supplies.
 - 7. Hardware, paint, home furnishings, and other home improvements products.
 - 8. Optical aids.
 - 9. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 10. Restaurants, not including drive-in.
 - 11. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.
- C. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 - 3. Barber and beauty shops.

4. Cleaners, including dry cleaning and laundromats.
5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
6. Offices for nonprofit, charitable, labor, and other service organizations.
7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

D. Accessory buildings incidental to the principal use.

E. Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
 - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
 - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
 - a. The use may not result in less than five feet of open and unobstructed public sidewalk adjacent to the sidewalk use. and
 - b. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall be named as an additional insured upon such liability policy; and
 - c. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
 - d. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above the adjacent sidewalk surface and do not otherwise create a trip hazard; and
 - e. All materials shall be lightweight and easily removable; and

- f. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
 - g. All illumination shall be confined within the perimeter of the use; and
 - h. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
 - 4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
 - 5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
 - 6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.
- (2) Conditional Uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.
 - A. Retail services:
 - 1. Any permitted retail use that exceeds 10,000 sq. ft. on any given floor.
 - 2. Banks with drive-through facilities.
 - 3. Building supplies, garden supplies.
 - 4. Temporary or outdoor sales of plants and garden supplies.
 - 5. Retail uses which do not provide a minimum ratio of 0.7:1 of the lot area.
 - 6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
 - B. Personal and public services:
 - 1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
 - 2. Cultural institutions, including libraries, art galleries and museums.
 - 3. Hotels and motels.
 - 4. Places of worship.
 - 5. Funeral homes.
 - 6. Night clubs, discotheques, and other entertainment facilities.
 - 7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
 - 8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
 - C. Other uses.
 - 1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
 - 2. Community-Oriented Residential Social Service Facilities (CORSSF's).
 - 3. Shared Housing and Congregate Housing for the elderly.
 - 4. Government owned and/or operated parks and recreation facilities.
 - 5. Bed and breakfast homes.

6. Publicly owned and operated neighborhood recreation centers.
7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

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

(1) Lot requirements.

A. Minimum Lot Area:

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

(2) Yard requirements.

Front Yard

16.5 feet minimum except

* On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard

none except

* Adjacent to a residential district
10 feet minimum

Side Yard

none except

* Adjacent to a residential district
6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)

a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:

i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

a. Be associated with the first floor commercial occupant,

b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.

c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

i. **Stairways, hallways, elevators** outdoor patios, decks, and balconies, for residential use shall be computed into the maximum 2:1 ratio.

- (4) Maximum Residential Density.
A. Occupancy shall be limited to one person per 200 square feet of lot area.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	August 4, 2015
<u>Case Number</u>	PC-2015-14
<u>Applicant Information</u>	City of Oxford Jung-Han Chen and Sam Perry
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	To Amend Chapters 1143.10, Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area, City of Oxford, Applicant
<u>Public Hearing Information</u>	On July 14, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Hamilton Journal News on June 14, 2015.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended approval of this Zoning Code Text Amendment after much discussion.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 26, 2015 2. Proposed Zoning Text Language 3. Interoffice Reviews 4. Zoning Code Text Amendment Application dated May 26, 2015

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-14

Date – July 14, 2015

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapters 1143.10 Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area, **City of Oxford, Applicant**

DESCRIPTION

The Uptown Zoning District is a relatively new district in Oxford, created after a 2008 charter amendment to incentivize redevelopment. The provisions have a maximum for residential gross floor area (GFA) and a minimum GFA for commercial floor area. The common areas of the buildings, such as decks and patios, were addressed, but stairways were not specifically included. This amendment would clarify the intent of the code with regard to the tabulation of stairway areas.

ZONING CODE

The attached text amendment illustrates changes to Chapters 1143.10 Uptown Site Development Regulations and 1159.07(6) Definition of Gross Floor Area

COMPREHENSIVE PLAN

The text amendment aligns with Land Use Principle 3 (p3.9): “Infill development and redevelopment of underutilized sites is a priority.”

By continuously adapting the zoning regulations for existing developed areas, the geographic focus is consistent with this principle.

AGENCY REVIEWS

Police:	No comments
Engineering:	No comments
Fire:	No comments
Econ. Dev.	Comments received

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

A recent building project going through the review process proposed exempting the inclusion of stairways within the calculation for Residential GFA. The Board of Zoning Appeals supported the appeal based upon the language of the zoning code that was in place.

Staff is responding by proposing a clarification of the language that is consistent with the original intent. The original intent is to limit the overall building mass. Whether interior, exterior, covered or uncovered, stairways contribute to the building’s mass. By including the terminology for stairways in the site development regulations, the intent will be clearer than it is currently. Additionally, by including the terminology for stairways in the definition for Gross Floor Area, the definition will be consistent with the Uptown District Site Development Regulations.

RECOMMENDATION

The proposed zoning text amendment is relatively small and does not represent a policy change. It is only the inclusion of technical terms. There is a risk that the inclusion of additional technical terms in the zoning text does complicate the code and result in additional unforeseen outcomes. In this case, it is staff's opinion that the benefit of maintaining predictable building size in the Uptown District outweighs the risk of future unforeseen outcomes.

SUBMITTED

BY: 

Sam Perry, AICP
Planner

DATE: June 26, 2015

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 Zoning Code Text Amendment June 11, 2015

Section 1143.10:

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

(1) Lot requirements.

A. Minimum Lot Area:

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

(2) Yard requirements.

Front Yard

16.5 feet minimum except

* On High Street - at least 70 percent of building must meet the right-of-way line

Rear Yard

none except

* Adjacent to a residential district 10 feet minimum

Side Yard

none except

* Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)

a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:

i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.

ii. Uncovered outdoor areas shall:

a. Be associated with the first floor commercial occupant,

b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.

c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.

b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:

i. Stairways, hallways, elevators, outdoor patios, decks, and balconies for residential use shall be computed into the maximum 2:1 ratio.

(4) Maximum Residential Density.

- A. Occupancy shall be limited to one person per 200 square feet of lot area. (Ord. 3205. Passed 3-19-13.)

**Proposed Zoning Code Text Amendment
June 11, 2015**

Section 1159.07 DEFINITIONS (BEGINNING WITH LETTER "F").

(1) **FAMILY** - In all districts (zones), a family shall be a person living alone, or two or more persons related by blood, marriage or adoption, including minor children in the lawful custody of an adult member of members of the family, living together as a single housekeeping unit and occupying a single dwelling unit, or a group of not more than four unrelated persons living together as a single housekeeping unit occupying a single dwelling unit and using only common entrances and exits.

(2) **FAMILY COMMUNITY RESIDENCE** - A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of no more than four persons (at least three of whom are unrelated persons with handicaps), plus up to one paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts.

(3) **FARM ANIMALS** - Animals other than household pets that shall be kept and maintained for commercial production or sale; or family food production, education, or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

(4) **FARM IMPLEMENT SALES** - The retail sales and service of mechanical equipment customarily used for agricultural purposes.

(5) **FLOOD PLAIN AREA** - Those lands in the City of Oxford, Ohio, that are subject to flood hazards as determined on the Federal Emergency Management Agency or the Butler County Soil & Water Conservation District or both.

(6) **FLOOR AREA, GROSS** - The sum of the gross horizontal areas of all floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. The gross floor area ratio includes all stairways that serve multi-story buildings.

(7) **FLOOR AREA, NET** - The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public. (Ord. 2782. Passed 5-20-03.)

(8) **FLOOR AREA RATIO (FAR)** - The gross floor area of all buildings or structures on a lot divided by the total lot area, excluding any land vacated by Ordinance No. 103 (16 1/2 foot vacated right-of-way). (Ord. 3018. Passed 10-7-08.)

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), City
of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **7/7/2015** 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:



Date: 6-19-15

John Dethierage
PRINTED NAME

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown)
District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), **City
of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **7/7/2015** 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. Horvath Date: 6/23/15

LT. HORVATH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 17, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-14 ZONING CODE TEXT AMENDMENT, to amend Chapter 1143.10(c) UP (Uptown) District site development regulations and Chapter 1159.07(8) definition of Floor Area Ratio (FAR), City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **7/7/2015** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

.....

IN MY OPINION, THE INTENT OF THE ORIGINAL
LEGISLATION WAS TO INCLUDE STAIRWELLS, OPEN OR
ENCLOSED

"In my opinion, the intent of the original legislation was to include stairwells, open or enclosed."

Drawings reviewed by:  Date: 7-7-15

G. Alan Kross
PRINTED NAME



Internal Use Only:	
Case No.	PC-2015-14
Date Filed	5/26/15

Zoning Code Text Amendment Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *	City of Oxford
Mailing Address *	101 E. High Street
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	(513)-524-5204
Email Address	jhchen@cityofoxford.org
Amendment Description *	Amendment to the definition of Floor Area Ratio

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.
An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
 - (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. Any existing section number and text that is proposed to be deleted or amended.
 - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
 - I. A narrative statement that describes the expected effects of the proposed text.
 - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Decision Process

From Section 1135.02(c)(1) Decision Standards¹.

