

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: September 5, 2017

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: August 15, 2017

Agenda Title: Recreation Advisory Board Meeting, 8/8/17

Recommendation: Approve

Attendance: Members: Ken Bogard, Kevin Ackley, Wes Cole, Shaunna Tafelski

Liaisons: Casey Wooddell, City Staff; Edna Southard, City Council, Deanna Barbour, Minutes

Discussion:

Recreation Advisory Board (RAB) met Thursday, August 8, 2017 at the Oxford Seniors Center. Mr. Wooddell reminded board members of the purpose, role and setup of the Recreation Advisory Board. Per City Charter, the RAB is a five member board, plus a City Liaison (Mr. Wooddell), Council Representative (Ms. Southard), and recorder for minutes (Ms. Barbour). Mr. Wooddell informed board members about the purpose of the RAB, which is to provide recommendations to City Council in regards to future plans and development of playgrounds, recreational facilities and programs. While the RAB is heavily focused on the development of the aquatic center, there are still other pertinent issues which can be discussed and recommended during this time. Mr. Wooddell also informed RAB members that these meetings are publicly advertised and open to community members to attend and provide knowledge, suggestions and feedback.

Mr. Bogard suggested the RAB consider putting together a five year plan, thus setting goals and timelines for projects and programs within the community related to recreation. Mr. Wooddell suggested integrating that five year plan into the Master Plan for Parks and Recreation, noting the current Parks and Recreation Master Plan is dated 1997 and needs updated in the near future anyways. This topic will be discussed further at the next meeting.

Mr. Wooddell provided attendees with an updated concept sketch provided by Brandstetter-Carroll. Members discussed the updates and provided feedback and suggestions on the new concept design. Discussion centered mostly on parking, facility orientation in regards to the sun, ability to close off the competition pool for swim meets, the need, or lack thereof, of certain aspects of the new design, layout of concessions and pool house concerning swim meets, and

the layout of the grass beach area. RAB members focused heavily on the potential of making the concessions and restrooms facilities accessible not only to customers of the aquatic center, but also to customers of swim meets as well as soccer players and families without completely entering the facility. Mr. Wooddell provided feedback regarding an aquatic center he visited in Portland, IN in early August that included slides, a lazy river, competition pool, lily pad feature, spray features and an area for babies and toddlers. Total cost was \$3.4 million for that facility.

Mr. Wooddell the potential of this project going onto a levy vote, as this may be presented to City Council in the near future. City Manager Elliott's plan has been to use existing debt payments for the community park, which will be paid off in 2019, and apply those payments towards new debt for the aquatic center. RAB members focused on the need for a Council Worksession to discuss the direction of this project in order to progress with RFPs, cost estimates and fundraising possibilities. One issue presented was that the RAB cannot begin soliciting funds from donors without knowing for sure if this project will be put onto the levy for a vote. Ms. Southard, as Council Representative, noted she would request a Council Worksession on behalf of the RAB in late September or October. Using the current timeline proposal of opening in 2019 means construction needs to happen beginning Summer 2018, which is only 9 months away.

A new facility would promote health, wellness and an active lifestyle. Aquatic centers are facilities for patrons of all ages to utilize and engage in physical activity, and would allow for increased programming opportunities such as water aerobics, water resistance courses, aqua-zumba and enhanced swim instructions. Having a community aquatic center lends greatly to the goal of making Oxford a great place to live, work and play. It's vital to the local swim team, provides access to swim lessons for customers of all ages, and promotes outdoor enjoyment and stress reduction.

Next meeting date: TBD

Meeting adjourned 5:30pm.

Approved By:	Initial Date
Department Head:	<u>CDW</u> \ 8/15/17
City Manager:	<u>DRE</u> \ 9/1/17

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Account Code No. #:

Jung-Han Chen
Prepared By

Budgeted Amount:

August 11, 2017
Date Prepared

Agenda Title: **Planning Commission Meeting Report –August 8, 2017**

Work Session

Planning Commission held a work session to review the existing Chapter 935 and the proposed changes to this Chapter from the Environmental Commission. The proposed changes were directed by City Council to address tree preservation in large-scale development projects. The amendments will be presented by the Environmental Commission to City Council for consideration in the near future.

Zoning Items

PC-2017-22 CONDITIONAL USE, 406 E. Withrow Street, to allow a place of worship to use a vacant fraternity house for gathering/study space, Crossroads Community Church, Sue Landgrebe, Applicant

The Crossroads Community Church is seeking approval to occupy an existing vacant fraternity house as a church related function and activity center. Sunday church services have been and will continue to be held on campus in Benton Hall. They are looking for a place for gathering and study. The proposed facility would be open for all community members, as well as to existing members. The proposed use is somewhat a combination of church functions and living quarters for some members.

The proposal is to convert the 1st and 2nd floors into an activity room and offices, while maintaining the 3rd floor bedroom arrangement. Additional exterior work has also been proposed in conjunction with the proposed use, including a new patio and signage.

The Planning Commission heard the presentation from staff and the applicant and had questions about the operations and purpose and had questions about the 3rd floor living arrangements, as well as potential parking conflict with gathering members.

After the public hearing, the Commission recommended, in a vote of 7-0-0, the proposed Conditional Use Permit Application to Council for legislative action with the following conditions:

1. The number of members that could reside on the 3rd floor is limited to 3.
2. The Commission determined that 5 off-street parking spaces would be sufficient for the proposed use.
3. That, the lot coverage and the front yard setback for the placement of the patio are waived.
4. The proposed signage for the proposed use shall conform to the Oxford Zoning Code. Any signage larger than the permitted dimensions shall require a variance from the Board of Zoning Appeals.

