

CITY OF OXFORD STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: September 1, 2020

Lt. Geoff Robinson

Account Code No. #: 140.110.61104

Prepared By

Budgeted Amount: \$32,479.84

August 24, 3030

Date Prepared

Agenda Title:

A Resolution authorizing the City Manager to enter into a contract with Parr Public Safety Equipment for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility Vehicles for the Police Division at a cost not to exceed \$32,479.84.

Recommendation: Adopt the resolution

Discussion:

Three Ford Interceptor Utility Vehicles were purchased earlier this year to be used as front line marked patrol vehicles. Equipment is now needed to outfit the three vehicles will include emergency lights, sirens, prisoner seating area, officer console, computer mounts, wireless network equipment installation, and weapons vault.

Earlier this year, OPD's preferred up-fitter Camp Safety was purchased by Parr Public Safety Equipment. Parr Public Safety is the state contract holder for police/fire equipment up-fitting. The original quote from Camp Safety was \$32,319.75. Parr Public Safety was asked to requote the project using state term pricing which reduced the project by \$839.91.

This resolution will authorize the City Manager to enter into a contract with Parr Public Safety Equipment for the purchase and installation of emergency vehicle equipment at an amount not to exceed \$32,479.84.

State Contract # MMA7607.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

gg \ 9/25/20

SG \ 8/28/20

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PARR PUBLIC SAFETY EQUIPMENT FOR THE PURCHASE OF SPECIFIED EQUIPMENT TO OUTFIT THREE (3) FORD INTERCEPTOR UTILITY VEHICLES FOR THE POLICE DIVISION AT A COST NOT TO EXCEED \$32,479.84.

WHEREAS, the 2020 Budget includes funds for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility Vehicles for the Police Division; and

WHEREAS, equipment will include emergency lights, sirens, prisoner seating area, officer console, computer mounts, wireless network equipment installation and a weapons vault; and

WHEREAS, the City Manager and the Police Chief recommend City Council authorize the City Manager to enter into a contract with Parr Public Safety Equipment for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility Vehicles for the Police Division at a cost not to exceed \$32,479.84.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and accepts the pricing from Parr Public Safety Equipment for the purchase of specified equipment at a cost not to exceed \$32,479.84.

SECTION 2: Council further authorizes the City Manager to enter into a contract with Parr Public Safety Equipment for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility Vehicles for the Police Division at a cost not to exceed \$32,479.84.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

Parr

Public Safety Equipment

Formerly

CAMP SAFETY
EQUIPMENT INC.

Phone : 513-984-4658
web: www.parrpse.com

Quote

Date	Quote #
5/8/2020	OPD CORRECT

Name / Address
City of Oxford 15 South College Ave. Oxford, Ohio 45056

Contact

Lt. Geoff Robinson

VIN#	
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Vehicle	P.O. No.	Terms	Rep	Project #
3 FIU 20		N30	JB	

Qty	Item	Description	Cost	Total
3	IB2DEDE	WHELEN LIBERTY II DUO LTF1B8DEDE	2,430.00	7,290.00
3	295SLSA6	SIREN/SWITCH CONTROL	399.90	1,199.70
3	SA315P	COMPACT 100W COMPOSITE SPEAKER	189.00	567.00
3	MATERIAL	SPEAKER MOUNT PASSENGER SIDE 20 EXPLORER	32.00	96.00
6	MCRNSJ	LTL MCRNSJ RED/BLUE MICRON GRILL LIGHTS	138.00	828.00
3	VTX609R	VERTEX SUPER-LED RED	79.98	239.94
3	VTX609B	WHELEN VERTEX SUPER-LED BLUE	79.98	239.94
12	IONJ	ION LED RED/BLUE	106.64	1,279.68
6	VTX609C	WHELEN VERTEX SUPER-LED CLEAR	79.98	479.88
3	IONR	ION LED RED BLACK HOUSING REAR LIFT GATE GLASS	106.64	319.92
3	IONB	ION LED BLUE BLACK HOUSING REAR LIFT GATE GLASS	106.64	319.92
3	HB4PAKRB	HIDE-A-BLAST 4 PAK RED/BLUE	129.00	387.00
3	050512513	8 AMP MERCURY SWITCH W/ CLIP	28.00	84.00
3	MATERIAL	C-VS-1012-INUT HAVIS VEHICLE SPECIFIC CONSOLE 20 EXPLORER	396.25	1,188.75
3	CCUP2I	Internal Cup Holders	33.08	99.24
3	CARM103	Armrest For Top Mount, Console, Large Pad	77.96	233.88
3	CAP0325	3" Accessory Pocket, 2.5" Deep	36.23	108.69
3	CDMM3015	C-DMM-3015 DASH MOUNT BASE FORD INTERCEPTOR UTILITY	392.00	1,176.00
3	CTCB7	TELESCOPING COMPUTER BASE FOR 6.375' CONSOLES	103.95	311.85
3	CMD204	Low Profile Tilt Swivel Motion Device	108.00	324.00
3	CKBM202	C-KBM-202 HAVIS RUGGED KEYBOARD MOUNT & ADAPTER COMBO	127.75	383.25
3	140434	MULTI-PORT ACCESSORY BOX, 3 12VDC OUTLETS AND 4 5VDC USB OUTLETS	25.00	75.00
3	SI240TIH	ANTI-THEFT (NEW STYLE)	158.00	474.00
3	PRPSP4704UINT...	PROGARD PARTITION W/ EXTENSION AND RECESSED PANEL	706.40	2,119.20
3	S4702UINT20	PROGARD TRANSPORT SEAT W/ REAR BARRIER	1,361.60	4,084.80

APPROVED BY: _____	DATE: _____	Total
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Parr

Public Safety Equipment

Formerly



Phone : 513-984-4658

web: www.parrpse.com

Quote

Date	Quote #
5/8/2020	OPD CORRECT

Name / Address
City of Oxford 15 South College Ave. Oxford, Ohio 45056

Contact

Lt. Geoff Robinson

VIN#	
------	--

Vehicle	P.O. No.	Terms	Rep	Project #
3 FIU 20		N30	JB	

Qty	Item	Description	Cost	Total
3	FP47UINT20	PROGARD REAR FLOOR PAN	172.00	516.00
3	WB47NPUIN20	PROGARD STEEL WINDOW BARS	198.40	595.20
3	MATERIAL	PROGARD DOOR PANEL COVER	28.00	84.00
3	MATERIAL	REMOTE START/KEYLESS ENTRY	125.00	375.00
96	Labor- Public	LABOR TO INSTALL THE ABOVE EQUIPMENT INTO 3 2020 FIU'S AT CSE	67.00	6,432.00
1	SHOP MATERIAL	INSTALLATION MATERIAL FOR 3 FIUS	300.00	300.00
4	Labor- Public	LABOR TO INSTALL CUSTOMER SUPPLIED WIRELESS MODEM/ANTENNA WITH TOGGLE SWITCH	67.00	268.00

APPROVED BY: _____	DATE: _____	Total	\$32,479.84
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STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
GENERAL SERVICES DIVISION
OFFICE OF PROCUREMENT SERVICES
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

S & L GOVERNMENT PRICING SCHEDULE

AGREEMENT NUMBER: MMA7607

EFFECTIVE DATES: 06/01/2019 TO 05/31/2022

The Department of Administrative Services has completed the evaluation and analysis of the Master Maintenance Agreement (MMA) offering submitted by the Contractor as listed herein. The Contractor listed herein has been determined to provide competitive, economical and reasonable pricing for the items contained in their offer. The respective offer, including the Standard Contract Terms & Conditions, any proposal amendment, special contract terms & conditions, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this Master Maintenance Agreement.

This Master Maintenance Agreement is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Agreement is renewed, terminated, or cancelled in accordance with the Standard Contract Terms and Conditions.

This Master Maintenance Agreement is available to all state agencies, state institutions of higher education and political subdivisions properly registered as members of the Cooperative Purchasing Program of the Department of Administration Services, as applicable.

Agencies are eligible to make purchases of the supplies and/or services in any amount and at any time as determined by the agency (see maximum order limit). The State makes no representation or guarantee that agencies will purchase the supplies and/or services approved in the Master Maintenance Agreement.

State agencies may make purchases under this Master Maintenance Agreement up to \$2500.00 using the state of Ohio payment card. Any purchases that exceed \$2500.00 will be made using the official state of Ohio purchase order (ADM-0523). Any non-state agency, institution of higher education or Cooperative Purchasing member will use forms applicable to their respective agency.

This Master Maintenance Agreement and any Amendments thereto are available from the DAS website at the following address: <http://procure.ohio.gov>.

Parr Public Safety Equipment, Inc

MASTER MAINTENANCE AGREEMENT

Index No. MMA845

Eff. Date 06/01/2019

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
GENERAL SERVICES DIVISION
OFFICE OF PROCUREMENT SERVICES
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

CONTRACTOR, PRICES, TERM SCHEDULE, ETC.

Send Purchase Orders To:

Remit To:

OAKS Contract ID:

0000006839

Parr Public Safety Equipment, Inc
6106 Bausch Rd.

Galloway, OH 43119

MMA7607

Contractor Contacts:

Mr. Tom Parr

Telephone: (614) 873-7200 x101

Fax: (614) 873-7205

Email: tparr@parrpse.com

Delivery:

1-7 Days A.R.O. - F.O.B. Destination

Terms:

Net 30 Days

Basic Order Limitations (Agencies should contact Procurement Services when they expect to exceed the Maximum Order Limitation.)

Minimum: \$50.00

Maximum: \$50,000.00

APPROVED PRODUCTS/SERVICES: Only those vendors, products, or services as listed in the price pages, approved by the Office of Procurement Services, may be purchased from this State Term Schedule. Any vendors, prices, terms, conditions, products or services not listed in the approve price sheets are outside the scope of this schedule.

MANDATORY USE CONTRACTS: All General Distribution Contracts (GDC), Limited Distribution Contracts (LDC), Multiple Award Contracts (MAC), and Request for Proposals (RFP) take precedence over this State Term Schedule (STS). This STS is only for governmental entities without a mandatory use contract.

EXCLUDED ITEMS: (State Agencies Only) in accordance with the Ohio Revised Code Section 5147.07, 4115.31, through 4115.35, 5119.16 and 3304.28 through 3304.33 state agencies are required to purchase through Ohio Penal Industries (OPI); Community Rehabilitation Programs (CRP); Department of Mental Health and Addiction Services and Pharmacy Services (MHAS); and Opportunities for Ohioans with Disabilities (OOD). State agencies must obtain a waiver from OPI, CRP, DMHAS, and/or OOD to procure from this schedule.

SPECIAL NOTE: The state of Ohio including but not limited to its agencies, boards, commissions, departments, state universities, state vocational schools, state community colleges of Ohio, and any entity authorized by law to use this State Term Schedule (STS) is not obligated to procure any products or services from this STS. This STS shall not be construed to prevent the state from purchasing products or services using other procurement methods as authorized by law.

NOTICE TO CONTRACTOR / VENDOR: It is the responsibility of the contractor's contact to maintain this State Term Schedule with current information. All updates i.e., telephone numbers, contact names, email addresses, tax identification number, prices, and catalogs etc., are required to be processed through the formal amendment authorization process which is initiated by way of a written request from the contractor's contact.

UNSPSC CODES (OAKS Category ID) and Item Descriptions:

All purchase orders placed against this contract shall use the following UNSPSC Codes when completing requisitions.

72154200--Instrumentation, Installation, Maintenance and Repair Services

46000000 - Defense and Law Enforcement and Security and Safety Equipment and Supplies

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTIONS 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) AND 1143.15(b)(1) ALL ENTITLED PERMITTED USES IN CHAPTER 1143 ENTITLED DISTRICTS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTIONS 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) AND 1143.15(b)(1) ALL ENTITLED PERMITTED USES IN CHAPTER 1143 ENTITLED DISTRICTS TO BE IN COMPLIANCE WITH OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on August 11, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) and 1143.15(b)(1) all entitled Permitted Uses in Chapter 1143 Entitled Districts, and adopting new Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) and 1143.15(b)(1) all entitled Permitted Uses in Chapter 1143 entitled Districts to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts.