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.

Last Revised: Monday, February 23, 2015

PC-zoning-code-text-amendment-application.docx

- A. The proposed amendment will make the Code conform more closely with 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.

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.

Fees & Receipt

The required fee is \$150.00. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *


5/21/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required documentation as attachments and a check for the fee made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested.

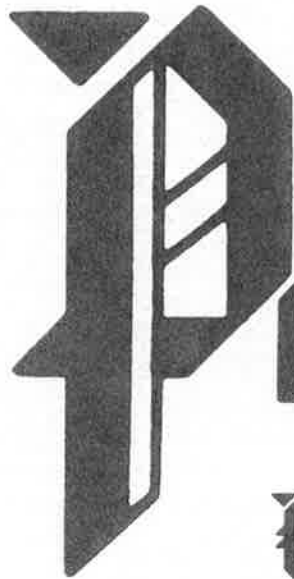
For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>



Office of the Mayor

Proclamation

Whereas:

volunteerism strengthens communities, addresses vital social concerns, and enhances the quality of life for all citizens; and

WHEREAS, community organizations, faith-based organizations, civic and humanitarian groups, and government agencies are encouraged to organize local events which meet unique community needs; and

WHEREAS, hunger is an issue of grave concern that transcends geographic boundaries and must therefore be addressed with efforts in every part of our state; and

WHEREAS, Ohioans are encouraged to join with Americans throughout the country to commemorate the National Day of Service on September 11, 2015 by participating in a statewide Volunteer Challenge focusing on the issues of hunger; and

WHEREAS, Ohio faith and community service groups will join with the Governor to organize and execute a statewide effort in 2015 to raise money and collect food products for food pantries throughout the state; and

WHEREAS, the City of Oxford continues to support those in need through community food pantries and various food drives.

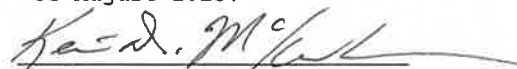
NOW, THEREFORE, I, Kevin D. McKeegan, Mayor of the City of Oxford, Ohio, do hereby recognize the month of September, 2015 as

'OHIO VOLUNTEER CHALLENGE: FEED OHIO 2015'

in the City of Oxford and encourage all citizens to take part in its observance.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 18th day of August 2015.


KEVIN D. MCKEEHAN, MAYOR

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: August 4, 2015

Sam Perry

Account Code No. #:

Prepared By:

Budgeted Amount:

July 29, 2015

Date Prepared:

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

Recommendation: Approval

Discussion:

The case is a proposed alteration to an existing fraternity house located on Spring Street just west of the South Campus Avenue intersection. Fraternity houses are permitted conditional uses in the R2MS district. The conditional use category requires that any new or modified/expanded uses will need a conditional use approved prior to proceeding to building permit. Single and Two-Family dwellings are all reviewed administratively without Planning Commission or City Council involvement.

The proposal from Architect Norm Butt is to convert an existing breezeway into two bedrooms to house staff. Handicap accessibility would be improved and there would be no significant change to the development footprint on the site. A new patio was discussed but not reviewed as part of the proposal since it was not decided yet by the owner. The permitted occupancy of the house was discussed and it was agreed that a permitted occupancy increase was not needed. The Commission preferred that the occupancy be kept the same as the effective occupancy would not change anyway. There are two lots with this property, one of which does not have any street frontage, so a consolidation should be required to clean up the record.

The Commission held a hearing and voted 5-0-0 to recommend the conditional use permit to City Council with the following conditions:

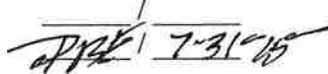
1. The lots shall be consolidated.
2. The approved occupancy for the entire structure shall remain 12.
3. The patio area shown on the submitted drawings shall not be included as parts of this conditional use permit approval.

Approved By:

Department Head:

City Attorney:

City Manager:

 7-31-15
 7-31-15

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE ALTERATION OF AN EXISTING FRATERNITY HOUSE IN A R2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AT 110 E. SPRING STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on July 14, 2015 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of The Architectural Group, Inc., Applicant, for a conditional use permit to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056 with the following conditions:

1. The lots shall be consolidated.
2. The approved occupancy for the entire structure shall remain 12.
3. The patio area shown on the submitted drawings shall not be included as part of this conditional use permit approval.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow for the alteration of an existing Fraternity House in a R2MS (Single and Two-Family Mile Square Residential) District at 110 E. Spring Street, Oxford, Ohio 45056 in accordance with the conditions set forth above.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEVIN MCKEEHAN

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	August 4, 2015
<u>Case Number</u>	PC-2015-15
<u>Applicant Information</u>	City of Oxford
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	110 E. Spring Street , Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent
<u>Public Hearing Information</u>	On July 14, 2015 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on June 14, 2015. Public Hearing notices were mailed out to surrounding properties on June 17, 2015.
<u>Commission Action</u>	The Planning Commission voted 5-0-0 recommending approval with conditions to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission inquired about parking, allowed occupancy, handicap accessibility, and a patio addition. The Applicant sufficiently answered the Planning Commissions questions and the Commission agreed to three conditions be placed upon the recommendation for approval: that, the lots are consolidated, that the approved occupancy for the entire structure remains at 12; that the patio area shown on the submitted drawings is not included as part of this approval.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated June 26, 2015 2. Interoffice Reviews 3. Surrounding Property Notifications 4. Rental Permits 5. Letter of Agency 6. Conditional Use Permit Application Dated May 29, 2015 7. Supporting Documents from Applicant 8. Drawings from Applicant

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2015-015

Date –July 7, 2015

APPLICATION

Applicant:	Norm Butt
Location:	110 E. Spring Street
Owner:	Phi Delta Theta Fraternity
Agent:	Norm Butt, The Architectural Group, Inc.
Action Request:	Conditional Use Permit Application to alter an existing fraternity
Current Use:	Fraternity
Zoning:	R2MS (Single, Two-Family Mile Square Residential) District
Surrounding Existing Land Uses:	Single and Two-Family and Multi-Family Dwelling

GENERAL DESCRIPTION

The applicant is seeking approval to alter an existing fraternity to accommodate more bedrooms by enclosing a breezeway between the garage and two-story dwelling. There is no additional square footage being proposed to the footprint of the building. Additionally, the proposal also indicated that a patio has been planned to be placed on the east side of the existing building, so the tenants can be outdoors during nice weather, since the indoor space, i.e. breezeway, is being converted into sleeping space. This fraternity house has been in existence for many years. The subject property consists of two parcels.

The property is bordered by a two-family dwelling and a lodging house to the east, fraternity house to the north; a single-family to the west; and a fraternity to the south. This area is adjacent to the MU campus.

PUBLIC COMMENTS

Public notices were mailed to surrounding property owners. None were received.

AGENCY REVIEWS

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

Police:	Returned without comments.
Fire:	Returned without comments.
Engineering:	Returned without comments.
Econ. Dev.:	Returned without comments.

ZONING CODE REVIEW

- 1147.03(19) Fraternity and Sorority Houses.
- A. Potential Concerns.
1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 3. Vehicle Management:
 - a. Site access.

- b. Required parking.
- c. Emergency access.
- d. Deliveries.
- e. Occasional and excess parking management.
- 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
- 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.

B. Requirements:

- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
- 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
- 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
- 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
- 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
- 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

The proposal is to enclose the existing breezeway to create additional bedrooms for the fraternity. Based on the submittal, the proposed building material appears to be consistent with the existing dwelling unit. The proposed patio to the east of the existing building is to be used by the tenants of the building.

General Decision Standards for Conditional Uses — Section 1147.02(c)(2)

(2) General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.

A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.

Yes, the use can be allowed as a conditional use.

B. The use and site will satisfy the general intent of this Zoning Code.

Yes, the proposed enclosure will satisfy.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

Not applicable.

D. The size and shape of the site are sufficient for the proposed use.

The size and shape of the site is sufficient for the proposed use.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

None anticipated.

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

Not applicable.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

No accessory uses have been proposed.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

Minimal increase will be generated from the enclosure of the proposed patio..

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

None is expected.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

The breezeway is existing and does not alter the appearance of the neighborhood.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

There is sufficient off-street parking on site.

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

None expected.

M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

Yes, as stated by applicant.

RECOMMENDATION

The proposal is to enclose an existing breezeway for additional bedroom to the existing fraternity house. The breezeway connects the garage to a two-story dwelling. The property is owned by Phi Delta Theta Foundation, headquartered in Oxford. The current configuration is to provide lodging for its student advisors to various chapters throughout the county.

The proposal does not increase the footprint of the building and the changes being considered occur in the breezeway. No physical change would be visible, other than a patio that is shown on the site plan to allow tenants a place to sit outdoors.

It is anticipated that the change would have very minimal impact to the neighborhood, if any. The proposal would not alter the existing use, the footprint will not increase. There will be no increase in governmental services at all and there would not be any potential concerns associated with the proposal. The appearance and character of the structure would not be modified from this proposal.