Approved by:

	Initial	Date
Department Head:	<u>JHC</u>	<u>8/11/17</u>
City Attorney:	<u>DRE</u>	<u>9/4/17</u>
City Manager:	<u>DRE</u>	<u>9/4/17</u>

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Finance
Originating Department

Council Meeting Of : 9/5/2017

Account Code No. : see below

Joe Newlin

Prepared By

Budgeted Amount : _____

8/23/2017

Date Prepared

Agenda Title: 2017 Supplemental Budget #7

Recommendation: Approve

Issue 1

To make adjustment to budget for additional 2% salary increase across all operational funds

Action Needed:

Revenue Side

N/A

Expense Side

General (110)	103,154.00	Additional 2% personal expenses from unencumbered balance
Street (122)	10,662.00	Additional 2% personal expenses from unencumbered balance
Parking (130)	6,890.00	Additional 2% personal expenses from unencumbered balance
Water (321)	19,630.00	Additional 2% personal expenses from unencumbered balance
Wastewater (331)	23,538.00	Additional 2% personal expenses from unencumbered balance
Refuse (341)	2,563.00	Additional 2% personal expenses from unencumbered balance
Fire & EMS (418)	8,883.00	Additional 2% personal expenses from unencumbered balance

Net Effect on Fund Balance/(s)	(175,320.00)
Increase/(Decrease)	

Issue 2

To make adjustment to budget for additional \$1,250 (value of stub street \$11,250 per appraisal) and \$3,000 for appraisal Heritage Subdivisor phase II

Action Needed:

Revenue Side

N/A

Expense Side

General (110)	4,250.00	Additional expenditures for for right-a-way (stub streets) purchases in Heritage S phase II from unencumbered balance
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Net Effect on Fund Balance/(s)	(4,250.00)
Increase/(Decrease)	

Issue 3

To make adjustment to budget for Right of Way Tractor & Boom Mower originally budgeted \$90,000 state contract price \$112,741.60 phase II

Action Needed:

Revenue Side

Expense Side

Capital Equipment (140)	22,741.60	Additional appropriation for tractor & boom mower from unencumbered balance
Net Effect on Fund Balance/(s) Increase/(Decrease)	(22,741.60)	
Total Net Effect on Fund Balance/(s) Increase/(Decrease)	(202,311.60)	
Breakdown by Fund		
General (110)	(107,404.00)	
Street (122)	(10,662.00)	
Parking (130)	(6,890.00)	
Capital Equipment (140)	(22,741.60)	
Water (321)	(19,630.00)	
Wastewater (331)	(23,538.00)	
Refuse (341)	(2,563.00)	
Fire & EMS (418)	(8,883.00)	
Net Effect on Fund Balance/(s) Increase/(Decrease)	(202,311.60)	

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] 9/23/17
[Signature] 9/11/17

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3381. SUPPLEMENTAL BUDGET ORDINANCE NUMBER 7 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2017.

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

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

SECTION 2: The following increase/(decrease) in appropriations from unencumbered balances be made:

General Fund 110	103,154.00
Street Fund 122	10,662.00
Parking Fund 130	6,890.00
Water Fund 321	19,630.00
Wastewater Fund 331	23,538.00
Refuse Fund 341	2,563.00
Fire & EMS Fund 418	8,883.00
General Fund 110	4,250.00
Capital Equipment Fund 140	22,741.60

SECTION 3: In all other respects, Ordinance No. 3381 shall remain in full force and effect.

SECTION 4: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Oxford Police Community Relations and Review Commission Report
Friday, July 7, 2017

Pat Meade, Chair
Deirdre DeLong, Vice-Chair

Amber Franklin
Jonathon Joseph
Shana Rosenberg

Jacqueline Rioja Velarde
Aimin Wang

The PCRRC was established in December of 2015. The goals of the commission are as follows:
1) Improve communication between the community and the Oxford Police Department, 2) Increase police accountability and credibility with the public, 3) Create a fair and impartial complaint process, and 4) Advise the Chief of Police, City Manager, and City Council about department policies and procedures regarding matters that affect the public, and public perception, of the OPD.

Meetings and topics in 2016

Date: Feb 18th, 7pm

Location: Oxford Fire Station

Members introduced themselves and Pat Meade and City Manager Doug Elliott discussed the reasons that the commission was formed as well as the establishment, purpose, membership, and terms of the commission. Mr. Meade and Ms. DeLong were nominated as chair and co-chair, respectively.

Agenda items for future meetings were discussed: hiring practices; officer training; intercultural communication skills for officers; use of force policies and procedures; relationship between the Miami University Police Department, OPD, and the Oxford Township Police Department; police reporting and crime reports.

Date: April 12th, 6pm

Location: Oxford Fire Station

Guest presenters Caitlyn Rettenmaier and Caitlyn Findley from Women Helping Women attended the meeting. Women Helping Women is an advocacy organization helping women who are victims of stalking, domestic violence and sexual assault. Ms. Rettenmaier noted that the organization sees a need for trauma informed police officers, an alliance with officers and their organization, and assistance with transportation needs for survivors to attend support group meetings in Oxford.

Chief John Jones gave a presentation on training protocol for officers and answered commission member questions.

Date: May 5th, 6pm

Location: Oxford Fire Station

There was more discussion about Chief John Jones' training presentation at the previous commission meeting.

Patrick Meade asked the commission if there were other topics that we wanted to review. The topics raised were: Crisis intervention and de-escalation when officers are interacting with mentally ill individuals; Diversity; Issues surrounding domestic violence, including training and protocol; Information about the relationship between OPD and MUPD.

The commission discussed a complaint launched by a Mr. Ken Bitters against OPD. This complaint pertained to the perceived mishandling of an animal control concern. Chief Jones and City Manager Doug Elliott reviewed the complaint documents and procedure with the commission as well as the response to Mr. Bitters' complaint.

Date: August 10th, 6pm

Location: Oxford Fire Station

Guest presenter Captain Ben Spilman discussed the mutual aid agreement between the City of Oxford and MUPD regarding policing within the community. This mutual aid agreement allows OPD to request assistance from MUPD when extra officers are required. Likewise, MUPD relies on OPD as its primary backup when extra assistance is needed.

At the end of the meeting the commission presented Chief Jones and the OPD with a letter in response to the national events during the summer of 2016. This letter expressed support for community policing.

Date: September 7th Ad Hoc committee meeting

Location: Lane Library

Meeting to discuss agenda items for October 11th community meeting.