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

SECTION I: Council hereby repeals Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) and 1143.15(b)(1) all entitled Permitted Uses in Chapter 1143 entitled Districts and adopts new Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) and 1143.15(b)(1) all entitled Permitted Uses in Chapter 1143 entitled Districts to be in compliance with Oxford Codified Ordinance Chapter 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts as follows:

[Section 1143.01(b)(1) – R-1A District]:

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

[Section 1143.02(b)(1) – R-1B District]:

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

[Section 1143.03(b)(1) – R-1MS District]:

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

[Section 1143.04(b)(1) – R-2A District]:

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

[Section 1143.05(b)(1) – R-2MS District]:

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

[Section 1143.06(b)(1) – R-3 District]:

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

[Section 1143.065(b)(1) – R-4 District]:

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

[Section 1143.07(b)(1) – R3MS District]:

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

[Section 1143.09(b)(1) – RO District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use as provided in Chapter 1141.

- D. Professional offices of doctors, dentists, chiropractors, lawyers, engineers and similar-type professions limited to 2,500 square feet of gross floor area.
- E. Hospitals
- F. Real estate, insurance and similar-type offices limited to 2,500 square feet of gross floor area.
- G. Barber and beauty shops.
- H. Instructional studios.

[Section 1143.15(b)(1) – AOS District]:

(1) Permitted Uses.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	August 24, 2020
COUNCIL MEETING DATE:	September 1, 2020
AGENDA TITLE:	An Ordinance repealing Oxford Property Maintenance Code Section 310 entitled Rental Permits and adopting new Oxford Property Maintenance Code Section 310 entitled Rental Permits.
CITY MANAGER/DEPT HEAD APPROVAL:	 

Discussion:

In conjunction with newly proposed amendments to the Oxford Zoning Code allowing for short term rental operations (i.e. bed & breakfasts and transient guest lodging) subject to certain standards, staff has proposed a policy to apply the same property maintenance standards to short-term rentals as are currently applied to long-term rentals. The Community Development Department already has robust permitting and inspection procedures for regular rentals, including student and family rentals, to ensure conditions are safe and sanitary for tenants.

The Property Maintenance Code (PMC) currently provides an exemption for single-family homes rented as short-term rentals to transients. The proposed amendment removes this exemption, so that the same requirements and permitting procedures would apply to all rentals regardless of lease/stay length.

Proposed Property Maintenance Code Amendments

(Additions are in **bold**; Deletions are ~~struck-through~~)

Section 310.1 shall be amended to read as follows:

PMC 310.1 Permits required. No person shall operate any residential rental unit(s), rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house, **including for transient guest lodging (e.g. Airbnb) or as a bed & breakfast**, unless he or she has a valid Residential Rental Permit issued by the code official in the name of the owner or agent for the specified residential rental unit, rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house. No person shall rent or lease a dwelling unit, except to a member of his or her family, without a dwelling unit Residential Rental Permit issued by the code official in the name of the owner or agent for the specific dwelling unit. **Permits are not required for single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.**

Exceptions:

1. ~~Permits are not required for Single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.~~
2. ~~Permits are not required for single-family homes that are permitted as short-term rental for transients.~~

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD PROPERTY MAINTENANCE CODE SECTION 310 ENTITLED RENTAL PERMITS AND ADOPTING NEW OXFORD PROPERTY MAINTENANCE CODE SECTION 310 ENTITLED RENTAL PERMITS.

WHEREAS, per Oxford Codified Ordinance Section 1305.01, the International Property Maintenance Code ("IPMC"), 2012 edition, as published by International Code Council, was previously adopted by the City of Oxford as the Property Maintenance Code ("PMC") of the City of Oxford, Ohio, for regulating and governing the conditions and maintenance of all property, buildings, and structures; and

WHEREAS, Council finds that in order to further protect the health and safety of transient guests visiting and staying in Oxford, the City's Rental Permit Program should be expanded to cover all short term rentals (i.e. bed & breakfasts and dwellings utilized for transient guest lodging);

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

SECTION I: Council hereby repeals Oxford Property Maintenance Code Section 310 entitled Rental Permits and adopts new Oxford Property Maintenance Code Section 310 entitled Rental Permits as follows:

SECTION 310 RENTAL PERMITS

PMC 310.1 Permits required. No person shall operate any residential rental unit(s), rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house, including for transient guest lodging (e.g. Airbnb) or as a bed & breakfast, unless he or she has a valid Residential Rental Permit issued by the code official in the name of the owner or agent for the specified residential rental unit, rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house. No person shall rent or lease a dwelling unit, except to a member of his or her family, without a dwelling unit Residential Rental Permit issued by the code official in the name of the owner or agent for the specific dwelling unit. Permits are not required for single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.

PMC 310.2 Application process. The owner or agent shall apply to the code official for Residential Rental Permit, certifying that the subject property is in compliance with Oxford's Property Maintenance Code and submitting the requisite application form, floor plan, and processing fees, in the event a processing fee is required. In addition, each owner or agent of residential rental property situated in the City is required to provide the code official with a copy of any Residential Rental Property Registration form(s) by the owner or owner's agent to the Butler County Auditor's Office in accordance with R.C. 5323.02.

PMC 310.2.1 Floor plan required. Every person submitting an application for a new rental property shall provide a floor plan of property to the code official, which shall be reviewed for compliance with the Oxford PMC and Zoning Code. The floor plan will include all habitable levels as well as stairway, windows, doors, room dimensions, and bedroom closets (which are not to be included in room dimension), and shall include room label such as kitchen, dining room, bedroom, etc. The submitted floor plan will be retained by the City in the Oxford Community Development Department's rental property file and shall be reviewed and/or updated upon any change in the property such as a change of ownership, building addition, or building alteration.

An owner or agent may be required to provide an updated floor plan if the code official deems the floor plan on file to be insufficient, inadequate, or outdated.

PMC 310.2.2 Inspection of residential rental property. At the time of each application for an initial or renewal of a Residential Rental Permit, and at any time thereafter when it appears an inspection is warranted, the code official may request permission of the property owner or the owner's agent to inspect the dwelling unit for compliance with Oxford's PMC in an effort to help ensure the safety and welfare of tenants living in its community. If the owner or agent grants the code official permission to inspect the premises, the inspection will be performed by the code official and/or another duly authorized person

conducting inspection for the City, with the owner or owner's agent present, within thirty (30) days of the owner or agent's grant of consent. The owner or agent must cooperate with the code official to ensure the timely completion of the full inspection.

If the property owner or agent does not consent to the inspection, or if the owner's agent, occupant, or any other person in charge of the property refuses to permit free access and entry to the property for the inspection after the property owner's voluntary consent has been obtained, the code official may appear before any judge in court of competent jurisdiction and seek an administrative search warrant to allow an inspection of the property. Any application for an administrative search warrant shall be made within ten (10) business days after consent and/or entry to the premises has been denied. The application for the warrant shall specify the basis upon which the administrative search warrant is being sought and shall include a statement that the inspection will be limited to determination as to whether there are violations of Oxford's PMC and/or Oxford's Zoning Code.

When determining whether a warrant shall issue, the court may consider the following:

1. Any plain view violations;
2. Any eyewitness account of a violation;
3. The nature of any alleged violation;
4. Records of past violations;
5. Violations which are apparent from City records;
6. Any citizen complaints concerning the property;
7. The age and condition of the property;
8. Any documented violations concerning similar properties in the area;
9. The conditions of the entire area;
10. The number of tenants that may be residing on the property;
11. The nature of the rental unit (i.e., one-family, lodging house, etc.);
12. The passage of time since the least inspection; and
13. Any other factor the court deems relevant.

If a warrant is issued, no property owner, occupant, or agent shall fail, upon presentation of the warrant, to permit entry to the property by the code official and/or any duly authorized person conducting inspection for the City for the purpose of an inspection that is consistent with this section and the warrant obtained. If the court does not issue a warrant, or if no warrant is sought, an inspection of the property shall still take place within thirty (30) days of the owner or agent's refusal to grant consent, or the denial of access to the property for an inspection if access has been denied, but the scope of the inspection shall be limited to such areas of the property that are in plain view. A plain view inspection shall be considered as "inspection" for the purpose of this section and any other applicable provisions of the Oxford's PMC. No criminal penalties or fines shall attach, nor shall any rental permit be denied, based solely on the owner's, occupant's or agent's refusal to consent to a full inspection. In the event that only a plain view inspection is conducted prior to the issuance of a Residential Rental Permit, the permit shall note that fact on its face, and the plain view inspection shall not constitute any evidence of PMC compliance with respect to any uninspected portions of the property.

Within five (5) business days of conducting a full or plain view inspection, the code official shall:

1. In the event of a full inspection, notify the property owner, or the owner's duly authorized agent, whether the property is in compliance with Oxford's PMC and, if it is not, what repairs and/or changes are required to bring the property into compliance with the code and the date by which the repairs and/or changes must be made.
2. In the event of a plain view inspection, notify the property owner, or the owner's duly authorized agent, whether the portions of the property that are in the plain view of the code official appear to be in compliance with Oxford's PMC and, if the portion of the property that is in the plain view does not appear to be in compliance with Oxford's PMC, what repairs and/or changes are required to bring the property into compliance with the code and the date by which the repairs and/or changes must be made. In all instances of plain view inspection, the code official is making no representation as to whether the inspected property is in full compliance with Oxford's PMC, as that cannot be adequately determined without the benefit of full inspection.

If, in the event of a full or plain view inspection, an owner and/or his agent is notified by the code official that repairs and/or changes to the property are required in order to bring the property into compliance with Oxford's PMC, the owner and/or agent shall have ten (10) business days to complete the requisite repairs or changes and shall immediately notify the code official upon the

completion of the requisite repairs and/or changes. Within five (5) business days of the code official's notification that the requisite repairs and/or changes have been completed, the code official shall reinspect the property to determine if the required repairs and/or changes have been successfully completed.

PMC 310.3. Permit issued. A copy of any permit issued pursuant to this section shall be protected and displayed in a conspicuous place on the premises at all times and shall state the maximum occupancy permitted on the premises as well as the name of the owner and the owner's designated agent(s). Every person holding a permit pursuant to this section shall return the permit to the code official within ten (10) days after having given up the control or operation of the residential rental property or having sold, transferred, given away, or otherwise disposed of the property. Every Residential Rental Permit issued for any rooming house, lodging house, multi-family dwelling, dwelling unit or fraternity/sorority house shall expire at the end of one (1) year following the effective date of the issuance of the permit, unless sooner revoked pursuant to PMC Section 310.4, or by operation of PMC Section 110. A Residential Rental Permit may not be issued to another owner or agent without a full or plain view reinspection of the premises by the code official.

PMC 310.4 Agent required. Every owner of a dwelling not residing on the premises shall appoint and designate an agent to act on owner's behalf and shall notify the code official with the telephone number of the appointed agent and the notification shall contain an acceptable of such appointment signed by the designated agent. An individual may act as his or her own agent so long as he or she is a resident of Butler County or one of its surrounding counties. The agent required by this section must be a permanent resident of Butler County, Ohio, or adjoining county, or an entity operating a permanent office in Butler County, Ohio, or an adjoining county. Adjoining counties are Hamilton, Montgomery, Preble, and Warren in Ohio, and Dearborn, Franklin, and Union County in Indiana.

PMC 310.4.1 Agent defined. An "agent" is defined as a responsible person or entity who, except in the case of the property owner, has been retained by and acts for, or in place of, the owner of a property with the responsibility of providing a healthy and safe environment for inhabitants by complying with all applicable rules and regulations and who has been granted authority by the owner to consent to inspections.