Given the changes to the site/structure being minimal, it would seem that the proposal would be reasonable to continue to allow the enclosure to be considered favorably by the Commission. The

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

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

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

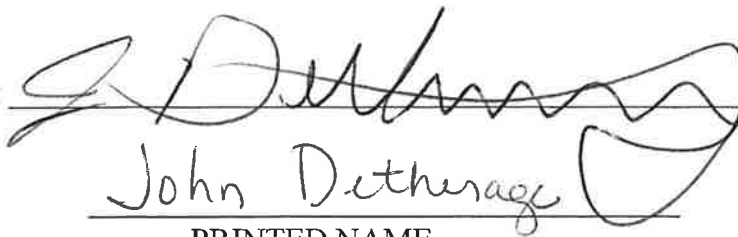
☒ Review ☐ Revisions ☐ Other

Please return no later than: **7/7/2015** 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 Dethierage

PRINTED NAME

Date:

6/19/15

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department ~~Engineering Division~~ Police Department Econ Dev Department

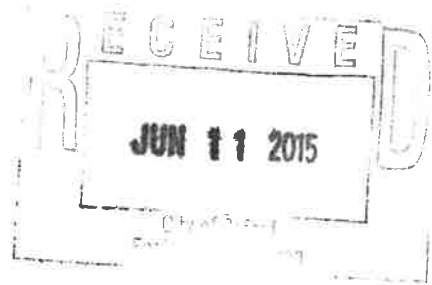
From: Community Development Department

PC-2015-15 **CONDITIONAL USE** 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, **The Architectural Group, Inc., Applicant, Agent**

 X Review Revisions Other

Please return no later than: **7/7/2015** 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: _____

6-15-15

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

 X Review Revisions Other

Please return no later than: **7/7/2015** 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:



Date: 6/11/2015

ROBERT B. HOLZWORTH
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: June 11, 2015

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2015-15 CONDITIONAL USE 110 E. Spring Street, Phi Delta Theta Fraternity, to approve the alteration of an existing fraternity, The Architectural Group, Inc., Applicant, Agent

 X Review Revisions Other

Please return no later than: **7/7/2015** 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:  Date: 7-7-15

G. Alan Kycha
PRINTED NAME



PC-2015-15 **Surrounding** **Property Owners** **Map**

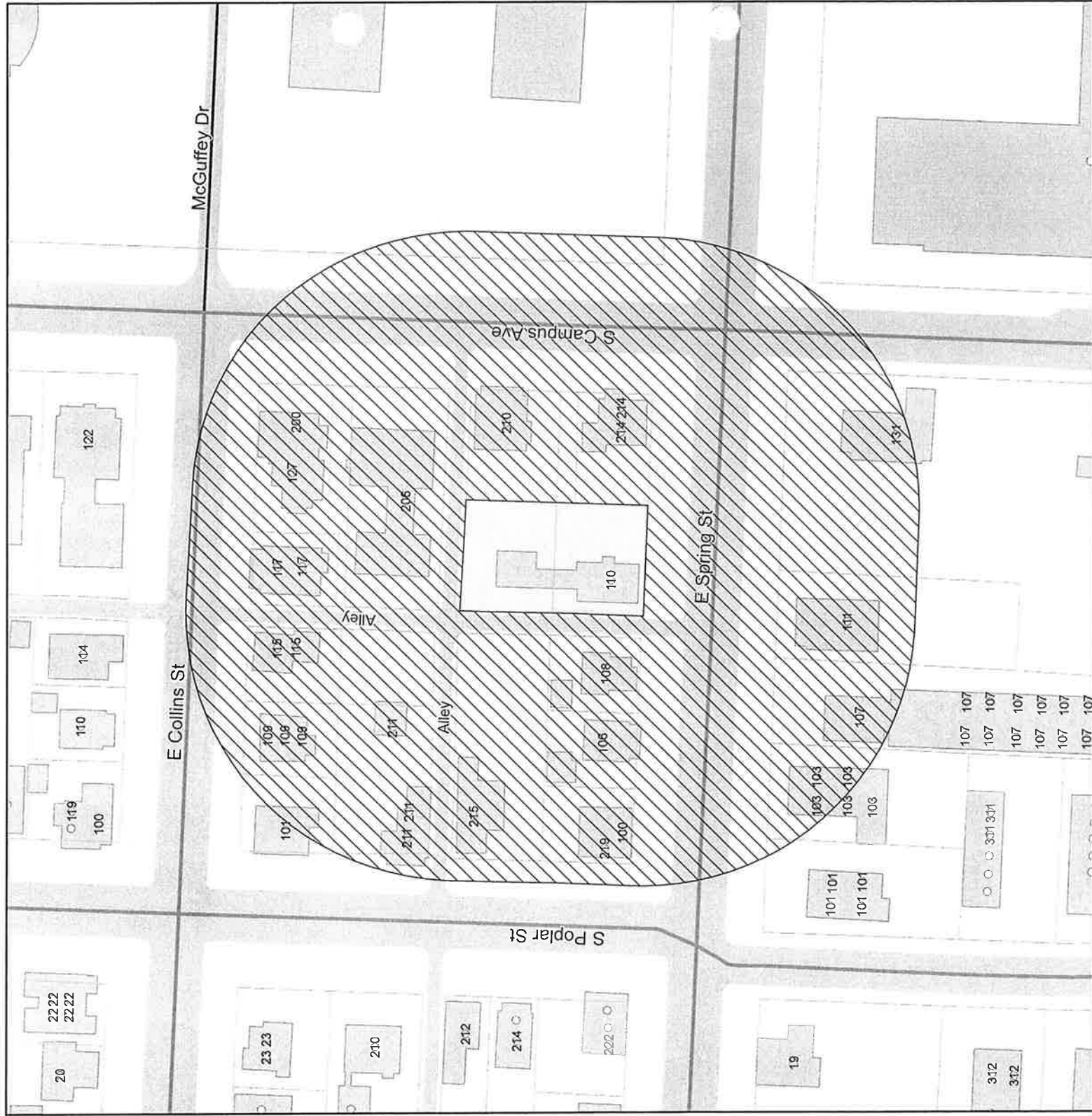
Legend

-  Subject Properties
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Wednesday, June 17, 2015
 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
INSPECTIONS DEPARTMENT
513-524-5205**

RENTAL PERMIT

PERMIT#: 20002959

This permit certifies that a valid rental dwelling permit has been issued to the address and person (s) listed below. The permit is valid for a period of one (1) year from the date of application.

Rental Address:

110 SPRING E

Owner: PHI DELTA THETA FRATERNITY

Agent: SAME AS OWNER

Occupancy, Use, Fee

Fee: \$115.00 Paid: 3/13/00

Property Use: FH

Maximum Occupants Permitted: 12

This permit can not be transferred. If ownership transfers, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.



Inspector

Date: 7/6/00

A COPY OF THIS PERMIT SHALL BE POSTED WITHIN THE UNIT PER PM-308.1.

NO FEES ARE DUE AT THIS TIME



City of Oxford
Inspections Division
101 East High Street
Oxford, OH 45056
(513) 524-5209

RENTAL PERMIT

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below.

Address: *110 E Spring St*

Owner/Operator:

Phi Delta Theta Fraternity

Agent:

Phi Delta Theta Fraternity

Fee: *\$330.00*

Permit Number: *20153400*

Use: *FH*

Effective Date: *March 12, 2015*

**Maximum Unrelated
Occupants Permitted:** *12*

Expiration Date: *March 12, 2016*

A copy of this permit shall be posted in a conspicuous place within the dwelling unit per PM-308.1.1. This permit cannot be transferred. If ownership of the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must submit a completed application and pay appropriate fees for renewal before the expiration of this permit.


Inspector



CITY OF OXFORD
INSPECTIONS DEPARTMENT
513-524-5209

RENTAL PERMIT

PERMIT# 20073128

This permit certifies that a valid rental dwelling permit has been issued to the address and person(s) listed below. The permit is valid for a period of one (1) year from the effective date shown below.

Rental Address:

110 EAST SPRING

Owner **PHI DELTA THETA FRATERNITY**
/Operator:

Agent: **ROBERT BIGGS**

Occupancy, Use, Fee

Fee: **\$300.00**

Property Use: **FH**

Maximum Unrelated Occupants Permitted: **12**

This permit cannot be transferred. If ownership in the property changes, the permit must be surrendered to the City of Oxford within ten (10) days. You must make application and pay appropriate fees for renewal before the expiration of this permit.

Lisa L. Colwell
Inspector

Effective Date: 03/12/07

**A COPY OF THIS PERMIT SHALL BE POSTED IN A
CONSPICUOUS PLACE WITHIN THE UNIT PER PM-308.1.1**



PHI DELTA THETA

Become the greatest version of yourself

City of Oxford
101 E. High Street
Oxford, Ohio 45056

May 28, 2015

To whom it may concern:

This letter is to inform all pertinent parties that the Phi Delta Theta International Fraternity, the owner of the 110 E. Spring Street home, has authorized Norm Butt of the Architecture Group to submit a proposal for modifications of our facility as it applies to the conditional use application.