Date: October 11th, 6:30pm Community Meeting

Location: Lane Library

In addition to usual commission member and other attendees were Kevin McKeegan, City councilor; Glenn Ellerbe, City Councilor; John Detherage, Fire Chief; Perry Ordon, Property Officer; Geoff Robinson, Police Lieutenant; Lara Fening, Police Lieutenant; Ben Hool, Police Sergeant; Alan Kyger, Economic Development Director.

Commission members introduced themselves to the community, discussed the history and purpose of the commission, and reviewed previous meeting topics and discussion points.

Community input included questions regarding training of officers, funding for training, data collection, complaint procedures, and subpoena powers of the commission. Community member Linda Kimball recommended that that members of the commission join the National Association for Civilian Oversight of Law Enforcement (NACOLE).

Date: Dec 15th, 7pm

Location: Oxford Courthouse

City Manager Doug Elliott presented the commission with sample data reports which included information such as citations and arrests by race, ethnicity and age from January 2015 to December 2015. Data was also presented regarding percent of the Oxford population by race based on the 2000 and 2010 Census and the 2011-2015 American Community Survey. A report with a tally of the age, sex, race and ethnicity of persons arrested, 18 years of age and over, for November of 2015 was also presented. The commission requested a report of the 2016 arrests and citations based on the examples provided by Mr. Elliot.

Patrick Meade asked staff to investigate how to start trackings stops that don't result in citations or arrests and the commission as a whole discussed the importance of stop data by race to address any concerns about racial profiling through police stops. Mr Elliott noted that the OPD would be instituting body cameras in the near future, which would assist with data collection. Community members asked questions and made comments related to stop procedures and warnings, sexual assault, racial profiling, and data collection.

Jacqueline Rioja Velarde noted we had previously discussed recording instances involving a person with mental health issues. Shana Rosenberg advised she did research and there were departments that obtain the type of data this commission has asked for as far as stops and mental health conditions. Ms. Rosenberg suggested that the Delaware, OH police department is currently collecting that data and Mr. Elliott said he could call them.

When asked by Ms. Rosenberg about an uptick in hate crimes since the national election in November, Chief John Jones said that none were reported. Amber Franklin asked if there were concerns about climate in the schools since the election and Chief Jones said no. A community member asked about hate crimes in Butler County and Chief Jones said that he was not aware of any.

Meetings and Topics in 2017

Date: Feb 16th, 7pm

Location: Oxford Courthouse

Commission was introduced to Matt Stitzel and Jeff Gord, OPD representatives who help compile data. A packet containing 2016 statistical data regarding arrests and citations was

shared by Chief John Jones and City Manager Doug Elliott and reviewed by the commission. The packet contained Arrests and Citations by Race statistics from January to December 2016; Arrests by Race statistics from January to December 2016; Arrests by Ethnicity statistics from January to May 16, 2016; Arrests by Age statistics from January to May 2016; Formal Complaints filed in 2016; and a sample of the spreadsheet Matt Stitzel fills out to compile the statistics that are reported to UCR.

Amber Franklin asked about the data as they related to a "hot list" of persons with outstanding warrants who had a history of theft and burglary that officers focused on serving just prior to the holiday break. Chief Jones had referred to in a December weekly report when he was summarizing ways OPD officers were planning to prevent and deter burglaries over the holiday break. Specifically, Ms. Franklin wanted to know if there was statistical data on those OPD sought. Chief Jones said that he didn't have that information in front of him, but he was confident most of the wanted subjects were Caucasian.

Shana Rosenberg noted that on the sample spreadsheet for April of 2016 it indicated that 0 rapes were reported, which led her to question whether OPD saw a lot of sexual reports filed or if MUPD fields most of them. Chief Jones explained 0 rapes indicated that no one was arrested for rape during the month of April 2016 but that did not necessarily mean no rapes were reported.

Ms. Franklin continued to encourage the collection of stop data, to which Chief Jones reported that the CAD/RMS software does not generate reports on the number of traffic stops conducted by OPD officers. The only way to produce stop data due to limitations in the available software would be to hand tally the numbers. While Chief Jones recognized the need, as well as the commission's desire, for OPD to collect the data, currently Butler County Sheriff's Office CAD/RMS does not compile the data.

Community member Janis Dutton advised that along with stop data, she also wants data on pedestrian stops, use of force statistics, and sexual assault figures. She believed we should collect data before we perfect computers.

Ms. Franklin shared that female Muslims reported to her that they had their hijab pulled off of them. These women were fearful of reporting the incidents because they don't know who to trust. They feel there is already enough attention paid towards them and are fearful of bringing more attention to themselves. Chief Jones stated he hadn't heard about anything like this occurring either on or off campus and he encouraged them to come forward to report the incidents. Ms. Franklin shared with her counterparts OPD's position on immigration, and Chief Jones said that's a good way the commission can help with community relations. Ms. Rosenberg suggested putting a statement on Facebook on OPD's position against hate crime.

Community member Lexi Marsh volunteered to be an advocate for bystander training. She wants to be able to train witnesses of verbal or physical abuse on how to help diffuse the situation. Pat Meade advised that the Community Relations Committee (CRC) is currently

talking about bystander training and he would share Ms. Marsh's contact information with that committee. Chief Jones advised he would share the information on bystander training on social media and attend the training to answer questions. Community member Linda Kimball suggested the CRC partner with the Talawanda School District.

Ms. Dutton reported that she read a column in the February 15th edition of the *New York Times* about sanctuary cities and she believed the OPD statement on immigration was not enough. She wanted to know what OPD's relationship is like with Sheriff Jones as she was familiar with Sheriff Jones' stance on immigration. Chief Jones explained there is a Mutual Aid Agreement BCSO, that several of the OPD officers participated on BCSO's SWAT team, and that the BCSO dispatches OPD's Police and Fire calls for service. Ms. Dutton expressed concerned about arrest data being shared in the BCSO CAD/RMS system and how BCSO could use that information.

Date: April 27th 7pm

Location: Oxford Courthouse

Commission members reviewed the Use of Force policy and statistics presented by Chief John Jones and City Manager Doug Elliott. The commission, Chef Jones, and Mr. Elliott discussed that the Use of Force policies include all forms force can take, not just using handguns. The commission talked about clarity of policies including Pat Meade's concern about the policies regarding sanctions for use of force. Community member Linda Kimball discussed usage of tasers by officers.