PMC 310.5 Revocation of rental permits. Whenever, upon inspection or any premises requiring a Residential Rental Permit, the code official finds that conditions or practices exist which are in violation of any provisions of the Oxford's PMC, the code official shall give notice in accordance with PMC Section 107 to the owner, or owner's agent, of the property, At the end of the time period specified in the notice, the code official shall reinspect the premises and if the code official finds that such conditions or practices have not been corrected and if no appeal has been filed in accordance with Section 111 of the PMC, the code official shall give notice in writing to the owner or owner's agent that the permit has been revoked. Upon receipt of such notice, the owner or the owner's agent shall immediately take any and all action necessary to cease operation of such rental unit or rental units and shall thereafter not permit any tenant to live, sleep, or reside in the property until another Residential Rental Permit is obtained.

PMC 310.6 Appeal of permit revocation. Any person who has received notice that his or her permit is being revoke unless existing conditions or practices at the rental premises are corrected may, within twenty (20) days after the date of such notice, fill an appeal and shall be granted a hearing upon the matter pursuant to PMC Section 111 (Means of Appeal").

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

9/1/2020

Account Code No. :

see below

Budgeted Amount :

Finance
Originating Department

Joe Newlin
Prepared By

8/26/2020
Date Prepared

Agenda Title: **2020 Supplemental Budget #6**

Recommendation: **Approve**

Issue 1

To make adjustment to budget for the receipt of our second CARES funding and the reimbursement for COVID-19 related expenditures. The time frame for the related expenditures is March 1, 2020 thru December 28, 2020.

Action Needed:

Revenue Side

Local Coronavirus Relief Fund (428) 214,432.00 CARES Receipts

Expense Side

Local Coronavirus Relief Fund (428) 214,432.00 Reimbursements for COVID-19 related expenditures

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

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

Breakdown by Fund

Local Coronavirus Relief Fund (428) -

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

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] , 8/26/20
[Signature] , 8/28/20

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO.3538. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 6 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2020.

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

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

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

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

Local Coronavirus Relief Fund 428	214,432.00
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SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Local Coronavirus Relief Fund 428	214,432.00
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SECTION 4: In all other respects, Ordinance No. 3538 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Finance
Originating Department

Council Meeting Of: 9/01/2020

Joe Newlin

Account Code No. _____

Prepared By:

Budgeted Amount: _____

08/21/2020
Date Prepared

Agenda Title: **3.65 and 3.25 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

JS 8/21/20
JS 9/01/20

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.

WHEREAS, Council in accordance with Ohio Revised Code, and having previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2021; 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 is within the ten mill tax limitation.

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

SECTION 1: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION: 2: 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 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

RESOLUTION 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, 2021; 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:

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	1,200,000.00		3.65	
GENERAL BOND RETIREMENT FUND				
PARK FUND		1,045,000.00		3.25
RECREATION FUND				
FIRE LEVY				
POLICE LEVY				
TOTAL	1,200,000.00	1,045,000.00	3.65	3.25

=====

SCHEDULE B

=====

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

=====

FUND	COUNTY AUDITOR'S ESTIMATE OF YIELD OF LEVY (Carry to Schedule A)	MAXIMUM RATE AUTHORIZED TO BE LEVIED
=====		
GENERAL FUND:		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
Current expense levy authorized by voters on ,20 not to exceed years.		
TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION	0.00	0.00
=====		
SPECIAL LEVY FUNDS: Park & Recreation		
Levy authorized by voters on May 8, 2018 1,045,000.00 not to exceed years.		3.25
Levy authorized by voters on ,20 not to exceed years.		0.00
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
Levy authorized by voters on ,20 not to exceed years.		
=====		

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

=====

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1159.03 ENTITLED DEFINITIONS (BEGINNING WITH LETTER “B”) AND SECTION 1159.21 ENTITLED DEFINITIONS (BEGINNING WITH LETTER “T”) IN CHAPTER 1159 ENTITLED DEFINITIONS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1159.03 ENTITLED DEFINITIONS (BEGINNING WITH LETTER “B”) AND SECTION 1159.21 ENTITLED DEFINITIONS (BEGINNING WITH LETTER “T”) IN CHAPTER 1159 ENTITLED DEFINITIONS TO BE IN COMPLIANCE WITH OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on August 11, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1159.03 entitled Definitions (beginning with letter “B”) and Section 1159.21 entitled Definitions (beginning with letter “T”) in Chapter 1159 entitled Definitions, and adopting new Oxford Codified Ordinance Section 1159.03 entitled Definitions (beginning with letter “B”) and Section 1159.21 entitled Definitions (beginning with letter “T”) in Chapter 1159 entitled Definitions to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts.

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

SECTION I: Council hereby repeals Oxford Codified Ordinance Section 1159.03 entitled Definitions (beginning with letter “B”) and Section 1159.21 entitled Definitions (beginning with letter “T”) in Chapter 1159 entitled Definitions, and adopts new Oxford Codified Ordinance Section 1159.03 entitled Definitions (beginning with letter “B”) and Section 1159.21 entitled Definitions (beginning with letter “T”) in Chapter 1159 entitled Definitions to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts as follows:

1159.03 DEFINITIONS (BEGINNING WITH LETTER “B”).

- (1) **BANK**
A building, or part of a building, used principally for the deposit and withdrawal of money and other financial transactions.
- (2) **BASEMENT**
The portion of a building which is partly underground and which has one-half or more of its ceiling height above the average finished grade of the ground adjoining the building.
- (3) **BED & BREAKFAST**
A principal use/building, sometimes the primary residence of the owner, where sleeping accommodations are offered for compensation, with or without meals, to transients occupying a room or rooms.
- (4) **BLOCK**
A tract of land bordered on all sides by a street, or by one or more streets and a railroad right-of-way, stream, river or un-subdivided acreage.
- (5) **BUILDING**
Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
- (6) **BUILDING, ACCESSORY**
Building Height:
 - A. The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.
 - B. When referring to a telecommunications tower or steeple, sign, or other structure, the

distance measured from the ground level or the structure's point of attachment (such as the roof for a residential TV antenna) to the highest point on the tower or other structure even if said highest point is an antenna.

(7) **BUILDING HEIGHT**

The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.

(8) **BUILDING LINE**

A line parallel to the street right-of-way line at any story level of a building and representing the distance which all or any part of the building is to be set back from said right-of-way property line.

(9) **BUILDING, MAIN**

A building in which the principal use of the site is conducted.

(10) **BUILDING PERMIT**

A document certifying that the plans reviewed conform to the requirements of the Building Code.

(11) **BUILDING, TEMPORARY**

A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

(12) **BUSINESS**

Retail, wholesale, and service establishments which cater to the community needs for goods and services.

A. Retail Business:

The sale of products directly to the consumer for personal, household or farm use including restaurants.

B. Wholesale Business:

The sale of products to retailers or to institutional, industrial, commercial and professional users.

C. Personal Service:

Any enterprise conducted for gain which primarily offers services to the general public including, but not limited to, shoe repair, barbershop, beauty parlor, or doctor's office.

D. Business Services:

Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or businesses.

(13) **BUSINESS INCUBATOR:**

An organization designed to accelerate the growth and success of entrepreneurial companies through an array of business support resources and services that could include physical space, capital, coaching, common services and networking connections.

1159.21 DEFINITIONS (BEGINNING WITH LETTER "T").

(1) **TALL STRUCTURE / SUPPORT STRUCTURE**

Any building or structure, other than a tower, which can be used for location of wireless and cellular telecommunication facilities.

(2) **THEATER**

A building used primarily for the presentation of live stage productions, performances, or motion pictures.

(3) **TOWER**

Any freestanding structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and alternative tower structures.

(4) **TRAILER**

A structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

(5) **TRANSIENT**

A person staying at a location such as a hotel, motel, bed & breakfast, or a dwelling offering transient guest lodging for less than thirty (30) consecutive days and does not use the location as his or her permanent address.

(6) **TRANSIENT GUEST LODGING**

An accessory use occupying an entire dwelling unit or portion thereof where sleeping accommodations are offered for compensation to transients occupying a room or rooms.

A. **TRANSIENT GUEST LODGING BOOKING**

Each instance of a reservation by an individual or group for transient guest lodging.

B. **TRANSIENT GUEST LODGING HOST**

Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for transient guest lodging.

C. **TRANSIENT GUEST LODGING HOSTING PLATFORM**

An internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange transient guest lodging and payment through the hosting platform.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

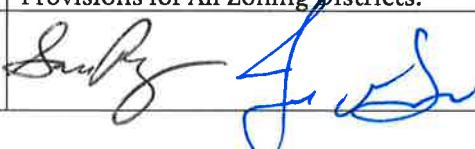
INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	August 24, 2020
COUNCIL MEETING DATE:	September 1, 2020
AGENDA TITLE:	An Ordinance repealing Oxford Codified Ordinance Chapter 743 entitled Short Term Rentals and adopting new Oxford Codified Ordinance Chapter 743 entitled Bed & Breakfasts; Transient Guest Lodging to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts.
CITY MANAGER/DEPT HEAD APPROVAL:	

Discussion:

Chapter 743, which enabled the creation of a citywide short term rental registration program, was originally adopted into the City's Business Code by City Council on April 16, 2019 by Ord. No. 3523. The purpose of the proposed amendments is two-fold: (1) to bring the Business Code in-line with the terminology and definitions used in newly proposed amendments to the Oxford Zoning Code allowing for short term rental operations (i.e. bed & breakfasts and transient guest lodging) subject to certain standards; and (2) to further protect neighborhood health, safety and general welfare by granting the Community Development Director the authority to revoke registration for properties which become subject to 2 or more civil and/or criminal citations.

Proposed Business Regulation Code Amendments

(Additions are in **bold**; Deletions are ~~struck-through~~)

Chapter 743 shall be amended to read as follows:

CHAPTER 743 – **BED & BREAKFASTS; TRANSIENT GUEST LODGINGS**~~SHORT TERM RENTALS.~~

743.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) **“Bed & Breakfast” means a building, sometimes the primary residence of the owner, where sleeping accommodations are offered for compensation, with or without meals, to transient users occupying a room or rooms.**
- (ba) “Director” means the Director of the City of Oxford Community Development Department or his/her designee.
- (cb) “Host” means any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for ~~short term rental~~ **transient guest lodging**.
- (de) “Hosting Platform” means an internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange ~~short term rental lodging~~ and payment through the hosting platform.
- (ed) **“Short Term Rental Transient Guest Lodging” means a dwelling unit or portion thereof where sleeping accommodations are offered for compensation to transient users occupying a room or rooms.** ~~that is rented, leased or otherwise assigned for tenancy of less than 14 consecutive days duration, where no meals are served.~~
- (fe) “Transient User” means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than ~~30~~**14** consecutive days duration.

743.02 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate **a bed & breakfast or transient guest lodging** ~~a short term rental~~ on any premises within the City of Oxford unless the **associated property** ~~short term rental~~ has been registered annually with the Community Development Department.

743.03 ANNUAL REGISTRATION.

Each annual registration for **bed & breakfasts and transient guest lodging** ~~a short term rental~~ shall be per the procedure prescribed by the Director, and shall be available for paperless, online registration upon the effective date of this chapter. The registration form, at a minimum, shall include the following:

- (a) The name, address, phone number, and email address of the host and of a person residing or located within Butler County or any other county bordering Butler County who shall be responsible for addressing any maintenance or safety concerns; and
- (b) The location of the **bed & breakfast, or dwelling unit to be used for transient guest lodging.** ~~short term rental.~~

743.04 DIRECTOR AUTHORITY TO REVOKE REGISTRATION

If a property registered as a bed & breakfast or for transient guest lodging is subject to two (2) or more civil and/or criminal citations, the Director may revoke the registration. Civil citations may include, but are not limited to, reported violations of building, safety, property maintenance,

nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal citations may include, but are not limited to, reported drug activity, theft and criminal mischief.

743.054 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.