Yours truly,

Sean S. Wagner

Associate Executive Vice President
Phi Delta Theta International Fraternity

PHI DELTA THETA INTERNATIONAL FRATERNITY

General Headquarters • 2 South Campus Avenue • Oxford, Ohio 45056

phone: 513.523.6345 • fax: 513.523.9200 • www.phideltatheta.org



Internal Use Only:	PC-2015-15
Case No.	
Date Filed	5/29/15

Conditional Use Permit Application

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * NORMAN D. BUTT, AIA - THE ARCHITECTURAL GROUP, INC
Mailing Address * 135 N. MAIN STREET
City, State & Zip Code * DAYTON, OH 45402
Telephone Number(s) * 937-223-2500 x18
Email Address butt@taguit.com

Owner Information

Name * PHI DELTA THETA
Mailing Address * 2 SOUTH CAMPUS AVE
City, State & Zip Code * OXFORD, OHIO 45056
Telephone Number(s) * 513-523-6345
Email Address swagner@phideltatheta.org

Location and Lot Information

Location of Property * 110 E. SPRING STREET
Legal Description * (SEE ATTACHED)
Zoning District * R2M₁S
Total Area * 2839 → Check One * Acres ☒ Square Feet ☐
Existing Use Description * COMMERCIAL HOUSING - FRATERNITY EMPLOYEES
Proposed Use Description * NO CHANGE - COMMERCIAL HOUSING - FRATERNITY EMPLOYEES

Submission Requirements and Documentation

From Section 1147.02(a)¹.

- (1) Contents of application for conditional use permit. Thirteen complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. Please contact the Zoning Administrator prior to submitting an application to discuss the submission requirement. If any information is submitted in color or on non-standard paper, more copies may be required.

A. Application Fee.

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

1. The name, mailing address, and telephone number of the applicant and the property owner.
2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.
3. A legal description of the site, including all separate lots.

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

Fees & Receipt

The required fee is \$400.00, plus postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover. To calculate the postage charge, multiply the number of adjoining properties by current postage rate³.

Sign and Date

Applicant Signature *

Norman D. Butt, ALA

Date *

5/29/15

Submit Application, Submission Requirements and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

Direct questions to the Community Development Dept. at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested. City Staff will place a public hearing sign on the subject property. **The Applicant is responsible for removing the signage at the completion of the hearing(s).**

For Staff Use Only

Fee Paid Date *

5/29/15

Receipt Number *

46157

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter/>

² Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

³ The United States Postal Service: <http://www.usps.com/>



135 north main street
dayton, oh 45402-1730
tel 937.223.2500
fax 937.223.0888
www.taguit.com

May 29, 2015

Mr. Jung-Han Chen
Community Development Director
City of Oxford
110 E. High Street
Oxford, Ohio 45056

Mr. Sam Perry
Planner
City of Oxford
110 E. High Street
Oxford, Ohio

RE: Conditional Use Application
Phi Delta Theta Fraternity Annex
110 E. Spring Street
Oxford, Ohio 45056

Dear Sam and Jung-Han,

The attached information is presented by The Architectural Group, Inc. in support of Conditional Use Acceptance Consideration for renovation of the above noted property.

As the documents indicated, the renovation consists of infill of an existing screen enclosed breezeway between the residence structure and the garage with two new resident bedrooms and maintenance of ADA accessibility to the facility.

Attached and submitted documents include the following to conform to the application requirements of City of Oxford Planning and Zoning Code, Chapter 1147.02 Application

1. \$400 Application Fee.
2. Conditional Use Permit Application
3. Phi Delta Theta Conditional Use Application Authorization
4. Chapter 1147.02, Procedure: Application Submission Requirement Confirmations
5. Chapter 1147.02, Procedure: Planning Commission Review Confirmations
6. Chapter 1149 Parking and Site Access Confirmation of 1149.03 General Regulations – "Fraternity and Sorority"
7. Chapter 1147.03 Use Specific Regulations & Potential Concerns Section (19) Fraternity and Sorority Houses concern support information
8. Butler County Auditors Property Information
9. Presentation Drawings: Site Plan, Existing Building Floor Plans, Existing and New Renovation area Floor Plans and Existing and New Elevations.

We wish to thank you in advance for your review at this information and its subsequent presentation to the City of Oxford's Planning Commission for consideration at their July meeting.

Respectfully Submitted,

Norman D. Butt, AIA, LEED AP, BD+C
The Architectural Group, Inc.

1147.02 PROCEDURE: APPLICATION CONFIRMATION

**A. Application Fee
Included**

B. Description of Use and Site.

A written, detailed description shall include the following information. A separate response is required for each subsection.

The residence is currently used by Phi Delta Theta to house employees who provide fraternity services nationwide. Additional bedroom space is required to house additional support staff; consequently, in existing enclosed breezeway between the main residence and the garage is considered herein to be modified to accommodate two (2) new bedrooms. No parking changes are anticipated or modifications to the building structure or aesthetic characteristics. The revised exterior elevation shell materials will duplicate those on the existing structures.

1. The name, mailing address, and telephone number of the applicant and the property owner.

**Applicant: Norman D. Butt, AIA
The Architectural Group, Inc.
135 N. Main St.
Dayton, OH 45402
937-223-2500
buttn@taguit.com**

**Owner: Phi Delta Theta
Contact: Sean Wagner
2 S. Campus Ave
Oxford, Oh 45056
513-523-6345
swagner@phideltatheta.org**

2. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf.

Attached

3. A legal description of the site, including all separate lots.

Phi Delta Theta to provide.

4. A description of the existing uses of the site.

No change of use. Parking to remain unchanged, use existing landscaped areas unchanged, access to the building unchanged and occupancy of the building to remain the same as housing for employees of Phi Delta Theta Fraternity.

5. The zoning district in which the site is located.

R2MS

6. A description of the proposed use.

- a. A description of operations, including type of goods sold, services performed, and expected number of customer, clientele, delivery, and service vehicles.

Residential housing is for employees of Phi Delta Theta only. No goods or services performed at this location. Customer, clientele, delivery, and service vehicles at National Headquarters location at 2 S. Campus Ave.

- b. The hours of operation.
Unchanged 24 hours.
- 7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.
 - a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
Use is unchanged. Adjacent areas also residential housing structures.
 - b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.
New façade infill to match existing materials and product conditions.
 - c. If the use will involve and operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
No change in use or vehicle parking. Not applicable.
 - d. How any potential negative effects on adjacent land will be mitigated.
Unchanged use.
- 8. A statement about why the location proposed is more appropriate for the use than other locations.
Use remains the same as existing.
- 9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.
Use remains the same as existing.
- 10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.
Not applicable.
- 11. A list of the names and mailing addresses of all land owners within 200 feet of the site.
Attached
- 12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.
Not applicable.
- C. Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes is illegible or difficult to understand.
 - 1. North arrow. **Included on plans.**

2. Scale. **Included on plans.**
 3. Vicinity map. **See Butler County Auditor's map.**
 4. All existing and proposed lot lines within the site. **Included on plans and see Butler County Auditor's map.**
 5. Dimensions of all lots and of the entire site and any adjacent rights-of-way. **Included on plans and see Butler County Auditor's map.**
 6. Location, height, and use of all proposed and existing structures. **See drawing elevations. No change.**
 7. Location and design of all proposed vehicle management areas. **See site plan. No change.**
 8. Location, size, and type of all proposed signs. **See site plan. No change.**
 9. Location, height, and type of all proposed screening and landscaping. **See site plan. No change.**
 10. Distances to residential zoning districts if within 1,000 feet. **See attached Butler County Auditor's map.**
 11. The use of land and location of structures on adjacent property and across adjacent rights-of-way. **Not applicable.**
 12. Other information as required by the Planning Commission.
- D. Elevations of proposed structures, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that is may negatively affect and adjacent use.
See attached elevations.
- E. Other photographs of the existing use and its surroundings. **See attached.**

1147.02 PROCEDURE: APPLICATION CONFIRMATION

- (C) Planning Commission Review
2. General Decision Standards. All Conditional Uses shall satisfy these General Decision Standards.
- A. The proposed use is in fact a Conditional Use appropriate for in the zoning district in which it is proposed.
Fraternities and Sororities require Conditional Use approval in a R2MS district.
- B. The use and site will satisfy the general intent of this Zoning Code.
No change of use.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
No change of use.
- D. The size and shape of the site are sufficient for the proposed use.
No change of site or building foot print.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are not permitted in the zoning district.
No change of use.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operations that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
No change of use.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
Not applicable.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
No change of use. Construction engineering documentation will confirm compliance with electrical, water and sewer requirements.
- I. Development of the site and operation of this use will not require substantial public expenditure for additional infrastructure or services.
None to be required.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the

same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

Existing exterior elevation to be modified and will utilize materials and proportions of windows and doors consistent with existing condition.