The commission discussed a Miami University student journalist's online Patch article that Amber Franklin was interviewed for that appeared to represent the stance of the commission as a whole. The commission talked about interacting with journalism students and how the commission would be represented.

Relevant Activities of Commission Members

- Aimin Wang, Jonathon Joseph, Jacqueline Rioja Velarde, and Shana Rosenberg attended the Citizens Police Academy that took place over 10 weeks beginning in February of 2016. The Citizens Police Academy is provided annually by OPD for community members interested in the Oxford Police Department and local public safety topics. Participation in the police academy allowed the commission members to better understand the challenges faced by OPD.
- Patrick Meade suggested that some commission members join NACOLE (National Association for Civilian Oversight of Law Enforcement). Amber Franklin Joined NACOLE as a regular voting member in December 2016. NACOLE is a non-profit organization that is committed to fairness and professionalism in policing. NACOLE works with individuals and agencies to establish or improve oversight of law enforcement officers

throughout the U.S. and to build strong community bonds and trust between law enforcement and the communities they serve.

- Amber Franklin facilitated for “Unarmed” -- a discussion between Miami students and local police chiefs on September 27, 2016 to promote unity in the community.
- Amber Franklin attended two meetings for concerned international students and their allies. These meetings were held on April 25th and March 28th, 2017, at the Interfaith Center. Ms. Franklin attended these meetings as a member of the commission and to inform the attendees that the commission, Chief Jones, and OPD are there for the international community and would all like to hear about any safety concerns that international students may have.
- Chief John Jones joined Amber Franklin and her husband, Dana Miller, at the Bethel AME Church on Sunday April 30th, 2017. Bethel AME church was celebrating their 170th anniversary.
- Pat Meade spoke to the Bethel AME Church and the Hopedale Unitarian Parish about the commission.
- Various police officer candidate interviews conducted by OPD over the course of 2016 were attended by Pat Meade, Aimin Wang, and Shana Rosenberg in order to observe and participate in this aspect of hiring for new officers.
- Several commission members attended the Community Picnic in Uptown Oxford on September 1st, 2016. This picnic is a very large welcome-back event that is organized by Miami University and the City of Oxford. We handed out ice cream and members passed out information to the community about the commission.

Commission Goals and Conclusions

The commission would like to communicate more with the African-American community in Oxford to get their perspective on the history of OPD's relationship with their community that might affect current perception of the department. We would also like increased communication from other demographic groups in the community about their perspectives on policing in Oxford. We will continue to discuss and implement ways for members to meet this goal of increased communication with the public.

We would like to assist Chief John Jones and the OPD to meet the mandate to gather stop data as outlined by the Ohio Collaborative's policy on bias free policing: “The collection of data on all self-initiated traffic contacts to include, at a minimum, the race and gender of the driver of the vehicle stopped. For agencies that employ fewer than 35 sworn full time police officers, the collection of data does not have to occur until the year 2020”. We are pleased that Chief Jones

understands why this data is important to have on hand and that he hopes that software improvements will allow for stop data to be gathered by OPD prior to 2020.

Desired future meeting agenda topics: A presentation from Oxford Township Police Department about their policing in Oxford City limits and more information on screening and psychological testing of new officer candidates that would determine appropriate temperament and lack of harmful biases.

In conclusion, commission members are impressed with the transparency of Chief Jones and the Oxford Police Department in regard to their policies and procedures, and we appreciate the department's willingness and effort to provide the data required by the commission. We feel that there is a genuine desire by OPD to practice community policing and to have unbiased interactions with the public. We would like to see continual improvement regarding public perception of OPD among various demographic groups, particularly among Oxford's African-American and international communities.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: September 5, 2017

John A. Jones

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

August 28, 2017

Date Prepared

Agenda Title: Resolution authorizing the acceptance of the Drug Use Prevention Grant in the amount of \$11,536.60.

Recommendation: Adopt the Resolution.

Discussion: The Talawanda City School District and the Oxford Police Department have agreed to place a police officer at the Talawanda Middle School in the position of School Resource Officer (SRO). The Drug Use Prevention Grant is an ongoing program that enables law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. Grants awarded to a law enforcement agency shall be used by the agency to pay for not more than fifty per cent of the amount of the salaries of school resource officers who conduct drug use prevention programs in public schools. Oxford Police Department applied for the grant and was awarded \$11,536.60 for the 2017-2018 academic year. This resolution authorizes the acceptance of the grant.

Approved By:

**Department Head:
City Manager:**

Initial Date

JAE 8-28-17
DRE 9/1/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE OHIO ATTORNEY GENERAL'S OFFICE DRUG USE PREVENTION GRANT IN THE AMOUNT OF \$11,536.60 FOR THE 2017-2018 ACADEMIC YEAR TO ASSIST WITH THE COMPENSATION OF THE CITY'S SCHOOL RESOURCE OFFICER AND WITH DRUG USE PREVENTION PROGRAMS CONDUCTED IN THE SCHOOL.

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

SECTION 1: The City Manager and the Police Chief recommend the City Manager be authorized to accept the Ohio Attorney General's Office Drug Use Prevention grant in the amount of \$11,536.60 for the 2017-2018 academic year to assist with the compensation of the City's School Resource Officer and with Drug Use Prevention Programs conducted in the school.

SECTION 2: The City Manager is hereby authorized to accept the Ohio Attorney General's Office Drug Use Prevention grant in the amount of \$11,536.60 for the 2017-2018 academic year to assist with the compensation of the City's School Resource Officer and with Drug Use Prevention Programs conducted in the school.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 5, 2017

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

August 29, 2017
Date Prepared

Agenda Title: Contreras Road Culvert Replacement – Application for Ohio Public Works Commission - Issue One Funding.

Recommendation: Approve

Discussion: A recent inspection of the Contreras Road culvert between Stone Creek Dr. and Olde Farm Rd. indicated accelerating deterioration on the piping conduit and headwall concrete structure. While this structure has been inspected annually for several years, current conditions make it prudent to begin planning for replacement of the structure.