Each separate short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

743.99 ENFORCEMENT AND PENALTY.

Failure to comply with any section or provision of this chapter shall be deemed a violation. Enforcement of any of the provisions of the chapter may be by civil action and/or criminal prosecution. Whoever violates Section 743.02 is guilty of a minor misdemeanor.

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 743 ENTITLED SHORT TERM RENTALS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 743 ENTITLED BED & BREAKFASTS; TRANSIENT GUEST LODGING TO BE IN COMPLIANCE WITH OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on August 11, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts, and adopting new Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts.

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

SECTION I: Council hereby repeals Oxford Codified Ordinance Chapter 743 entitled Short Term Rentals and adopts new Oxford Codified Ordinance Chapter 743 entitled Bed & Breakfasts; Transient Guest Lodging to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts as follows:

CHAPTER 743 Bed & Breakfasts; Transient Guest Lodging

743.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) "Bed & Breakfast" means a building, sometimes the primary residence of the owner, where sleeping accommodations are offered for compensation, with or without meals, to transient users occupying a room or rooms.
- (b) "Director" means the Director of the City of Oxford Community Development Department or his/her designee.
- (c) "Host" means any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for transient guest lodging.
- (d) "Hosting Platform" means an internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange lodging and payment through the hosting platform.
- (e) "Transient Guest Lodging" means a dwelling unit or portion thereof where sleeping accommodations are offered for compensation to transient users occupying a room or rooms.
- (f) "Transient User" means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than 30 consecutive days duration.

743.02 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate a bed & breakfast or transient guest lodging on any premises within the City of Oxford unless the associated property has been registered annually with the Community Development Department.

743.03 ANNUAL REGISTRATION.

Each annual registration for bed & breakfasts and transient guest lodging shall be per the procedure prescribed by the Director, and shall be available for paperless, online registration upon the effective date of this chapter. The registration form, at a minimum, shall include the following:

- (a) The name, address, phone number, and email address of the host and of a person residing or located within Butler County or any other county bordering Butler County who shall be responsible for addressing any maintenance or safety concerns; and

- (b) The location of the bed & breakfast, or dwelling unit to be used for transient guest lodging.

743.04 DIRECTOR AUTHORITY TO REVOKE REGISTRATION.

If a property registered as a bed & breakfast or for transient guest lodging is subject to two (2) or more civil and/or criminal citations, the Director may revoke the registration. Civil citations may include, but are not limited to, reported violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal citations may include, but are not limited to, reported drug activity, theft and criminal mischief.

743.05 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.

Each separate short term rental shall be in compliance with any currently applicable laws and regulations of the federal, state, or local governments, as may be amended from time to time including but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

743.99 ENFORCEMENT AND PENALTY.

Failure to comply with any section or provision of this chapter shall be deemed a violation. Enforcement of any of the provisions of the chapter may be by civil action and/or criminal prosecution. Whoever violates Section 743.02 is guilty of a minor misdemeanor.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1147.03(b) ENTITLED USES IN CHAPTER 1147 ENTITLED CONDITIONAL USES AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1147.03(b) ENTITLED USES IN CHAPTER 1147 ENTITLED CONDITIONAL USES TO BE IN COMPLIANCE WITH OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS.

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on August 11, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1147.03(b) entitled Uses in Chapter 1147 entitled Conditional Uses, and adopting new Oxford Codified Ordinance Section 1147.03(b) entitled Uses in Chapter 1147 entitled Conditional Uses to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts.

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

SECTION I: Council hereby repeals Oxford Codified Ordinance Section 1147.03(b) entitled Uses in Chapter 1147 entitled Conditional Uses, and adopts new Oxford Codified Ordinance Section 1147.03(b) entitled Uses in Chapter 1147 entitled Conditional Uses to be in compliance with Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts as follows:

(b) Uses.

(1) Agricultural Services.

A. Potential Concerns.

1. Produce and meat storage areas.
2. Noise, dust, and odor from operations.
3. Truck routes from municipal boundary.
4. Temporary sales.

B. Regulations.

1. Farm product storage buildings shall be set back a minimum of 100 feet from a residential zoning district.
2. No outdoor farm machinery repair unless entirely enclosed within a screening fence.
3. Animal enclosures shall be set back a minimum of 200 feet from all lot lines.

(2) Airports and Landing Strips.

A. Potential Concerns.

1. Aircraft noise.
2. Dust from operations.
3. Lighting.
4. Proximity of powered aircraft on the ground to lot lines and adjacent uses.

B. Regulations.

1. Compliance with FAA regulations.
2. Runway locations will not require height restrictions on other properties less than would normally be required by dimensional regulations of the zoning district.
3. Runways and taxiing areas shall be setback a minimum of 100 feet from a residential zoning district.
4. Aircraft storage and service buildings shall be setback a minimum of 100 feet from a residential zoning district.

(3) Animal Hospitals, Veterinary Clinics, and Kennels.

A. Potential Concerns.

1. Traffic generation from associated retail sales.
2. Location of diagnosis and outdoor activity areas relative public streets and residential zoning district.

3. Design of facilities that will help ensure humane conditions and treatment of animals.
 4. Animal noise and odor.
 - B. Regulations.
 1. Outdoor pens are not permitted.
 2. Outdoor activity shall be limited to diagnosis and temporary outdoor activity for boarded animals.
- (4) Bed & Breakfast.
- A. Potential Concerns.
 1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
 2. Condition, care, and occupancy of property during times when not occupied by guests.
 3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
 4. Proximity to Arterial/Collector roadway(s).
 - B. Regulations.
 1. Compliance with Property Maintenance Code.
 2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
 3. Bed & Breakfasts are prohibited in Neighborhood Conservation Overlays.
 4. The Conditional Use Permit shall specify the maximum number of cumulative days the bed & breakfast may be booked throughout a calendar year period, as well as the maximum guest occupancy at any one time.
 5. All bed & breakfasts shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.
- (5) Gas Station with Convenience Store.
- A. Potential Concerns.
 1. Adequate design of vehicle management area.
 2. Location of fuel pumps and pump canopy.
 3. Outdoor sales and storage.
 - B. Regulations.
 1. All merchandise shall be located within a completely enclosed structure.
 2. Fuel pumps shall be set back a minimum of 30 feet from lot lines or 40 feet from a residential zoning district.
 3. Fuel pump canopies shall be set back a minimum of 20 feet from lot lines or 40 feet from a residential zoning district.
- (6) Vehicle Service and Repair.
- A. Potential Concerns.
 1. Proper design of vehicle management area.
 2. Proximity of service areas to lot lines and adjacent uses.
 3. Outdoor sales and storage.
 4. Tow truck storage.
 - B. Regulations.
 1. All disassembly, service, and assembly of vehicles shall be within a completely enclosed structure.
 2. All service equipment and supplies shall be within a completely enclosed structure.
 3. Vehicles being serviced or awaiting service shall not be stored in an unenclosed area for more than 7 days.
 4. Vehicle service bays shall be setback a minimum of 100 feet from a residential zoning district.
- (7) Vehicle Washing Facility.
- A. Potential Concerns.
 1. Design of vehicle management area.
 2. Enclosure of potential nuisances.
 3. Screening from adjacent uses residential.
 4. Lighting.
 5. Hours of operation.
 - B. Regulations.
 1. Wash bays shall be setback a minimum of 100 feet from a residential zoning district.

2. Outdoor equipment (such as vacuum stations) shall not be located in a yard adjacent to a residential zoning district.
 3. Queuing spaces shall not be located in a yard adjacent to a residential zoning district.
- (8) Drive-Through Banking and Pharmacy Facilities.
 - A. Potential Concerns.
 1. Design of vehicle management area.
 2. Noise from operations (vehicle and loudspeaker).
 3. Screening from adjacent uses.
 - B. Regulations.
 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.
- (9) Drive-Through Convenience and Beverage Facilities.
 - A. Potential Concerns.
 1. Design of vehicle management area.
 2. Noise from operations (vehicle and loudspeaker).
 3. Proximity to churches, schools, other similar institutions.
 4. Location and adequacy of dumpsters.
 - B. Regulations.
 1. Structure shall be set back a minimum of 50 feet from a residential zoning district.
 2. Drive-through stations shall be completely enclosed.
 3. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 4. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district.
- (10) Drive-Through Restaurant Facilities.
 - A. Potential Concerns.
 1. Design of vehicle management area.
 2. Noise from operations (vehicle and loudspeaker).
 3. Signs and menu boards.
 4. Location and adequacy of dumpsters.
 - B. Regulations.
 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.
- (11) Bars and Taverns.
 - A. Potential Concerns.
 1. Evening traffic.
 2. Noise from operations (music).
 3. Location and adequacy of dumpsters.
 - B. Regulations.
 1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district
 2. Structure shall be set back a minimum of 50 feet from a residential zoning district
- (12) Indoor Sports and Recreation Facilities such as Bowling Alleys, Skating Rinks, Tennis and Racquetball Courts, Soccer Fields, and Swimming Pools.
 - A. Potential Concerns
 1. Traffic volume during group or league events.
 - B. Regulations.
 1. Entrance to structure shall not be located in a yard adjacent to a residential zoning district.
 2. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 3. Structure shall be set back a minimum of 30 feet from a residential zoning district.

- (13) Building Materials Sales Yards.
- A. Potential Concerns
 1. Noise, dust, vibration from operations.
 2. Height and visibility of merchandise storage structures.
 3. Commercial vehicle storage.
 4. Location of loading spaces and on-site management of delivery vehicles.
 5. Unenclosed storage and display.
 - B. Regulations.
 1. Traffic management areas shall not be located in a yard adjacent to a residential district.
 2. Commercial woodworking equipment and other similar machinery shall not be permanently affixed or operated within 50 feet of a residential zoning district, except within a completely enclosed structure.
- (14) Cemeteries.
- A. Potential Concerns
 1. Location and size of structures including mausoleums, chapels, gatehouses, crematoriums, offices, and service and storage buildings.
 2. Appropriate screening, ornamental fencing, and landscaping to minimize potential nuisance.
 - B. Regulations.
 1. Driveways shall be set back a minimum of 10 feet from all lot lines.
 2. Grave markers, mausoleums, and other monuments shall be setback a minimum of 10 feet from all lot lines.
- (15) Churches, Libraries, Community and Recreation Centers.
- A. Potential Concerns
 1. Adequate lot size to permit future expansion.
 2. Location and screening of outdoor recreation areas.
 3. Bus or van storage.
 4. Lighting.
 5. Parking and traffic impact.
 - B. Regulations.
 1. None.
- (16) Clinics.
- A. Potential Concerns
 1. Extent of accessory services.
 2. Hours of operation.
 - B. Regulations.
 1. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may not be accessible directly from the exterior of the building and may operate only during the hours of operation for the clinic.
- (17) Golf and Country Clubs.
- A. Potential Concerns.
 1. Proximity of fairways and greens to lot lines and adjacent structures.
 2. Trajectory of golf balls.
 3. Location of cart paths.
 4. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 5. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 1. Cart paths shall be a minimum of 10 feet from all lot lines.
 2. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (18) Service Organization Lodges.
- A. Potential Concerns
 1. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 2. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 1. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their

- operation as a principal use.
- (19) Fraternity and Sorority Houses.
- A. Potential Concerns.
1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 3. Vehicle Management:
 - a. Site access.
 - b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 5. Nuisance:
 - a. Waste/trash management.
 - b. Noise and off-site impact.
 - c. Lighting and off-site impact.
- B. Requirements:
1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.
- (20) Family Community Residence, Group Community Residence, and Community Residence.
- A. Potential Concerns.
1. Maximum occupancy and staffing.
 2. Appropriate indoor and outdoor recreation areas.
 3. Proximity to and number of similar uses in Oxford.
- B. Regulations.
1. Site shall be a minimum of 891 feet from any other Community Residence
- (21) Day Care Centers and Nursery Schools.
- A. Potential Concerns
1. Location and adequacy of planned outdoor play area.
 2. Noise.
 3. Adequate drop-off facilities.
- B. Regulations.
1. Use of outdoor play areas shall be limited to between the hours of 8:00 a.m. and 8:00 p.m. daylight hours.
- (22) Drive-In Theater.
- A. Potential Concerns
1. Appropriate screening.