- K. The site is designed so that on site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
No change to site conditions.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
No change in existing conditions impact on adjacent properties.
- M. All necessary permits and licenses for the Conditional Use and its operation have or can be obtained for the use at the proposed location.
Pertinent to this application.

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS: APPLICATION CONFIRMATION**(19) FRATERNITY AND SORORITY HOUSES****A. Potential Concerns.****1. Aesthetic Concerns:**

- a. Historical characteristics of existing structures. **Existing materials and door/window units matching existing.**
- b. Residential scale and character. **Existing elevations modified only. No change to scale or proportions of existing building.**
- c. Yards and landscaping. **No modifications this project except for new shrubs between new ADA accessible concrete walk and existing building.**
- d. Walls and fences. **Not applicable.**

2. Activities Areas:

- a. Porches and patios. **No change to west entry landing with future consideration of on grade patio to the east.**
- b. Locations of recreational area and courts. **No change to existing parking/basketball court.**
- c. Locations of accessory structures. **Not applicable.**

3. Vehicle Management:

- a. Site access. **No change to current conditions this project.**
- b. Required parking. **13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.**
- c. Emergency access. **No change to current conditions this project.**
- d. Deliveries. **No change to current conditions this project.**
- e. Occasional and excess parking management. **No change to current conditions this project.**

4. Adequate Public Utilities:

- a. Water. **Meets requirements. Validation during construction document production.**
- b. Sewer. **Meets requirements.**
- c. Storm water management. **No change to current conditions this project.**
- d. Other services. **Not applicable.**

5. Nuisance:

- a. Waste/trash management. **No change to current conditions this project.**
- b. Noise and off-site impact. **No change to current conditions this project.**
- c. Lighting and off-site impact. **No change to current conditions this project.**

B. Requirements:

- 1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
No change to on-site footprint configuration or elevations.
- 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
Existing materials to be duplicated and windows and doors to replicate existing conditions. Windows to be egress compliant.
- 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
Not applicable.

4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
No lighting modifications this project. Future consideration for on-grade east patio.
5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
No change. Waste containers stored within 2 car garage until day of refuge pickup.
6. Parking and transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
No change.

CHAPTER 1149
PARKING AND SITE ACCESS: APPLICATION CONFIRMATION

1149.01 PURPOSE

(a) The regulations of this section are intended to minimize the traffic impacts of development on public streets and to assure that all developments adequately and safely provide storage and movement of vehicles in a manner consistent with good site design and site engineering practices without creating excessive amounts of parking spaces.

No modifications to existing off-street parking on property.

Property currently contains parking spaces as indicated on plans including one (1) handicap accessible space that meets ADA regulations.

(b) This section includes provisions that are intended to minimize potential nuisance to adjacent properties by limiting light pollution, minimizing dust and debris, improving public safety and managing storm water run-off.

No modifications to existing off-street parking and site lighting.

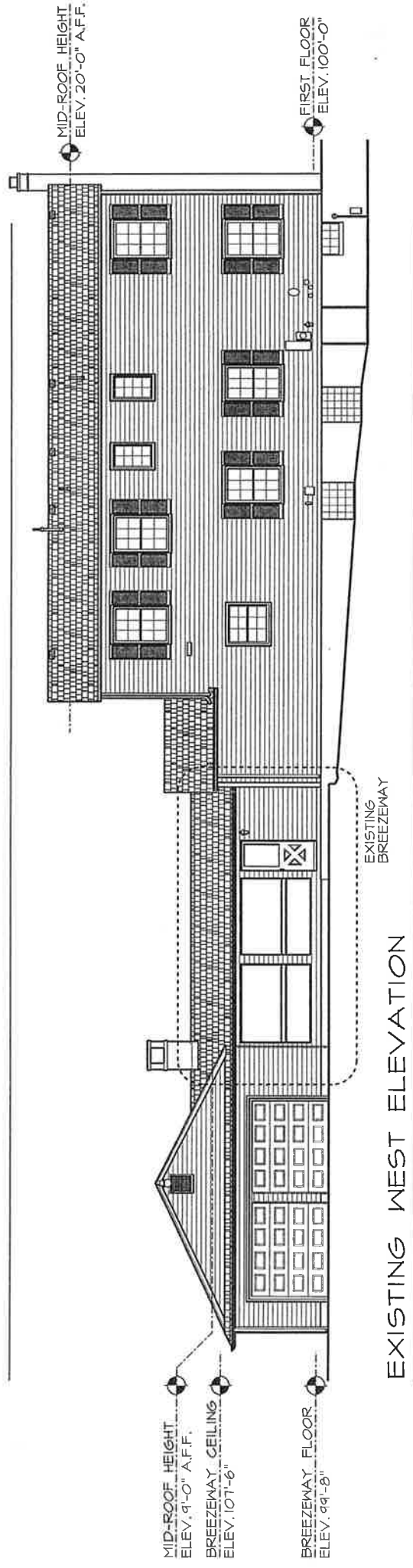
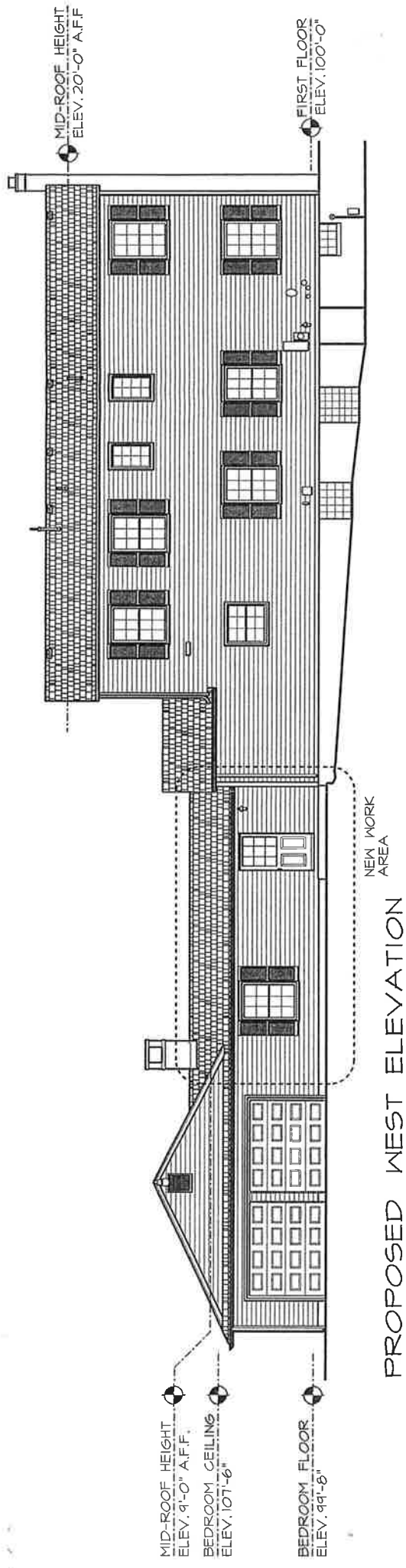
1149.03 GENERAL REGULATIONS

(a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials are not permitted.

No modifications to existing off-street parking on property.

Fraternity And Sorority: 2 per each 5 beds permitted by a valid City of Oxford rental permit.

13-16 beds are anticipated resulting in requirement of 8 parking spaces. 11 parking spaces currently exist on site.



PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION

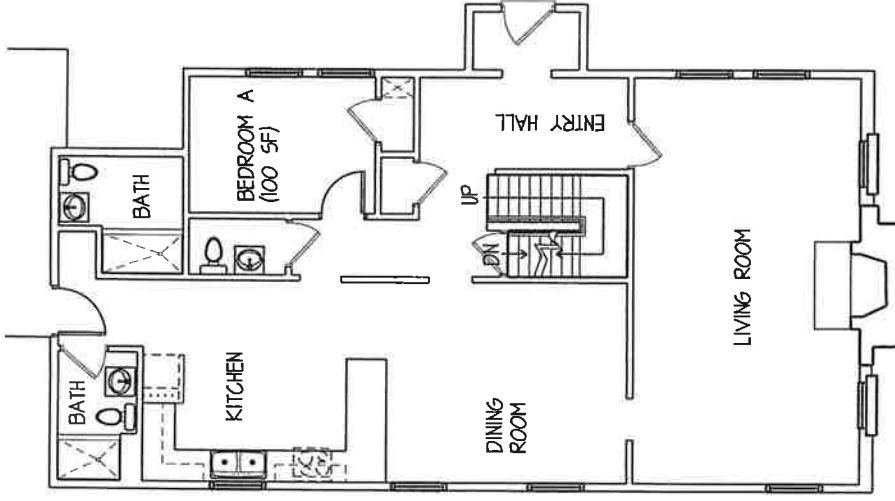
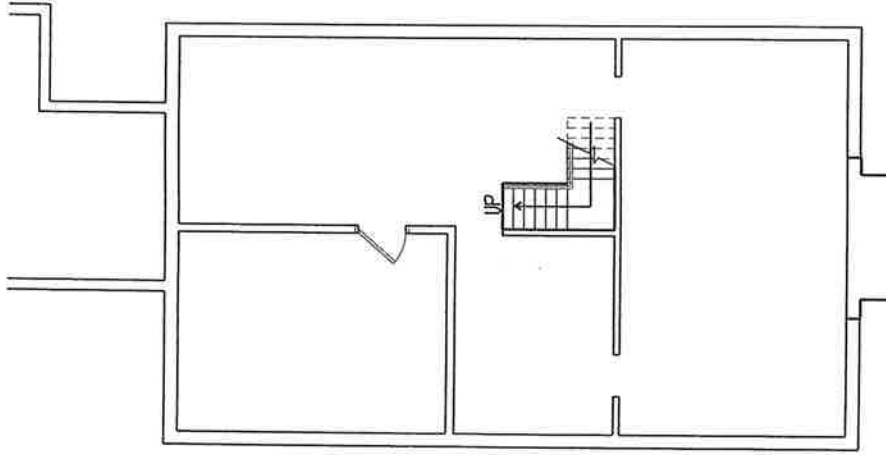