Ohio Public Works Commission - Issue One funds, administered by the Butler County Engineer's Office, are available to local governments for projects that improve safety. The City of Oxford, through an application process, has the opportunity to receive Issue One funds to be used for the replacement of this culvert on Contreras Road. The new structure will include new culvert piping, head and foot wall structures and new asphalt pavement. Total project costs are estimated to be approximately \$165,000. The City may be eligible to receive approximately \$113,850 from the Commission (69%). The City would be required to provide approximately \$51,150 as the local match to completely fund the project. The local funding would be required in FY 2018 as we would contract for the work in December of 2018 for construction in the summer of 2019.

The cost sharing ratio for this project is approximately 69% OPWC and 31% City. Construction would be timed to try to minimize impact on area residents and school bus transportation for Talawanda School District.

The City's application for funding, should Council approve the project, will include the following project schedule with **construction in 2019:**

Project Engineering	June 1, 2018 – October 1, 2018
Bid Advertising and Award	October 2018 – December 2018
Construction	May 2019 through August 2019

It is Staff's recommendation that Council authorize the City Manager to apply for and sign all documents necessary to receive a grant from the Ohio Public Works Commission for the reconstruction of the culvert on Contreras Road between Stone Creek Dr. and Olde Farm Rd.

Approved By:

Department Head:	Initial <u>MBD</u> Date <u>8/29/17</u>
City Manager:	<u>DRE</u> <u>9/1/17</u>

RESOLUTION NO.

A RESOLUTION OF COUNCIL SUPPORTING THE SUBMISSION OF A GRANT APPLICATION FOR OHIO PUBLIC WORKS COMMISSION ISSUE 1 FUNDS IN THE AMOUNT OF \$113,850.00 TO BE USED FOR THE RECONSTRUCTION OF THE CULVERT ON CONTRERAS ROAD BETWEEN STONE CREEK DRIVE AND OLDE FARM ROAD.

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

SECTION 1: Council, having determined the reconstruction of the culvert on Contreras Road between Stone Creek Drive and Olde Farm Road to be beneficial to the City, hereby supports the use of grant funds to assist with the cost.

SECTION 2: Council hereby authorizes the City Manager to submit a grant application to the Ohio Public Works Commission requesting Issue 1 funds for the reconstruction of the culvert on Contreras Road between Stone Creek Drive and Olde Farm Road.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

AUTHORIZING LEGISLATION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Oxford is planning to make capital improvements for Contreras Road Culvert Replacement, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Oxford:

Section 1: The *City Manager* is hereby authorized to apply to the OPWC for funds as described above.

Section 2: *The City Manager* is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Passed: [Insert Date]

[All Required Signatures Here]

State of Ohio
Public Works Commission
Application for Financial Assistance

IMPORTANT: Please consult "Instructions for Financial Assistance for Capital Infrastructure Projects" for guidance in completion of this form.

Applicant

Applicant: City of Oxford Subdivision Code: 017-59234
District Number: 10 County: Butler Date: 07/25/2017
Contact: Scott Otto Phone: (513) 524-5208
(The individual who will be available during business hours and who can best answer or coordinate the response to questions)
Email: sotto@cityofoxford.org FAX: (513) 524-5267

Project

Project Name: Contreras Road Culvert Replacement Zip Code: 45056

Subdivision Type (Select one)	Project Type (Select single largest component by \$)	Funding Request Summary (Automatically populates from page 2)
☐ 1. County	☐ 1. Road	Total Project Cost: <u>165,000.00</u>
☒ 2. City	☒ 2. Bridge/Culvert	1. Grant: <u>113,850.00</u>
☐ 3. Township	☐ 3. Water Supply	2. Loan: <u>0.00</u>
☐ 4. Village	☐ 4. Wastewater	3. Loan Assistance/ Credit Enhancement: <u>0.00</u>
☐ 5. Water (6119 Water District)	☐ 5. Solid Waste	Funding Requested: <u>113,850.00</u>
	☐ 6. Stormwater	

District Recommendation (To be completed by the District Committee)

Funding Type Requested (Select one)	SCIP Loan - Rate: _____ % Term: _____ Yrs	Amount: _____ .00
☐ State Capital Improvement Program	RLP Loan - Rate: _____ % Term: _____ Yrs	Amount: _____ .00
☐ Local Transportation Improvement Program	Grant:	Amount: _____ .00
☐ Revolving Loan Program	LTIP:	Amount: _____ .00
☐ Small Government Program	Loan Assistance / Credit Enhancement:	Amount: _____ .00
District SG Priority: _____		

For OPWC Use Only

STATUS	Grant Amount: _____ .00	Loan Type: ☐ SCIP ☐ RLP
Project Number: _____	Loan Amount: _____ .00	Date Construction End: _____
	Total Funding: _____ .00	Date Maturity: _____
Release Date: _____	Local Participation: _____ %	Rate: _____ %
OPWC Approval: _____	OPWC Participation: _____ %	Term: _____ Yrs

1.0 Project Financial Information (All Costs Rounded to Nearest Dollar)

1.1 Project Estimated Costs

Engineering Services

Preliminary Design: _____ .00

Final Design: 15,000 .00

Construction Administration: _____ .00

Total Engineering Services: a.) 15,000 .00 10 %

Right of Way: b.) _____ .00

Construction: c.) 150,000 .00

Materials Purchased Directly: d.) _____ .00

Permits, Advertising, Legal: e.) _____ .00

Construction Contingencies: f.) _____ .00 0 %

Total Estimated Costs: g.) 165,000 .00

1.2 Project Financial Resources

Local Resources

Local In-Kind or Force Account: a.) _____ .00

Local Revenues: b.) 51,150 .00

Other Public Revenues: c.) _____ .00

ODOT / FHWA PID: _____ d.) _____ .00

USDA Rural Development: e.) _____ .00

OEPA / OWDA: f.) _____ .00

CDBG: g.) _____ .00

☐ County Entitlement or Community Dev. "Formula"

☐ Department of Development

Other: _____ h.) _____ .00

Subtotal Local Resources: i.) 51,150 .00 31 %

OPWC Funds (Check all requested and enter Amount)

Grant: 100 % of OPWC Funds j.) 113,850 .00

Loan: 0 % of OPWC Funds k.) _____ .00

Loan Assistance / Credit Enhancement: l.) 0 .00

Subtotal OPWC Funds: m.) 113,850 .00 69 %

Total Financial Resources: n.) 165,000 .00 100 %

1.3 Availability of Local Funds

Attach a statement signed by the Chief Financial Officer listed in section 5.2 certifying all local resources required for the project will be available on or before the earliest date listed in the Project Schedule section. The OPWC Agreement will not be released until the local resources are certified. Failure to meet local share may result in termination of the project. Applicant needs to provide written confirmation for funds coming from other funding sources.