2. Setback and visibility of screen from residential zoning district and public streets.
 3. Design of vehicle management area, especially street access.
 4. Noise from operations (vehicle).
 - B. Regulations.
 1. No outdoor loudspeaker is permitted.
- (23) Elderly Housing, Congregate Housing.
- A. Potential Concerns.
 1. Proximity to existing or possible area uses that are potentially dangerous to elderly or handicapped occupants.
 - B. Regulations.
 1. Maximum density of 1 dwelling unit per 3,000 square feet
- (24) Funeral Homes and Mortuaries.
- A. Potential Concerns.
 1. Design of vehicle management areas to ensure quick and efficient access to public streets during processions.
 2. Adequate cue space at drop-off areas to ensure that access to parking spaces is not impeded.
 - B. Regulations.
 1. All hearses, limousines, and other related business vehicles shall be stored within an enclosed building when not in use
 2. Parking areas are exempt from provisions of the Vehicle Management regulations that would prevent a vehicle management area that is designed to facilitate funeral processions.
- (25) Gaming Arcades.
- A. Potential Concerns.
 1. Proximity to schools, churches, and establishments serving alcohol.
 2. Proximity to residential zoning district.
 3. Adequate screening of parking and outdoor gathering areas.
- (26) Hospitals.
- A. Potential Concerns.
 1. Location of parking for employees.
 2. Parking for visitors.
 3. Design of drop-off area.
 4. Emergency vehicle access to the site and to the building.
 5. Adequate lot size and shape to handle current proposal and possible additions.
 6. Screening.
 7. Access to appropriate street.
 8. Helicopter landing facilities.
- (27) Motels.
- A. Potential Concerns.
 1. Proximity to residential.
 2. Screening from residential.
 3. Appropriate street access.
- (28) Nursing Homes, Convalescent Homes.
- A. Potential Concerns.
 1. Adequate lot size to provide for visitors and for outdoor activities.
 2. Access to an appropriate street.
 3. Adequate screening from residential.
 - B. Regulations.
 1. Minimum 500 square feet per bed of on-site open space.
- (29) Riding Academies, Stables.
- A. Potential Concerns.
 1. Adequate lot size.
 2. Noise and dust from operations.
 3. Security fencing.
 4. Location of corrals and other animal areas.
 5. Adequate vehicle management area for transportation of animals.
 6. Hours of operation.
 - B. Regulations.
 1. Any area designed to accommodate animals used in the operations shall

be set back a minimum of 50 feet from any lot line.

- (30) Schools.
- A. Potential Concerns.
 - 1. Adequate lot size to permit future expansion.
 - 2. Bus and van storage.
 - 3. Access to streets that can handle traffic generated by the use.
 - 4. Design of vehicle management area.
 - 5. Location of outdoor facilities such as ball fields and band practice areas.
 - 6. Proximity to incompatible uses (establishments serving alcohol).
 - B. Regulations.
 - 1. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 2. Structure shall be setback a minimum of 30 feet from a residential zoning district.
- (31) Temporary and/or Outdoor Sales of Plants and Garden Supplies.
- A. Potential Concerns.
 - 1. Signs.
 - 2. Sight distance at corner lots.
 - B. Regulations.
 - 1. Storage of goods shall not reduce the usable number of parking spaces by more than 10 percent of the required total.
 - 2. Goods shall not be stored in a driveway required to access required parking spaces.
- (32) Mini-Warehouse (Self-Storage Units):
- A. Potential Concerns
 - 1. Adequate lot size
 - 2. Design of vehicle management area
 - 3. Outdoor storage-inoperable vehicles and junk
 - 4. Hours of operation
 - 5. Proximity to residential zoning districts
 - 6. Flammable, combustible material stored on site
 - 7. Compatibility of the scale and character of the project with surrounding properties and existing uses
 - B. Regulations
 - 1. Site shall be at a minimum of two acres, and maximum of five acres in area
 - 2. Parking area shall not be located in yard adjacent to a residential zoning district
 - 3. Outdoor security lighting shall be designed to prevent spillover to adjoining properties
 - 4. Landscaping along the public street
 - 5. Any chain-link fence shall have limited visibility from the public street, unless approved by the Planning Commission.
 - 6. Sufficient isle way width and on-site water supply (including fire hydrants locations) will be determined by the Oxford Fire Chief, between buildings for firefighting purposes.
 - 7. Design of the building and site shall be consistent with the following criteria:
 - a. The rear of the principal building shall not face the public right-of-way
 - b. The front façade of the principal building shall be finished utilizing masonry material that has textured relief. No vinyl or aluminum shall be used in finishing on the front façade of the building.
 - c. The building façade shall have different articulation in height and setbacks.
 - d. The roof of the principal building shall not be a long continuous flat roof and a break in length and elevation shall be provided in regular interval.
 - e. The entrance to the site shall be designed to allow sufficient queuing that on-street traffic will not be impacted.
 - f. Outdoor storage shall have limited visibility from the public right-

- of-way.
 - g. There shall be no employee residing on site, unless specifically approved by the Planning Commission and the City Council.
 - C. Other
 - 1. Encourage the mini-warehouse as the second principal use in conjunction with or behind other principal uses.
- (33) Business Incubator:
 - A. Potential Concerns
 - 1. Hours of operation
 - 2. Type of businesses generating noise, vibration, fumes and other obnoxious environmental concerns
 - 3. Outdoor operations
 - B. Regulations
 - 1. All activities/merchandise shall be located within a completely enclosed space.
 - 2. Sized adequately to provide all necessary business support
- (34) Off-site Parking and Shared-Use Parking
 - A. Potential Concerns
 - 1. Adequate supply of spaces for all modes of transportation
 - 2. Distance from use
 - 3. Hours of operation/schedule conflict
 - 4. Valet service
 - 5. Proximity to mass transit
 - 6. Accommodation for special needs/accessibility
 - 7. Maintenance responsibility
 - 8. Future land use changes/parking demand
 - B. Regulations
 - 1. Recorded easement agreement
 - 2. Specific distance limit for off-site
 - 3. Performance review timeframe
 - 4. Requires evidence justifying sufficient parking
- (35) Parking Lot Alternate Design Plan
 - A. Potential Concerns
 - 1. Safety of all modes of transportation
 - 2. Green space
 - 3. Storm water quality/environmental
 - 4. Storm water quantity/run off rate
 - B. Regulations
 - 1. Any additional factors that affect the practical application of this section, such as notable topographic changes, watercourses, and bodies of water
 - 2. Conditions of approval to protect the public health, safety, and general welfare
 - 3. Modifications of this chapter to protect the public health, safety and general welfare.
- (36) Floor Area Exceeding Maximum Allowable Square Footage
 - A. Potential Concerns
 - 1. Adequate lot size
 - 2. Adequate design of vehicle management area
 - 3. Setback from residential zoning setback and public streets
 - 4. Buffering and screening
 - 5. The hours of operation
 - B. Regulations
 - 1. The building exterior shall be compatible with the characteristics of neighboring structures.
 - 2. Parking shall not be in the front yard
 - 3. Other vehicular related concerns, i.e. ingress and egress, etc....
- (37) Hours of Operation Beyond Normal
 - A. Potential Concerns
 - 1. Noise generation impacting surrounding properties
 - 2. Potential exterior lighting, including signage, affecting adjoining properties
 - 3. Potential traffic during those additional hours

- B. Regulations
 - 1. Noise level be kept below allowable level, unless approved by the City Council
 - 2. Solid screening to buffer noise and outdoor lighting
- (38) Residential Units on the First Floor or Basement
 - A. Potential Concerns
 - 1. Reduce available non-residential site available for development
 - 2. Potential impact to other non-residential development
 - B. Regulations
 - 1. The exterior appearance shall be consistent with adjoining properties
- (39) Accessory Building to be used as a dwelling unit
 - A. Potential Concerns
 - 1. Vehicle management
 - 2. Location of the accessory building
 - B. Regulations
 - 1. Relationship of its size, mass, height and square footage to the principal building
 - 2. Building style and material
 - 3. Building orientation consistent with the principal building.
- (40) Transient Guest Lodging as an Accessory Use (greater than 90 cumulative days booked per year).
 - A. Potential Concerns.
 - 1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
 - 2. Condition, care, and occupancy of property during times when not occupied by guests.
 - 3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
 - B. Regulations.
 - 1. Compliance with Property Maintenance Code.
 - 2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
 - 3. Compliance with all other provisions applicable to Transient Guest Lodging.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

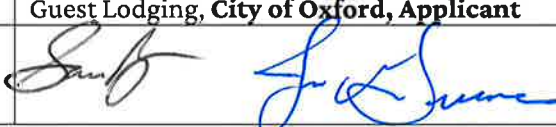
INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	August 24, 2020
COUNCIL MEETING DATE:	September 1, 2020
AGENDA TITLE:	PC-2020-08, ZONING CODE TEXT AMENDMENT , to amend multiple chapters of the Zoning Code, Bed & Breakfasts, Transient Guest Lodging, City of Oxford, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	

Proposal Summary:

The City of Oxford's Community Development Department has initiated a proposed text amendment to Oxford's Planning and Zoning Code to officially recognize and incorporate zoning allowance for short-term rentals, subject to certain standards. Short-term rental as a principal use would be defined as a bed & breakfast (B&B) and continue being allowed with a Conditional Use permit in all residential zones (except in Neighborhood Conservation Overlays), while short-term rental as an accessory use would be defined as transient guest lodging (TGL) and permitted by-right in any principally permitted dwelling unit for up to 90 total days annually.

Background:

The City has explored the passage of short-term rental regulations for some time. An initial set of text amendments received a Planning Commission recommendation in 2018, but failed to garner enough Council support to move forward. In April 2019, Council adopted Ord. No. 3523 requiring all short-term rentals to register with the City administration. The purpose of the registration program was to gain a more complete understanding of the extent and magnitude of rentals operating within Oxford, in order to inform the adoption of appropriately tailored regulations. Following data collection, staff presented a Findings Report to Council in September 2019. Community Development later partnered with Miami University Farmer School of Business to conduct additional short-term rental research examining transaction data (AirDNA) for the City of Oxford and surrounding areas, completed in January 2020.



The City of Oxford
(513) 524-5200
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Oxford, OH 45056

After analyzing local collected data as well as strategies employed by other communities across the country, staff presented an initial draft of regulations to the Planning Commission on June 9. The Commission expressed general approval of the framework presented and permitted the proposal to be more openly shared with rental hosts/stakeholders in the community. An outreach effort by the department over the next two months spurred additional feedback, and a summary report of common observations and objections was shared with the Commission on August 11.

Discussion and Recommended Conditions:

The proposal was again considered by the Planning Commission on August 11. Several of the notable discussion points included: (1) the balancing act between supporting supplemental income vs. housing supply; (2) establishing a threshold based on the data which best encourages owner-occupancy over investor ownership; and (3) potential owner disputes which could arise when applying the standards to condominium units. Ultimately, the overall sentiment was that the language was in a good enough place to move forward. The Commission unanimously voted 7-0-0 to recommend approval of the text amendments subject to the following condition:

- 1) The definitions of Bed & Breakfast and Transient Guest Lodging shall be amended to clarify the former as a principal use and the latter as an accessory use.

Staff Follow-Up:

The text amendment language attached to this staff report incorporates the above condition. Additionally, a few other minor tweaks are now proposed, which include: (1) swapping out the term “consideration” for “compensation” in the definitions of bed & breakfasts and transient guest lodging for ease of understanding; and (2) allowing greater flexibility for two-family and three-family structures, whereby instead of only 1 unit being allowed to rent up to 90 days on a short-term basis, the cumulative limit of 90 days can be shared among the 2-3 units within the structure so long as no more than unit is rented to guests at a time.



STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

Applicant	City of Oxford Community Development Department
Action Request	Zoning Code Text Amendment – Bed & Breakfasts (B&Bs) & Transient Guest Lodging (TGL)
Initiation Date	June 29, 2020
Affected Code Sections	Oxford Zoning Code Sections: 1141.01(c)(6); 1143.01(b)(1); 1143.02(b)(1); 1143.03(b)(1); 1143.04(b)(1); 1143.05(b)(1); 1143.06(b)(1); 1143.065(b)(1); 1143.07(b)(1); 1143.09(b)(1); 1143.15(b); 1147.03(b)(4); 1147.03(b)(40); 1159.03; 1159.21 Business Code Sections: 743.01; 743.02; 743.03; 743.04 Property Maintenance Code Sections: 310.1
Staff Recommendation	Recommend Approval to City Council

PROPOSAL SUMMARY

City staff has initiated text amendments to the Oxford Zoning Code in order to officially recognize and incorporate zoning allowance for short-term rentals, subject to certain standards. Staff proposes to retire the term “short-term rental” and replace with two distinctly defined uses: (1) bed & breakfasts (B&Bs); and (2) transient guest lodging (TGLs). For all residentially zoned areas, TGLs would be allowed as an accessory use, and B&Bs would continue to be allowed as a Conditional Use except within Neighborhood Conservation Overlays (NCOs). To ensure consistency across all local codes, additional sections of the Oxford Business Code and Property Maintenance Code will also need amended but the Planning Commission is not required to make a recommendation on these; nevertheless, all relevant code sections are documented in this report.

BACKGROUND

The City has explored the passage of short-term rental regulations for some time. The Oxford Business Code currently defines a short-term rental as a dwelling unit that is rented, leased, or otherwise assigned for tenancy for less than 14 consecutive days duration for any single stay.

On April 16, 2019, City Council adopted an ordinance (Ord No. 3523) requiring all short-term rentals to register with the City administration. The purpose of the registration program was to gain a more complete understanding of the extent and magnitude of short-term rentals operating within Oxford, in order to inform the adoption of appropriately tailored regulations. Community Development Department staff later presented a Findings Report to City Council on September 3, 2019, which utilized data collected from the registration program. The Department also partnered with Miami University Farmer School of Business to conduct additional short-term rental research examining transaction data (AirDNA) for the City of Oxford and surrounding areas, completed in January 2020.

After analyzing local collected data as well as strategies employed by other communities across the country, City staff drafted an initial set of regulations and presented them in detail to the Planning Commission during its June 9 meeting. Following discussion and questions, the Commission expressed its general approval of the framework presented and permitted the language to be shared with short-term rental hosts/stakeholders in the community for further feedback, in anticipation of a formal vote at a later time.

PROPOSAL DESCRIPTION

The City's drafted regulations propose to retire the term "short-term rental" and replace with two distinct use definitions: (1) bed & breakfasts (B&Bs); and (2) transient guest lodging (TGLs). Guest stays at a B&B/TGL establishment are defined as lasting up to 29 consecutive days per stay.

Bed & breakfasts are currently permitted as a principal use of property on a conditional basis in all residential zoning districts, subject to City Council approval. This policy is proposed to continue, with some additional standards including the filing of a rental permit to ensure the property is compliant with local codes and safe for guests. All previously approved B&Bs would continue to be valid so long as permits are kept in good standing. During review of a Conditional Use, maximums would be set for the number of days booked annually as well as guest occupancy at one time.

Transient guest lodging is proposed to be added to the Code and defined as an accessory use of property whereby a 1-family, 2-family or 3-family structure could have one unit rented out to transients no more than 90 total days per year, with no more than 1 booking at a time, and thus otherwise subject to all other permitting procedures and safety standards normally required of long-term rentals. Normal occupancy restrictions – a max of 2 unrelated per dwelling unit in an NCO, or a max of 4 unrelated per dwelling unit elsewhere – would continue to apply. Any TGL booked greater than 90 days per year could potentially be accommodated as a B&B through the Conditional Use process.

The Property Maintenance Code requires a minor amendment to ensure provisions apply equally to short-term rentals, as there is currently exemption. An additional provision is also proposed for the Business Code to help ensure the health & safety of neighborhoods; for any registered B&B or TGL, the Community Development Director would be given the authority to revoke registration if the property becomes subject to 2 or more civil and/or criminal citations.

DEPARTMENT COMMENTS

Below are comments from City departments:

Department	Respondent	Response
Economic Development	Jessica Greene, Assistant City Manager	Returned with comments <i>I support the language allowing Transient Guest Lodging in our community. I believe that these overnight stays allow for an important economic driver in our community.</i> <i>I also support a limit on the number of days for their use, as it may limit the number of these types of rentals. This limitation may encourage these spaces to be used as family homes.</i> <i>I feel this proposed language strikes the correct balance of both our economic goals and our goal of having adequate family housing.</i>
Engineering	Scott Otto, City Engineer	Returned without comments

Fire

John Detherage, Fire Chief

Returned without comments

Police

John Jones, Police Chief

Returned without comments

PUBLIC COMMENTS

Director Sam Perry sent out an email blast to all of the City's registered hosts in early July, advertising the proposed regulations on the City website. A special webpage was created to showcase prior reports and a regulation summary, and included a comment form for stakeholders to indicate their position and directly share any thoughts or questions. As of the writing of this report, 5 stakeholders responded via the online comment form (submissions attached). Staff followed up with each respondent either via email or phone, to ensure all questions had been answered and expressed objections were understood. A summary of four key concerns is provided below:

- 90-day maximum for a permitted TGL is too low and would decrease economic & tourism activity. Two (2) of the respondents felt that 90 days annually was not enough for permitted TGLs. One (1) respondent commented that he books on average 120 nights per year. The limit of 90 was originally selected due to the Miami data showing this would cover more than two-thirds of all short-term rentals operating in the Oxford market area. Other communities, such as Ames IA and New Orleans LA, have also imposed the same limit. In addition, regulating based on owner-occupancy could prove more difficult to accommodate as a single permit addressing both long-term and short-term leases/stays.
- Opposition to limit of 1 booking at a time. Three (3) respondents opposed restricting rentals to no more than 1 booking (guest contract) at a time. In observing other communities' regulations, staff found this to be a common standard for permitted rentals in residential areas and thus felt it should be included to reduce the appearance of turnover activity on-site (# of vehicles, etc.) and resulting impacts to neighbors.
- It may prove difficult for an owner/host to comply with unrelated occupant restrictions. One (1) respondent commented that trying to verify relationships between individuals could prove difficult, since it only takes one person to book a guest contract for multiple individuals as opposed to a long-term lease contract which is arranged per person. Staff's rationale for applying the "4 unrelated" max to short-term rentals was to maintain consistency across all rentals, rather than applying different rules depending on the length of stay being greater or less than 30 days.
- TGLs rented only a few days per year are discouraged due to upfront permit fees. One (1) respondent commented on the cost-prohibitive nature of current Rental Permit fees being applied to all TGLs. The current fee for a new rental is \$110, and annual renewal fees are \$55.

DECISION STANDARDS

Oxford Zoning Code Chapter 1135 outlines the text amendment process and decision standards that the Planning Commission must follow in making its recommendation to Council. At least one of the criteria must be met in order to recommend approval. The decision criteria are as follows and attached in the Appendix:

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan. While the Oxford Comprehensive Plan does not specifically mention short-term rentals (e.g. Airbnb, VRBO, etc.) or transient guest lodging, much discussion is devoted to the subject of rental housing. The Housing Chapter specifies the need to improve rental housing, especially in the Mile

Square where the trend has been the conversion of units from owner-occupancy to student rentals, and to encourage rental units to meet the needs of the year-round population. The Chapter further encourages the redevelopment and revitalization of existing under-utilized housing, as opposed to constructing new housing on the outskirts of the City leading to urban sprawl. The University and Community Chapter also includes an objective to ensure all rental housing is safe, sanitary, and properly permitted. The proposed B&B/TGL legislation touches upon a number of the elements expressed by the Comprehensive Plan:

- H1 – Improve housing conditions in the Mile Square & H3 – Improve Rental Housing: This legislation would allow primary owner-occupants to rent out their units part of the year (90 days or less) for transient guest occupancy, thereby helping to off-set housing costs or producing additional income that could be put toward housing maintenance and improvements;
- H3.5 – Encourage rental units to meet the needs of the year-round resident population: The 90-day threshold helps to meet the needs of permanent occupants, while sufficiently discouraging conversion to a business-oriented model whereby units are rented out more consistently throughout the year; and
- H3.1 – Improve and expand code enforcement & UC 3.1 – Ensure all rental housing is safe, sanitary and properly permitted housing: The proposed legislation would extend existing policies and procedures conducted for long-term rentals to apply also to bed & breakfasts and transient guest lodging situations, which includes standards ensuring the safety of units for guests/tenants.

- B. The proposed amendment will improve the health, safety, and general welfare of Oxford.

Staff acknowledges a potential negative consequence of permitting transient guest lodging as a by-right use is the loss of units oriented toward permanent occupancy by families. However, we believe the proposed limitations help to strike an adequate balance between this concern and that of allowing owners to utilize their properties in ways that can generate additional income, while also offering opportunities for visitors who prefer a somewhat more authentic lodging experience to enjoy their time while in Oxford and contribute toward the local economy.

- C. The proposed amendment will clarify the intent of the Code.

The Zoning Code is antiquated in the sense it only regulates Bed & Breakfasts, requiring a Conditional Use review in all residentially zoned areas. The Code must be updated to adjust to the 21st century sharing economy, to allow for transient guest lodging by-right with reasonable limits.

- D. The proposed amendment will better implement the intent of the Code.

Past amendments to the Code have clarified certain accessory uses of residential property, including those for accessory dwelling units (ADUs) and home occupations. Adopting regulations for TGLs will better clarify and implement the intent of the Code in allowing for reasonable short-term rental of property, either in a shared-room setup or as an entire dwelling.

- E. The proposed amendment will improve enforcement of the Code.

Adopting these regulations will clarify for staff which rental situations require enforcement. The registration program did not constitute zoning approval of any short-term rental use within the City, therefore enforcement of the Code's current Bed & Breakfast provisions has been deferred in the interim, pending adoption of a new ordinance.

STAFF RECOMMENDATION

Based upon a review of the Decision Standards, staff recommends approval of the text amendment request. The Commission can cite the staff findings or make its own in its recommendation to City Council.

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: July 28, 2020

EXHIBIT A

RELEVANT ZONING CODE PROVISIONS

Chapter 1135 governs amendments to the Zoning Code:

1135.01 – General.

- (a) This Zoning Code is generally intended to provide for long-term land use and site planning in Oxford. However, there are times that the public necessity, convenience, general welfare, or good zoning practice require amendments to this Code. This section provides the procedures and standards by which this Code will be amended.
- (b) There are two types of possible amendments to this Code. A text amendment changes the written text of the Code, which equally affects all land and improvements that are subject to such regulation. A map amendment (also called rezoning) changes the boundaries between zoning districts on the Zoning Map, which equally affects all of the land that is so rezoned.

1135.02 – Procedure.

(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.

A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.

(1) Referral to Planning Commission.

After the proper initiation of a text amendment, the Zoning Administrator shall place the item on the Planning Commission agenda as required by Section 1129.09, Application Administration.

(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.

All applications:

- 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.

Also required for text amendments:

- A. Any existing section number and text that is proposed to be deleted or amended.
- B. Any new or amended text as it is proposed to be codified including its proposed

location in the Code. (section numbers)

- C. A narrative statement that describes the expected effects of the proposed text.
- D. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Also required for map amendments:

- A. A legal description of the area to be rezoned.
- B. The proposed zoning of the area.
- C. The current zoning of the area.
- D. A description of existing uses in the area.
- E. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- F. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned.