PHI DELTA THETA

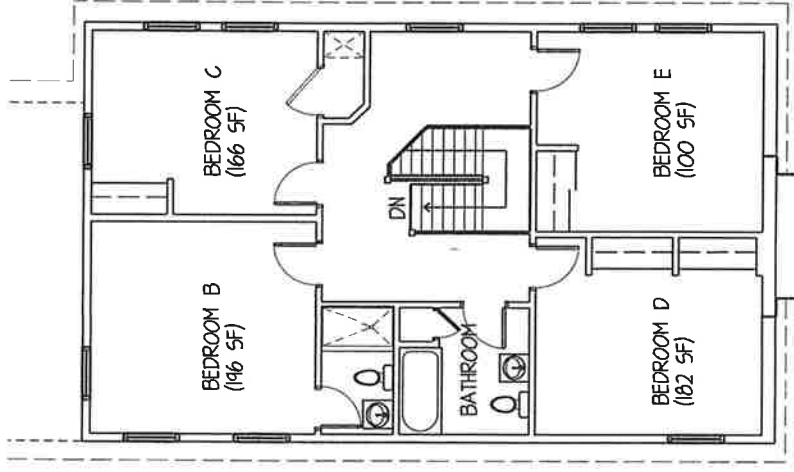


125 north main street
columbus, ohio 43206-1730
tel: 614 223 2600
fax: 614 223 0888
web: www.lagall.com





FIRST FLOOR



SECOND FLOOR

EXISTING FACILITY FLOOR PLANS



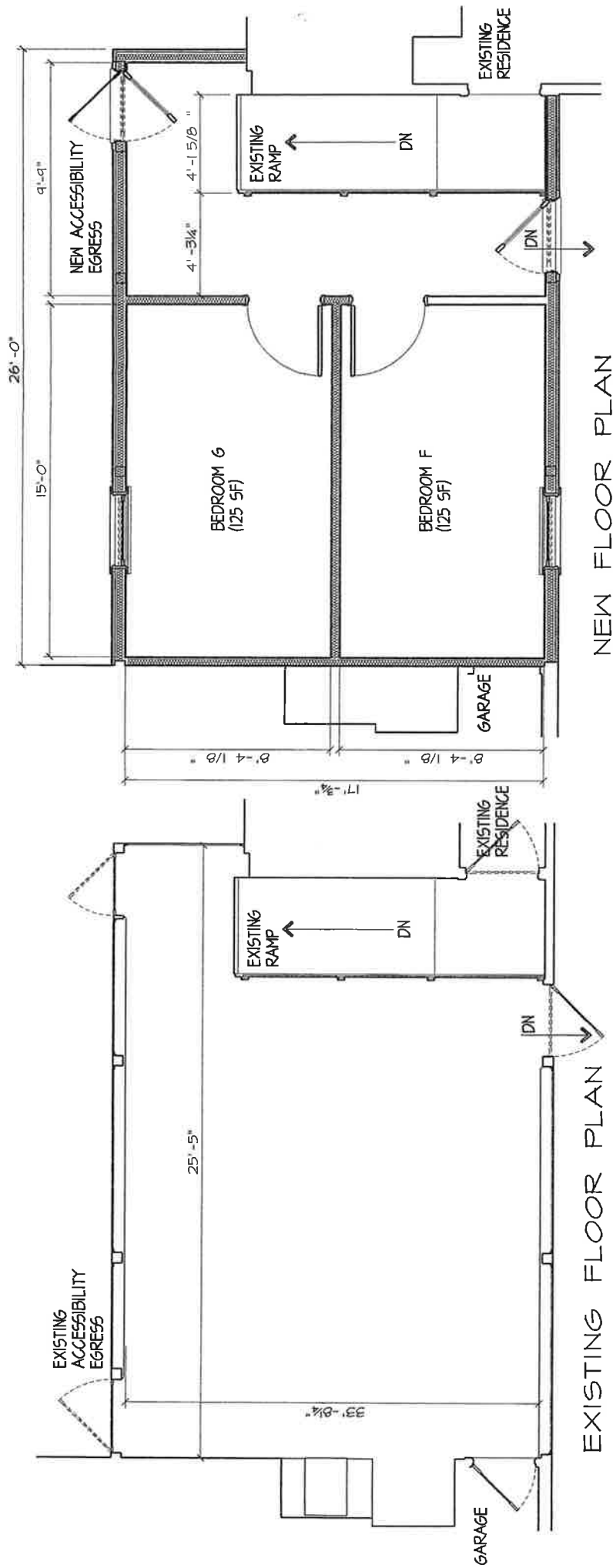
PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 north main street
dayton, ohio 45402-1720
tel. 937.233.0800
fax 937.233.0808
web www.tlga.com



ANNEX FLOOR PLANS

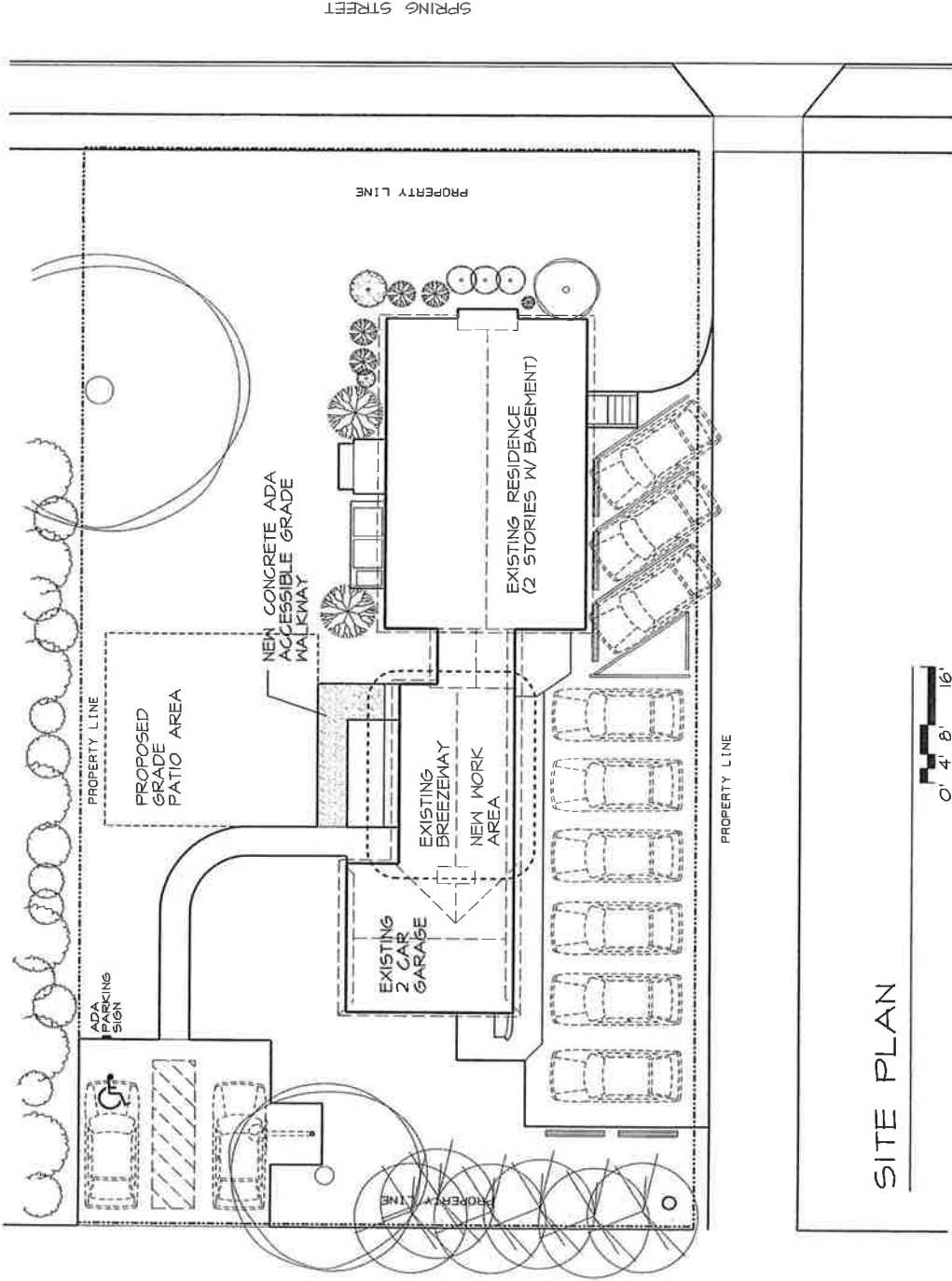
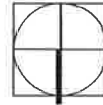
PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