2.0 Repair / Replacement or New / Expansion

2.1 Total Portion of Project Repair / Replacement: 165,000 .00 100 %
2.2 Total Portion of Project New / Expansion: 0 .00 0 %
2.3 Total Project: 165,000 .00 100 %

3.0 Project Schedule

3.1 Engineering / Design / Right of Way Begin Date: 06/01/2018 End Date: 10/01/2018
3.2 Bid Advertisement and Award Begin Date: 10/01/2018 End Date: 12/31/2018
3.3 Construction Begin Date: 06/01/2019 End Date: 07/01/2019

Construction cannot begin prior to release of executed Project Agreement and issuance of Notice to Proceed.

Failure to meet project schedule may result in termination of agreement for approved projects. Modification of dates must be requested in writing by project official of record and approved by the Commission once the Project Agreement has been executed.

4.0 Project Information

If the project is multi-jurisdictional, information must be consolidated in this section.

4.1 Useful Life / Cost Estimate / Age of Infrastructure

Project Useful Life: 45 Years Age: 1970 (Year built or year of last major improvement)

Attach Registered Professional Engineer's statement, with seal or stamp and signature confirming the project's useful life indicated above and detailed cost estimate.

4.2 User Information

Road or Bridge: Current ADT 1,800 Year 2017 Projected ADT 2,000 Year 2022

Water / Wastewater: Based on monthly usage of 4,500 gallons per household; attach current ordinances.

Residential Water Rate Current \$ _____ Proposed \$ _____

Number of households served: _____

Residential Wastewater Rate Current \$ _____ Proposed \$ _____

Number of households served: _____

Stormwater: Number of households served: _____

4.3 Project Description

A: SPECIFIC LOCATION (Supply a written location description that includes the project termini; a map does not replace this requirement.) 500 character limit.

The project is located on Contreras Road, 475' East of Stone Creek Drive, Oxford, OH.

B: PROJECT COMPONENTS (Describe the specific work to be completed; the engineer's estimate does not replace this requirement) 1,000 character limit.

The project will involve removing an existing 30' long 21" diameter culvert, headwalls, and guardrail. A new ODOT Type A conduit culvert with headwalls and guardrail will be installed. The new culvert will be the same diameter. Roadway surface will be replaced within the project limits. The project will include work to improve roadside safety.

C: PHYSICAL DIMENSIONS (Describe the physical dimensions of the existing facility and the proposed facility. Include length, width, quantity and sizes, mgd capacity, etc in detail.) 500 character limit.

The existing culvert is 21" diameter, 30' long. The proposed facility will be the same diameter and a similar length.

5.0 Project Officials

Changes in Project Officials must be submitted in writing from an officer of record.

5.1 Chief Executive Officer

(Person authorized in legislation to sign project agreements)

Name: Douglas R. Elliott Jr.

Title: City Manager

Address: 101 E. High St.

City: Oxford State: OH Zip: 45056

Phone: (513) 524-5201

FAX: (513) 523-7298

E-Mail: delliott@cityofoxford.org

5.2 Chief Financial Officer

(Can not also serve as CEO)

Name: Joseph Newlin

Title: Finance Director

Address: 101 E. High St.

City: Oxford State: OH Zip: 45056

Phone: (513) 524-5202

FAX: (513) 523-7298

E-Mail: jnewlin@cityofoxford.org

5.3 Project Manager

Name: Victor Popescu

Title: City Engineer

Address: 101 E. High St.

City: Oxford State: OH Zip: 45056

Phone: (513) 524-5208

FAX: (513) 524-5267

E-Mail: vpopescu@cityofoxford.org

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017
Date Prepared:

PC-2017-10, ZONING MAP AMENDMENT, to amend the zoning designation of certain properties from R-1MS to R-2MS and R-1MS and R-2MS to R-3MS, City of Oxford, Applicant,

Recommendation by the Planning Commission: Approval

Discussion:

This is a map amendment that reflects the Planning Commission's discussion and desire to change the zoning designation on certain areas to better represent actuality, and to plan to encourage increased density since these areas are either located adjacent to campus or near a major corridor to campus.

The boundary for the areas being changed are from R-1MS to R-2MS is bordered by Campus Avenue to the east, west side of Poplar Street to the west, Chestnut Street to the south and the north properties on Central Avenue to the north.

There are two areas being considered for zoning change from R-1MS and R-2MS to R-3MS. The first area is generally described to be bordered by Tallawanda Road to the east, Sycamore Street to the north, Main Street to the west and Vine Street on the south and Bishop Street to the west. The 2nd area is considered central Mile Square and the general description is bordered by Campus Avenue to the east, Church Street to the north, Beech Street to the west and Heather Lane to the south.

This is the outcome from a series of work sessions the Planning Commission had to review issues relating to the nonconforming issue, increased student enrollment, and finding ways to encourage redevelopment in a managed fashion.

The locations being identified would be consistent with the Planning Commission's approach to encourage student rentals to be located closer to the campus. The NE Mile Square is next to the academic north quad and within walking distance to the academic central quad.

Other factors may have influenced the Planning Commission on these areas (1) whether the changes to the zoning would encourage the elimination of nonconforming land uses; (2) whether the changes to the zoning would spur redevelopment while respecting the historic character of the neighborhood; (3) whether the areas are ideal for redevelopment in the near future.

The Planning Commission recommended the approval of the proposed zoning map amendment in a vote of 7-0-0 to City Council for legislative action.

Approved by:

Department Head:

JHC / 8-17-17

City Manager:

DRE / 7-1-17

ORDINANCE NO.