(2) Reapplication.

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

(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 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.

Map Amendments

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

(d) Action by Planning Commission and Council.

- (1) The Planning Commission shall recommend to Council approval, approval with

modifications, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.

- (2) Council shall base its decision on the recommendation of Planning Commission and the decision standards of this section.

(e) Implementation of Amendment

- (1) The Zoning Administrator shall implement all Code amendments approved by Council when the ordinance approving the amendment becomes effective, regardless of when the amendment appears in the Zoning Code text or on the Zoning Map.
- (2) Zoning Code amendments do not expire.

EXHIBIT B

ONLINE COMMENT SUBMISSIONS

(ANONYMOUS, AS OF JULY 29, 2020)

Respondent 1

I would like a clarification of what this means "with no more than 1 booking at a time". Does that mean that bookings cannot be lined up on the calendar?

Respondent 2

First it is very unscrupulous that the city of Oxford is trying to push through these regulations on this contentious topic during a pandemic when they know that the public cannot be represented at council meetings, as they have shown up in force in the past. Sam Perry has attested during a council meeting that there is no safety or community issue regarding short term rentals, so this is the government creating restrictions on economic development where no problem exists.

The 90 day restriction is an arbitrary number. As a host who hosts within my primary residence I am offended that during a pandemic where my income has dropped over 25% that my local city council is attempting to limit the amount of income I can make by hosting someone in my own home. It also only impacts approximately 31 units according to the powerpoint, so how does the city benefit from limiting how many nights I can host? This random 90 day regulation only hurts residents. At most I have hosted 120 nights a year and this number fluctuates greatly year to year (this year will be less than 20). According to the proposal I am not sure where my residence fits as the primary purpose is my home, so not a B&B. Should every AirBnB be forced through the conditional use process (a waste of city resources and resident money) in the event that they might have a good year or might accidentally book 91 nights? Hosting guests to the Oxford area only helps to support the economy of Oxford. Guests come and contribute to our local economy during their stay, as do I contribute through paying my taxes and spending the money I earn here on living expenses as well as entertainment and dining out in Oxford when I have earned the income to do so. Hindering my ability to host will hinder my ability to contribute to the local economy. I would think now during a pandemic and recession, especially in a city like Oxford that depends on the business brought to the area by the university, you would be looking for ways to encourage your constituents to earn income and support the economy. All of my guests come to Oxford for business and pleasure related to Miami. We need those guests now more than ever, and if guests cannot find the lodging they want in Oxford, they and their money will go elsewhere.

The language on how guests are related is unenforceable as we do not know, nor does it make a difference, how people are related. Putting unenforceable language onto the books is a waste of everyone's time. Do cousins count, do second-cousins count, business partners, domestic partners, In-laws, exes, etc.? Do we need to enroll our guests in ancestry.com to figure our guests relations to each other? Is city council or the OPD doing bed checks? It is not my business, nor the business of the city of Oxford, to know the relational status between guests, as it has no material impact on my ability to host guests, nor the ability of guests to stay in my home or in Oxford at all.

Just because the city does not know where STRs or TGLs fit in their "code" doesn't mean we have to come up with some new laws & restrictions to regulate a non-existent problem. You are creating a problem in order to create laws and restrictions. Are home offices next? Are people selling garden veggies next? Children's lemonade stands? Children's lawn mowing services? Where is the city drawing the line? It is especially underhanded and offensive to create these regulations and propose public discussion of these regulations when it is objectively unsafe for the public to gather for this discussion. You are asking your constituents to choose between their safety and their right to appear before council, which directly violates the oath you took to serve your community.

Respondent 3

I strongly oppose all of these regulations, but will speak to the top three I have the biggest problems with. As one of the few single young professionals who own a home in Oxford, I depend on the income from hosting on Airbnb to be able to afford the mortgage payments on my house. By imposing such regulations, you will damage the financial well-being of your own citizens and this town's economy.

Due to the pandemic, like many other hosts, I have lost thousands of dollars of rental income this year. It is despicable, especially in light of COVID-19, that the leadership of this town is trying to set a limit on the amount of nights that hosts can earn rental income. Typically, I average 110 nights of rental income a year. When the pandemic is over and normal travel resumes, I need to host even MORE to be able to make up for the lost revenue this year. Putting a limit on the number of nights that I can rent out spare space in my home will cause undue financial hardship, and I fear that I will be forced to sell my house and move out of town. The 90 night limit will also decrease the amount of tourism in Oxford. Many of my guests tell me that they chose to stay at my Airbnb because all of the hotels in town were booked by the time they realized they needed accommodations. If there is a limit on nights hosts can rent, then Oxford will also see a decrease in the amount of visitors frequenting restaurants, bars, and shops in town since they will be forced to stay in Hamilton and other surrounding areas. For these reasons, I strongly urge you to set no limit on the amount of nights that hosts can rent. It not only benefits the residents of this town, but also the town's economy.

The next proposed regulation I have a problem with is inspections. As it is currently written, I do not see any criteria of what is needed to pass inspection. I also do not think that starting to enforce inspections during a pandemic is safe or beneficial to health and well-being of the inspectors or homeowners. (Frankly, I don't even feel comfortable hosting right now, but I have to accept any of the few and far between reservations I get in order to make ends meet). In order for me to get on board with the idea of inspections, I will need to see set criteria and a timeline for enforcement (which needs to be after the pandemic has ended).

I also strongly oppose the no more than one TGL booking at a time rule. I have two spare guest rooms in my home (each sleeps only two people). Most weekends during the school year, the rooms book independently of each other because there is that much demand for lodging in town. Regulating how many bookings I can host in the place of my primary residence is far too much government over-reach and will negatively impact my earnings.

Being an Airbnb host is the pride and joy of my life. As a Miami alumnae, being able to make travelers feel at home in Oxford, just as Oxford become a home to me, is a rich and rewarding experience. It allows me to feel as though I am meeting a need in town, and allows me to share how great Oxford is with others. Limiting how many nights guest can book in transient lodging will damage the tourism revenue of this town, and your own citizens' abilities to prosper financially.

Respondent 4

From my interpretation, this plan looks well done and in consideration of community. I only have two concerns, and a solution to solve both. From the rental community who would use STR as subsidy for vacancies as well as to help accommodate the visitors for times of high demand such that people have to seek hotels outside of the City of Oxford (which we know then they spend \$ outside of Oxford), we might not know what unit(s) to register/permit. This would vary depending on occupancy. I think this would be tough and tedious to manage for us as well as the City. Secondly, have you discussed the rate structure for STR permits? For those of us who only use this occasionally, and not as normal operations, this could be cost prohibitive. The solution to both would be to allow for free registration (similar to what we already did) for any property that already has a regular current and valid rental permit. That would be my only suggested change.

Respondent 5

Often times there are more than 1 room available to rent during a Miami activity weekend. Some Airbnb hosts have 1,2 or even 3 rooms available to different people. This would really be no different than having 1 booking of an entire home to 10-12 people. Therefore if an entire home can be rented to multiple people, more than 1 room at a time should be available to be rented. Thank you

BED & BREAKFASTS; TRANSIENT GUEST LODGING

Proposed Zoning Text Amendments

(Additions are in **bold**; Deletions are struck-through; highlighted text are recent revisions following August 11 PC meeting)

Section 1141.01(c)(6) shall be added to read as follows [Accessory Use Provisions for All Zoning Districts]:

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

Section 1143.01(b)(1) shall be amended to read as follows [R-1A District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** that do not include any activity conducted as a business.
 - C. Day Care Home Type B family.

Section 1143.02(b)(1) shall be amended to read as follows [R-1B District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** that do not include any activity conducted as a business.
 - C. Day Care Home Type B family.

Section 1143.03(b)(1) shall be amended to read as follows [R-1MS District]:

- (1) Permitted uses.

- A. Single-family dwellings.
- B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business or dwelling unit.~~
- C. Day Care Home Type B family.

Section 1143.04(b)(1) shall be amended to read as follows [R-2A District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business.~~
 - D. Day Care Home Type B family.

Section 1143.05(b)(1) shall be amended to read as follows [R-2MS District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business.~~
 - D. Day Care Home Type B family.

Section 1143.06(b)(1) shall be amended to read as follows [R-3 District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Multi-family dwellings.
 - D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as business.~~
 - E. Day Care Home Type B family.

Section 1143.065(b)(1) shall be amended to read as follows [R-4 District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Multi-family dwellings.
 - D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as business.~~
 - E. Day Care Home Type B family.

Section 1143.07(b)(1) shall be amended to read as follows [R3MS District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Three-family dwellings.

- D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141**~~that do not include any activity conducted as business.~~
- E. Day Care Home Type B family.

Section 1143.09(b)(1) shall be amended to read as follows [RO District]:

- (1) Permitted uses.
 - A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141**~~that do not include any activity conducted as business.~~
 - D. Professional offices of doctors, dentists, chiropractors, lawyers, engineers and similar-type professions limited to 2,500 square feet of gross floor area.
 - E. Hospitals
 - F. Real estate, insurance and similar-type offices limited to 2,500 square feet of gross floor area.
 - G. Barber and beauty shops.
 - H. Instructional studios.

Section 1143.15(b)(1) shall be amended to read as follows [AOS District]:

- (1) Permitted Uses.
 - A. The conduct of agricultural operation such as: farming, apiculture, horticulture, viticulture.
 - B. Horse ranches, horse boarding stables, riding stables and academies, and structures normally associated with such as; stables and training facilities.
 - C. Single-family dwelling.
 - D. Accessory building and uses incidental to the principal use **as provided in Chapter 1141**~~that do not include any activity conducted as a business.~~
 - E. Day Care Home Type B family.

Section 1147.03(b)(4) shall be amended to read as follows [Conditional Use standards]:

- (4) Bed & Breakfast.
 - A. Potential Concerns.
 - 1. **Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)**~~Appropriate number of rooms for the neighborhood in which it is proposed.~~
 - 2. **Condition, care, and occupancy of property during times when not occupied by guests.**~~Location of separate entrances.~~
 - 3. **Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.**
 - 4. **Proximity to Arterial/Collector roadway(s).**
 - B. Regulations.
 - 1. **Compliance with Property Maintenance Code.** ~~No more than 8 rooms for rent in any structure.~~
 - 2. **Owner or manager must live in the structure. Sufficient off-street parking must be provided to accommodate anticipated number of guests.**
 - 3. **At least one meal must be provided to guests on-site. Bed & Breakfasts are prohibited in Neighborhood Conservation Overlays.**

4. The Conditional Use Permit shall specify the maximum number of cumulative days the bed & breakfast may be booked throughout a calendar year period, as well as the maximum guest occupancy at any one time.
5. All bed & breakfasts shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.

Section 1147.03(b)(40) shall be added to read as follows [Conditional Use standards]:

- (4) Transient Guest Lodging as an Accessory Use (greater than 90 cumulative days booked per year).
 - A. **Potential Concerns.**
 1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
 2. Condition, care, and occupancy of property during times when not occupied by guests.
 3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
 - B. **Regulations.**
 1. Compliance with Property Maintenance Code.
 2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
 3. Compliance with all other provisions applicable to Transient Guest Lodging.