PHI DELTA THETA



135 north main street
dayton, ohio 45402-1730
tel 937.223.2500
fax 937.223.0888
web www.lagull.com



SITE PLAN



PHI DELTA THETA - ANNEX RESIDENCE ROOM EXPANSION



ΓΗΙ ΔΕΛΙΑ ΤΗΕΓΑ

135 north main street
dayton, ohio 45402-1730
tel 937 223 2500
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web www.lagull.com



PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Parcel

Parcel Id	H4100003000205
Address	110 E SPRING ST
Class	COMMERCIAL
Land Use Code	419, C - OTHER COMMERCIAL HOUSING
Neighborhood	90016002
Total Acres	
Taxing District	H41
District Name	OXFORD CORP TAL DL
Gross Tax Rate	72.09
Effective Tax Rate	47.769475
Non Business Credit	N/A
Owner Occupied Credit	N/A

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CONS W/208
Legal 3	

Taxbill Mailing Address [Can I change my mailing address?](#)

Mailing Name 1	PHI DELTA THETA FRATERNITY
Mailing Name 2	
Address 1	2 S CAMPUS AVE
Address 2	
Address 3	OXFORD OH 45056 1872

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

Commercial

Card	1
Building Number	1
Year Built	1932
Structure Code	105
Structure Description	MIXED RESIDENTIAL/COMMERCIAL
Improvement Name	
Identical Buildings	1
Units per Building	12
Total Units	12
Total GBA for displayed card**	3594

****Total GBA (Gross Building Area) for displayed card may include basement area (B1,B2...), Mezz (M1,M2...) and Office Enclosure(E1,E2...), if applicable. See Floor descriptions below.**

COMMERICAL INTERIOR/EXTERIOR (ALL CARDS)

CARD	LINE	FLOOR FROM	FLOOR TO	WALL HEIGHT	AREA	Use Type
1	1	01	01	8	1134	DORMITORY
1	2	02	02	8	1134	DORMITORY
1	3	01	01	8	192	DORMITORY
1	4	B1	B1	8	1134	UNFIN RES BSMT

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Parking

Type
Quantity
Proximity

Factors

Topography 1	LEVEL
Topography 2	
Topography 3	
Utility 1	ALL PUBLIC
Utility 2	NONE
Utility 3	NONE
Roads 1	MEDIUM
Roads 2	RESIDENTIAL STREET

Owner and Legal

Owner 1	PHI DELTA THETA
Owner 2	
Legal 1	129 W 1/2 & PT VAC ST
Legal 2	CCNS W/208
Legal 3	

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**ROGER
REYNOLDS**
BUTLER COUNTY AUDITOR CPA

[Home](#)

[Property Records](#)

[Owner Name](#)

[Address](#)

[Parcel](#)

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[Map Search](#)

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST

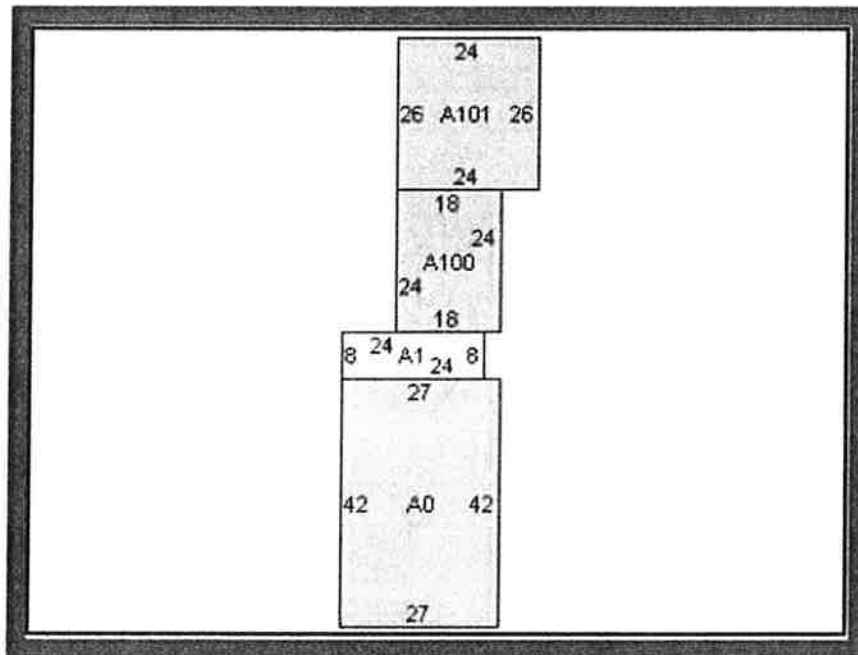
Land

Line Number	Acres	Front actual	Front effective	Depth	Square Feet
1	2839	83	83	149	12.367

PARID: H4100003000205

PHI DELTA THETA

110 E SPRING ST



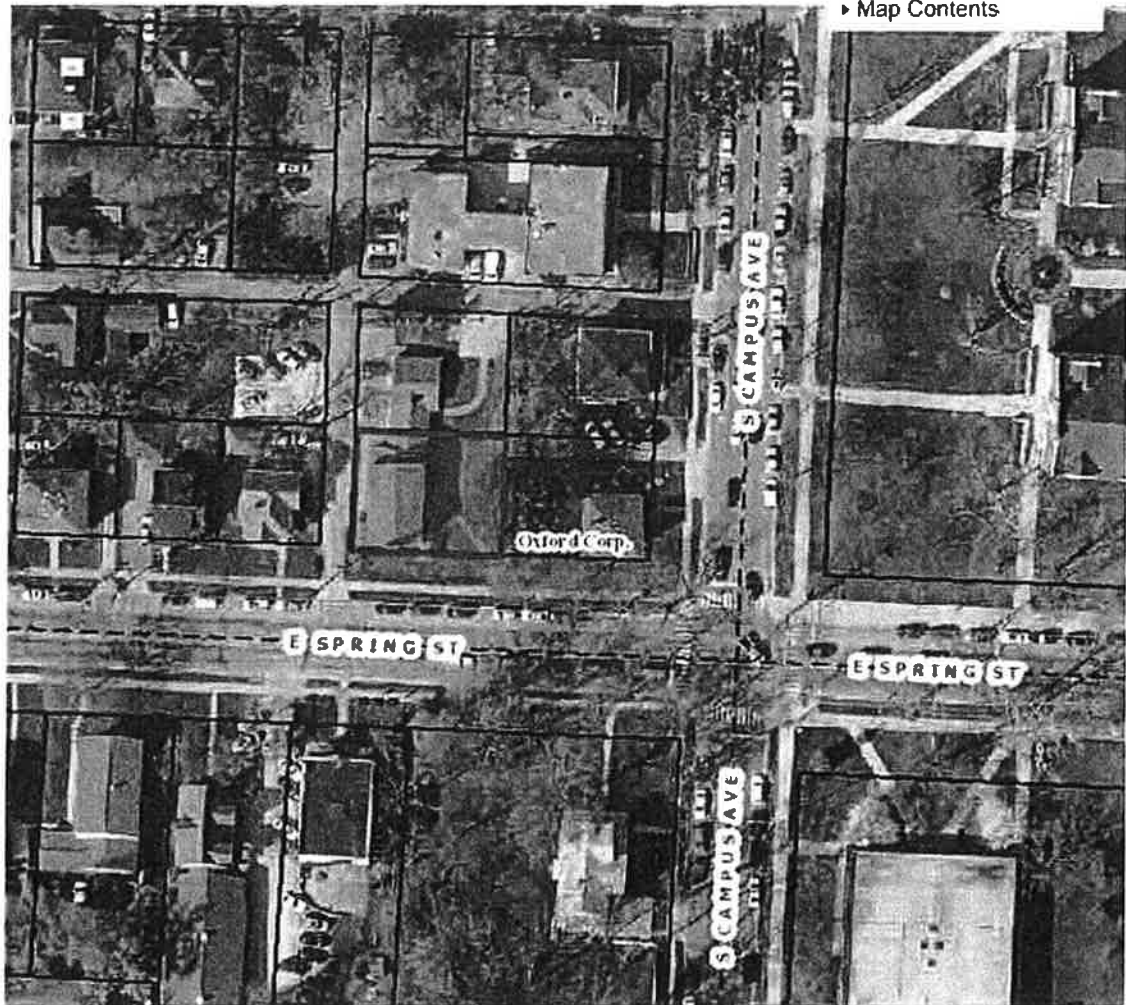
Legend			Options
Label	Code	Description	Area
A0	023	DORMITORY	1134
A1	023	DORMITORY	192
A100	PR1	PORCH OPEN	432
A101	RA1	GARAGE-ATTACHED-FRM	624

PARID: H4100003000205
PHI DELTA THETA

110 E SPRING ST



Map Contents



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: August 18, 2015

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

August 7, 2015
Date Prepared

Agenda Title:	Environmental Commission Meeting of August 5, 2015
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Recommendation:	For Review and Consideration
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Discussion:

Environmental Commission members present at the Wednesday, August 5, 2015 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Mr. Vince Hand; City Council Representative, Ms. Kate Rousmaniere; Planning Commission Representative, Mr. Robert Bell, and Mr. Ted Wong. A quorum was present. Mr. Tyler Hammerle, a Miami University undergraduate student, was also in attendance. Mr. Kevin Armitage had previously informed the Commission that he would be unable to attend the August 5th meeting.

The minutes from the June 3, 2015 Environmental Commission meeting were unanimously accepted.

Mr. Tyler Hammerle made a presentation to the commissioners regarding the installation of a storm water capture and recovery system at Carstar of Oxford Autobody (Carstar, at 5017 College Corner Pike). The retained storm water from the roof (up to 550 gallons of rain water stored in plastic tanks in the heated basement) is intended to be utilized for car washing. The research and design of the system was preferred as a Miami University undergraduate student team project, and Mr. Hammerle oversaw the installation and set-up as a Senior Project for his University degree. The system has approximately \$3,500 in parts (including \$1,000 for a 2-gallon per minute pressure washer) and labor, with an estimated payback of 3.5 years. Also, use of the pressure washer reduces Carstar's labor in washing vehicles by an hour each day.

Councilor Kate Rousmaniere informed the Commission that plans for residential development at the Fields of Southpointe along Southpointe Parkway had been re-submitted. The currently proposed residential development (apartments, single-family, and duplex structures) consists of approximately 650 beds. This is a density decrease of approximately 20% - 25% from the previously proposed development plan.

During the June 3rd Commission meeting, Staff was requested to determine the City of Oxford's interest in a volume-based, two tiered residential refuse and recycling services, the inclusions of apartment and commercial accounts in future refuse and recycling contracts, and putting the refuse and recycling contract out to bid early, at the completion of the two-year contract period, and prior to any one-year extensions. Discussion with Oxford Administration indicated interest in the residential volume-based, two tier refuse/recycling collections, concern that the elimination of apartment and commercial accounts would result in an increase service rates to the residential accounts, and the belief that the refuse and recycling service rates under the current contract and the subsequent one-year extension were very advantageous for Oxford's utility customers. With this in mind, Oxford was inclined to keep the existing refuse and recycling contract through the full five year period. The Commissioners indicated their dissap-

(Continued)

Approved By:	Department Head:	Initial	Date
	City Manager:	<u>DRS</u>	<u>8/12/15</u>

pointment that Oxford was not considering the termination of the existing refuse and recycling contract prior to its five-year period.

Staff outlined proposed revisions to the City of Oxford's Codified Ordinance Chapter 935 (Trees, Shrubs and Other Plants). These included: adding a tree species diversity requirement for plantings; adding three species of Elm trees to the Approved Street Tree List; revising the minimum distance of tree plantings from an alley or driveway, with a clarification regarding plantings by street intersections; and clarification of spacing specifications for new subdivisions. These proposed revisions to the City of Oxford's Codified Ordinance Chapter 935 were seconded, unanimously approved, and are as follows:

Motion:

935.05 STREET TREE SPECIES TO BE PLANTED.

The Tree Plan contains a list of the official Street Tree species for the City of Oxford. No species other than those included in this list may be planted as Street Trees without the written permission of the Service Director. The tree(s) to be planted as street trees shall have calipers of at least two (2) inches diameter at breast height (DBH), with an appropriate height of branching for the tree's species. Concurrent plantings of six (6) or more street and/or public trees shall adhere to the "10-20-30 Rule", with no more than 10% of a tree Species being planted, no more than 20% of a tree Genus being planted, and no more than 30% of a tree Family being planted. The Tree Authority shall categorize street trees in three species size classes.
(~~Ord. 3189, Passed 11-20-12.~~)

A revised copy of the proposed Approved Street Tree list for Large Trees is attached.

Motion:

935.07 DISTANCE AND CLEARANCES.

It is prohibited to plant a street tree less than:

- (a) 30 feet from the street corner measured from the point of the nearest intersecting curbs or curb lines and shall not obscure any traffic control signs at the intersection;
- (b) 10 feet distance from fire hydrants;
- (c) ~~5~~ **10** feet from alleys and driveways; and
- (d) No street trees other than low growing species that do not attain a mature height greater than 20 feet shall be planted under or within 10 feet from overhead power lines, utility signals, street lights, utility wires, underground water and sewer pipes, and water meters.
(~~Ord. 2385, Passed 3-7-95.~~)

Motion:

935.12 NEW DEVELOPMENTS.

Developers shall plant trees in tree lawns in all subdivisions ~~a minimum of every thirty feet~~ according to the specifications of Section 935.06 in this chapter and the Oxford Zoning Code. The Oxford Planning Commission shall require a landscaping plan for all subdivisions, Planned Unit Developments and commercial developments.

(Note: Ordinance number and date passed not provided)

Councilor Kate Rousmaniere provided the Commission with a breakdown for the electrical aggregation program. For Oxford's electrical utility customers, between 2% and 3% opted not to participate in the electrical aggregation program. Of the participating customers, 99.4% chose the 100% renewable energy generation sources option, and 0.6% chose non-renewable electrical generation sources.

The Commission adjourned at 8:35 p.m. The next scheduled meeting of the Environmental Commission is on Wednesday, September 2, 2015 at 7:00 p.m., in the Municipal Building's Second Floor Conference Room.

LARGE TREES

To be planted in tree lawns or public right-of-way that is at least 8 feet wide. The average 30-year mature tree height greater than 45 feet.

<u>Common Name(s)</u>	<u>Scientific Name</u>
Sugarberry	<i>Celtis laevigata</i>
All Seasons Sugarberry	<i>Celtis laevigata</i> 'sugarberry'
Prairie Pride Hackberry	<i>Celtis occidentalis</i> 'prairie pride'
Norway Maple	<i>Acer platanoides</i>
Red Maple	<i>Acer rubrum</i>
Autumn Blaze Freeman Maple	<i>Acer rubrum freemanii</i> 'Autumn Blaze'
Sugar Maple	<i>Acer saccharum</i>
European Larch	<i>Larix decidua</i>
Ginkgo (male only) (Maidenhair tree)	<i>Ginkgo biloba</i>
Kentucky Coffeetree	<i>Gymnocladus dioica</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Bald Cypress	<i>Taxodium distichum</i>
American Beech	<i>Fagus grandifolia</i>
European Beech	<i>Fagus sylvatica</i>
Black Tupelo (Blackgum)	<i>Nyssa sylvatica</i>
American Linden	<i>Tilia americana</i>
Littleleaf Linden	<i>Tilia cordata</i>
Bigleaf Linden	<i>Tilia heterophylla</i>
Silver Linden	<i>Tilia tomentosa</i>

LARGE TREES
(continued)

<u>Common Name(s)</u>	<u>Scientific Name</u>
Homestead Elm	<i>Ulmus 'Homestead'</i>
Pioneer Elm	<i>Ulmus 'Pioneer'</i>
Regal Elm	<i>Ulmus 'Regal'</i>
Amur Cork (Chinese Cork)	<i>Phellodendron amurense</i>
London Plane Tree	<i>Platanus x acerifolia</i>
Attention Oak	<i>Quercus ruba 'Attention'</i>
White Oak	<i>Quercus alba</i>
Scarlet Oak	<i>Quercus coccine</i>
Shingle Oak (Laurel Oak)	<i>Quercus imbricaria</i>
English Oak (Truffle or Pendunculate Oak)	<i>Quercus robur</i>
Red Oak (Northern Red or Gray Oak)	<i>Quercus Rubra</i>
Shumard Oak	<i>Quercus shumardii</i>
Burr Oak (Mossycup or Blue Oak)	<i>Quercus macrocarpa</i>
Chinkapin Oak (Yellow Chestnut or Rock Oak)	<i>Quercus muehlenbergii</i>
Sawtooth Oak	<i>Quercus acutissima</i>
Tamarack (Eastern or American Larch, or Hackmatack)	<i>Larix laricina</i>
Cucumbertree Magnolia (Indian Bitter)	<i>Magnolia acuminata</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>

LARGE TREES
(continued)

Common Name(s)

Scientific Name

Accolade Elm

Ulmus x 'Morton' Accolade

Princeton Elm

Ulmus Americana 'Princeton'

Valley Forge Elm

Ulmus Americana 'Valley Forge'