Section 1159.03 shall be amended to read as follows [Definitions beginning with B]:

- (1) **BANK**
A building, or part of a building, used principally for the deposit and withdrawal of money and other financial transactions.
- (2) **BASEMENT**
The portion of a building which is partly underground and which has one-half or more of its ceiling height above the average finished grade of the ground adjoining the building.
- (3) **BED & BREAKFAST**
A principal use/building, sometimes the primary residence of the owner, where sleeping accommodations are offered for compensation, with or without meals, to transients occupying a room or rooms. ~~Overnight accommodations, with or without meals, in a dwelling unit provided to transients for compensation.~~
- (4) **BLOCK**
A tract of land bordered on all sides by a street, or by one or more streets and a railroad right-of-way, stream, river or un-subdivided acreage.
- (5) **BUILDING**
Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
- (6) **BUILDING, ACCESSORY**
Building Height:
 - A. The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.
 - B. When referring to a telecommunications tower or steeple, sign, or other structure, the distance measured from the ground level or the structure's point of attachment (such as

- the roof for a residential TV antenna) to the highest point on the tower or other structure even if said highest point is an antenna.
- (7) **BUILDING HEIGHT**
The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.
 - (8) **BUILDING LINE**
A line parallel to the street right-of-way line at any story level of a building and representing the distance which all or any part of the building is to be set back from said right-of-way property line.
 - (9) **BUILDING, MAIN**
A building in which the principal use of the site is conducted.
 - (10) **BUILDING PERMIT**
A document certifying that the plans reviewed conform to the requirements of the Building Code.
 - (11) **BUILDING, TEMPORARY**
A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.
 - (12) **BUSINESS**
Retail, wholesale, and service establishments which cater to the community needs for goods and services.
 - A. **Retail Business:**
The sale of products directly to the consumer for personal, household or farm use including restaurants.
 - B. **Wholesale Business:**
The sale of products to retailers or to institutional, industrial, commercial and professional users.
 - C. **Personal Service:**
Any enterprise conducted for gain which primarily offers services to the general public including, but not limited to, shoe repair, barbershop, beauty parlor, or doctor's office.
 - D. **Business Services:**
Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or businesses.
 - (13) **BUSINESS INCUBATOR:**
An organization designed to accelerate the growth and success of entrepreneurial companies through an array of business support resources and services that could include physical space, capital, coaching, common services and networking connections.

Section 1159.21 shall be amended to read as follows [Definitions beginning with T]:

- (1) **TALL STRUCTURE / SUPPORT STRUCTURE**
Any building or structure, other than a tower, which can be used for location of wireless and cellular telecommunication facilities.
- (2) **THEATER**
A building used primarily for the presentation of live stage productions, performances, or motion pictures.
- (3) **TOWER**
Any freestanding structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and alternative tower structures.
- (4) **TRAILER**

A structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

(5) **TRANSIENT**

A person staying at a location such as a **hotel, motel, bed & breakfast, or other dwelling offering transient guest lodging** ~~bed and breakfast for less than 14 days per stay for less than thirty (30) consecutive days~~ and does not use the location as his or her permanent address.

(6) **TRANSIENT GUEST LODGING**

An accessory use occupying an entire dwelling unit or portion thereof where sleeping accommodations are offered for compensation to transients occupying a room or rooms.

A. **TRANSIENT GUEST LODGING BOOKING**

Each instance of a reservation by an individual or group for transient guest lodging.

B. **TRANSIENT GUEST LODGING HOST**

Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for transient guest lodging.

C. **TRANSIENT GUEST LODGING HOSTING PLATFORM**

An internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange transient guest lodging and payment through the hosting platform.

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS IN CHAPTER 1141 ENTITLED ACCESSORY, TEMPORARY, SUPPLEMENTAL AND ENVIRONMENTAL REGULATIONS AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1141.01(c) ENTITLED ACCESSORY USE PROVISIONS FOR ALL ZONING DISTRICTS IN CHAPTER 1141 ENTITLED ACCESSORY, TEMPORARY, SUPPLEMENTAL AND ENVIRONMENTAL REGULATIONS.

WHEREAS, the City of Oxford has explored the adoption of short-term rental regulations for some time, so that the City's prescribed zoning provisions may properly observe and adapt to changing trends in the sharing economy; and

WHEREAS, the renting of residential property on a periodic basis is found to have many positive benefits including providing additional supplemental income for owner occupants as well as boosting the local economy and tourism; and

WHEREAS, the Oxford Zoning Code currently does not define or permit use of principal residential property for short-term rentals or bookings; and

WHEREAS, in April 2019 the Oxford City Council adopted legislation by Ord. No. 3523 requiring all short-term rentals to register with the City administration, in order to gain a better understanding of rentals currently in operation; and

WHEREAS, the Community Development department has partnered with the Miami University Farmer School of Business to conduct additional research on rentals operating in Oxford and surrounding areas, to better help inform the drafting of legislation; and

WHEREAS, the Community Development department conducted an outreach effort in the summer of 2020 to acquire additional feedback from short-term rental hosts and stakeholders in the community; and

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on August 11, 2020, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts in Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations, and adopting new Oxford Codified Ordinance Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts in Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations.

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

SECTION I: Council hereby repeals Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts in Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations and adopts new Section 1141.01(c) entitled Accessory Use Provisions for All Zoning Districts in Chapter 1141 entitled Accessory, Temporary, Supplemental and Environmental Regulations as follows:

(c) Accessory Use Provisions for All Zoning Districts.

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

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

- A. Residential fences, walls, and hedges:
 - 1. May not exceed four feet in height front yards.
 - 2. Cannot exceed eight feet in height in side and rear yards.
 - 3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 - 4. May not be located closer than two feet to the front lot lines.
- B. Non-residential fences, walls, and hedges:
 - 1. May not exceed six feet in height in the front yards or four feet in height in the Uptown "UP" Zoning District.
 - 2. May not exceed twelve feet in height in side and rear yards.
 - 3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 - 4. May not be located closer than two feet to the front lot lines, except in the Uptown district.
 - 5. If fencing or a gate blocks the access drive to the property, there shall be a sufficient queuing space provided.
- C. Barbed wire and electrified fences are not permitted.

(5) Home Occupations.

A home occupation does not require a zoning permit. If the Zoning Administrator determines that a business is operating in a residential or commercial district and that it does not meet the regulations of this section, the property owner of the property on which the business is operating shall be guilty of a violation of the Zoning Code. A home occupation shall:

- A. Have person(s) residing in the premises engaged in the business activity.
- B. Be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure.
- C. Occupy a maximum of 25 percent of the floor area of the residence and/or enclosed accessory structure, including all operations and storage.
 - 1. Attached garages as well as unfinished basements or attic areas shall not be counted towards the total floor area of the dwelling unit. In situations where there are two or more dwelling units attached, the calculation of the total floor area shall be limited to the area of the dwelling unit in which the operation will be located.
 - 2. Such accessory structure shall not be utilized for a home occupation if it is the required parking space for the principal use.
- D. Home Occupations located in the R1A, R1B, RO and GB zoning districts are permitted to have two (2) non-resident employees, however no more than one non-resident employee is permitted on the premises at one time. One (1) non-resident employee is permitted in the R1MS, R2A, R2MS, R3, R4 and R3MS zoning districts.
- E. Any nonconforming residential use in the GB zoning district that exceeds the requirements herein for a home occupation shall lose its nonconforming status.
- F. Not change the outside appearance.
- G. Have no deliveries or clients before 9 a.m. or after 9 p.m.
- H. Have fewer than 10 business visitors per week.
- I. Have no more than 1 business visitor at a time.
- J. Have only 1 non-illuminated sign a maximum of two square feet, mounted flat against the wall of the principal building.
- K. Not generate a greater volume of traffic or parking need than would normally be expected in a residential neighborhood.
- L. Not generate noise, vibration, fumes, odors, electrical interference, or other offensive effects and noxious omissions generated by the home occupation detectable outside of the dwelling unit (or off of the lot at single-family

residences).

M. Prohibited Home Occupations.

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

(6) Transient Guest Lodging

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



MEMORANDUM
Community Development Department
513-524-5204

TO: File

FROM: Zachary Moore, AICP
Planner

DATE: June 29, 2020

RE: **Bed & Breakfasts / Transient Guest Lodging – Text Amendment Application**

BACKGROUND

The City has explored the passage of short-term rental regulations for some time. The Oxford Business Code currently defines a short-term rental as a dwelling unit that is rented, leased, or otherwise assigned for tenancy of less than 14 consecutive days duration for any single stay.

On April 16, 2019, City Council adopted an ordinance requiring all short-term rentals to register with the City. The purpose of the registration program was to gain a more complete understanding of the extent and magnitude of short-term rentals operating within Oxford, in order to inform the adoption of appropriate regulations. Community Development Department staff presented a Findings Report to City Council on September 3, 2019. The Department also partnered with Miami University's Farmer School of Business to conduct additional short-term rental research for the City of Oxford and surrounding areas, completed in January 2020.

GENERAL DESCRIPTION

The City's drafted regulations propose to retire the term "short-term rental" and replace with two distinct use definitions: (1) **bed & breakfasts (B&B)**; and (2) **transient guest lodging (TGL)**. Guest stays at a TGL facility are defined as lasting up to 29 consecutive days per stay.

Bed & breakfasts are currently permitted as a principal use of property on a conditional basis in all residential zoning districts, subject to City Council approval. This policy is proposed to continue, with some additional standards including the filing of a rental permit to ensure the property is compliant with local codes and safe for guests. All previously approved B&Bs would continue to be valid so long as permits are kept in good standing.

Transient guest lodging is proposed to be added to the Code and defined as an accessory use of property whereby a 1-family, 2-family or 3-family structure could be rented out to transients no more than 90 total days per year, with no more than 1 booking at a time, and thus otherwise subject to all other permitting procedures and safety standards normally required of long-term rentals.

RELATION TO THE COMPREHENSIVE PLAN

While the Oxford Comprehensive Plan does not specifically mention short-term rentals (e.g. Airbnb, VRBO, etc.) or transient guest lodging, much discussion is devoted to the subject of rental housing. The Housing Chapter specifies the need to improve rental housing, especially in the Mile Square where the trend has been the conversion of units from owner-occupancy to student rentals, and to encourage rental units to meet the needs of the year-round population. The Chapter further encourages the redevelopment and revitalization of existing under-utilized housing, as opposed to constructing new housing on the outskirts of the City leading to urban sprawl. The University and Community Chapter also includes an objective to ensure all rental housing is safe, sanitary, and properly permitted.

The proposed B&B/TGL legislation touches upon a number of the elements expressed by the Comprehensive Plan:

- This legislation would allow primary owner-occupants to rent out their units part of the year (90 days or less) for transient guest occupancy, thereby helping to off-set housing costs or producing additional income that could be put toward housing maintenance and improvements;
- The 90-day threshold helps to meet the needs of permanent occupants, while sufficiently discouraging conversion to a business-oriented model whereby units are rented out more consistently throughout the year; and
- The proposed legislation would extend existing policies and procedures conducted for long-term rentals to apply also to bed & breakfasts and transient guest lodging situations, which includes standards ensuring the safety of units for guests/tenants.

Staff acknowledges a potential negative consequence of permitting transient guest lodging as a by-right use is the loss of units oriented toward permanent occupancy by families. However, staff believes the proposed limitations help to strike an adequate balance between this concern and that of allowing owners to utilize their properties in ways that can generate additional income, while also offering opportunities for visitors who prefer a somewhat more authentic lodging experience to enjoy their time while in Oxford and contribute toward the local economy.

AFFECTED CODES AND SECTIONS

The proposed legislation impacts the Oxford Zoning Code (Chapters 1141, 1143, 1147, and 1159), Business Code (Chapter 743), and Property Maintenance Code (Section 310.1). The intention is to incorporate provisions affecting B&B/TGL situations with minimal structural change to the Code, utilizing various sections already devoted to individual zoning districts, conditional use standards, etc. The proposal at this time does not include bed tax provisions for B&B/TGL situations, as the likely origination of such amendments would be the Finance Department.

The attached document outlines specific affected code sections, along with text proposed to be added or deleted.



Internal Use Only:	PC-2020-08
Case No.	
Date Filed	6/29/20

Zoning Code Text Amendment Application

Applicant Information

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

Name * Zachary Moore, AICP

Mailing Address * 15 S College Avenue

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-524-5204

Email Address zmoore@cityofoxford.org

Amendment Description * Bed & Breakfasts / Transient Guest Lodging Text Amendments

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.

- 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 *

Judith A. Moore

Date *

6/29/20

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, 15 South College Avenue, 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 *

Receipt Number *

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