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION AND GRANTING ZONING MAP AMENDMENTS FOR CERTAIN PROPERTIES IN THE CITY OF OXFORD'S MILE SQUARE A MAP OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, AND REZONING THE PROPERTIES FROM R-1MS (SINGLE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT TO R-2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT, FROM R-2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT TO R-3MS (SINGLE, TWO AND THREE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AND FROM R-1MS (SINGLE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT TO R-3MS (SINGLE, TWO AND THREE-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT.

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

SECTION 1: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the Oxford Planning Commission held a public hearing on July 11, 2017, on the City of Oxford's application for Zoning Map Amendments for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and incorporated herein and rezoning the properties from R-1MS (Single Family Mile Square Residential) District to R-2MS (Single and Two Family Mile Square Residential) District, from R-2MS (Single and Two Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District, and from R-1MS (Single Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

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

SECTION 3: Council hereby accepts the recommendation of the Oxford Planning Commission, and after deliberation, finds for the granting of the Zoning Map Amendments for certain properties in the City of Oxford's Mile Square a map of which is attached hereto as Exhibit "A" and rezoning the properties from R-1MS (Single Family Mile Square Residential) District to R-2MS (Single and Two Family Mile Square Residential) District, from R-2MS (Single and Two Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District and from R-1MS (Single Family Mile Square Residential) District to R-3MS (Single, Two and Three Family Mile Square Residential) District.

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

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

ADOPTED:

MAYOR

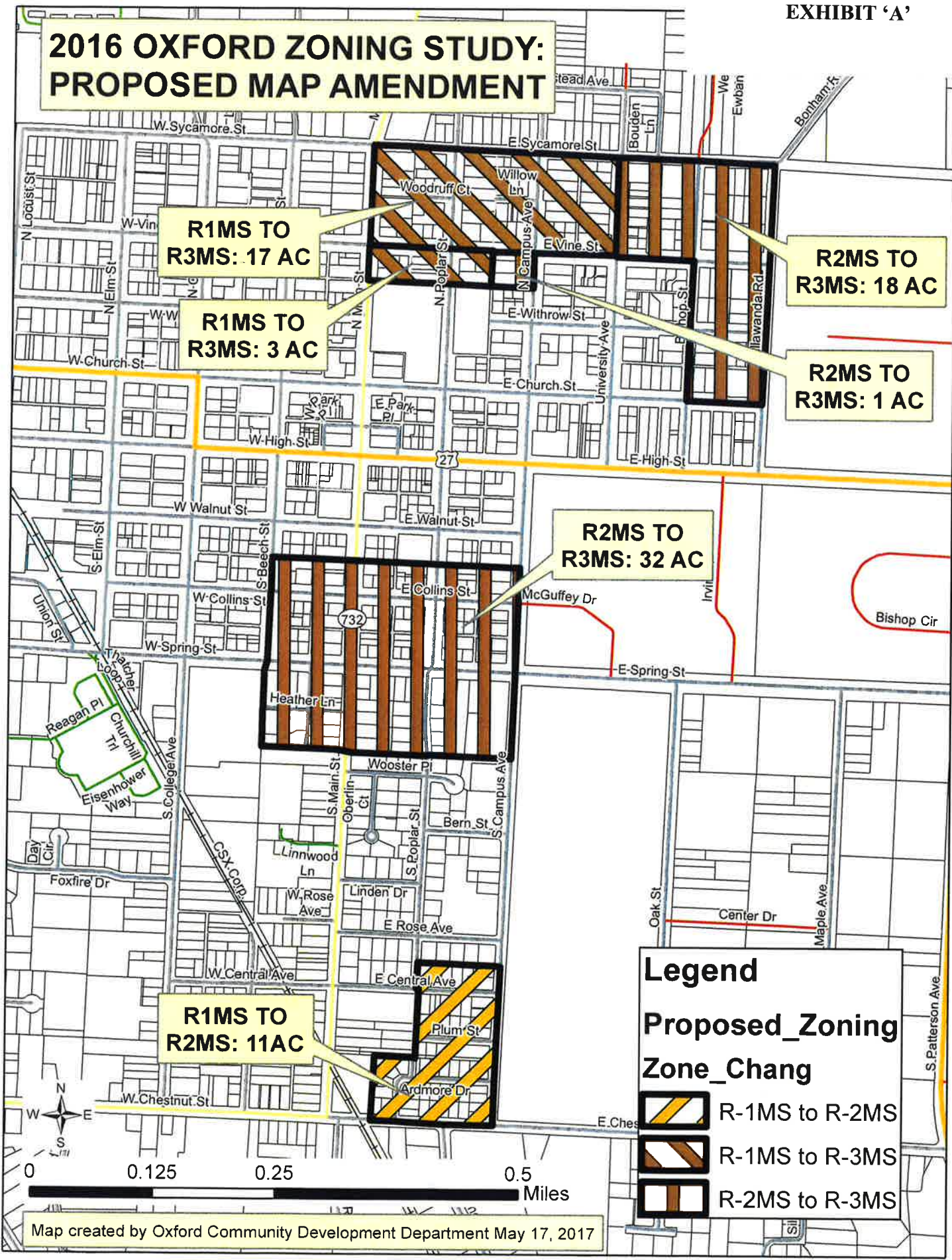
ATTEST:

CLERK OF OXFORD CITY COUNCIL

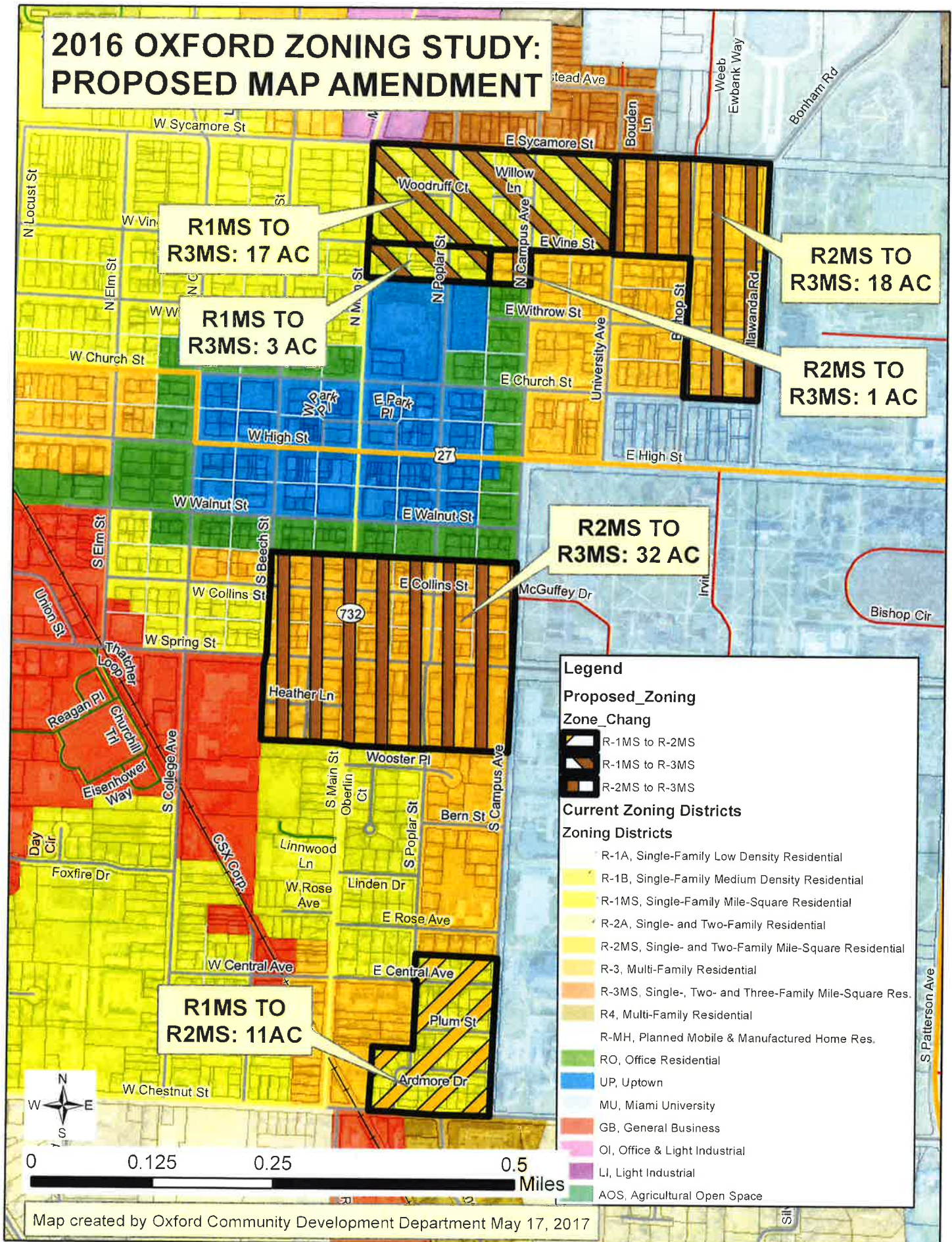
INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

2016 OXFORD ZONING STUDY:
PROPOSED MAP AMENDMENT



2016 OXFORD ZONING STUDY: PROPOSED MAP AMENDMENT



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-10

Date – June 13, 2017

APPLICATION

Applicant:

City of Oxford

Action Request:

ZONING MAP AMENDMENT to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS, **City of Oxford, Applicant**

DESCRIPTION

This is the map amendment that reflects the Planning Commission's discussion and desire to change the zoning designation on certain areas to better represent the actuality, and to plan to encourage for increased density since these areas are either located adjacent to campus or near a major corridor to campus.

The boundary for the area changed from R-1MS to R-2MS is bordered by Campus Ave to the east, west side of Poplar Street to the west, Chestnut to the south and the north properties on Central to the north.

There are two areas being considered for zoning changes from R-2MS to R-3MS. The first area is general described to be bordered by Tallawanda to the east, Sycamore to the north, Main St to the west and Vine St on the south and Bishop to the west. The 2nd area is considered central Mile Square and the general description is bordered by Campus to the east, Church St to the north, Beech to the west and Heather Lane to the south.

This is the outcome from a series of work sessions the Commission had to review the issues related to the nonconforming issue, increased student enrollment and to find ways to encourage redevelopment in a managed fashion.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1143.07 R3MS (Single, Two- and Three-Family Mile Square Residential) District for your information.

COMPREHENSIVE PLAN

Land Use Element:

The community's small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Map 3.6 and 3.7 also show the area of neighborhood enhancement area as well as neighborhood character as well. These

Urban Design

- Preserve and enhance historic resources in the Mile Square including Uptown District

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments
Econ. Dev.	Returned with comments
Fire:	Returned with no comments

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This is one of the two companion pieces that go with the changes to 1143.07 R3MS to allow accessory buildings to be used as a dwelling unit, since the proposed R-3MS lists accessory dwelling units as a conditional use. The Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building to build a new one just to accommodate one additional unit. The Commission also went through the changes with the consultant and staff and felt that the changes are necessary to remove any potential conflict and confusion. Attached in this report are the changes to each particular section of the Zoning Code.

At the beginning of the process, the Commission was given the information about nonconforming land uses in the Mile Square. Based on that information, the Commission reviewed the areas around the Campus and selected the proposed areas for rezoning consideration.

It should be noted that the 2008 Comp Plan did not include these areas for enhancement or expansion on Map 3.4 and Map 3.5. But it also needs pointed out that the student enrollment was capped for many years, until the cap was removed and the number of enrollment increased from 17,000 to nearly 20,000. For a town like Oxford, an increase of 2,000 additional students does have impact to local housing.

The locations being identified would be consistent with the Commission approach to encourage student rentals to be closer to campus. The NE Mile Square is next to the academic north quad and within walking distance to the academic central quad as well.

The Central Mile Square is next to the academic central quad and, again, is within walking distance to the north academic quad. Spring St. also is one of the east-west major corridors that allow all modes of transportation easily access to campus to the east and shopping to the west.

Other factors may have influenced the Commission on these areas also include (1) whether the changes to the zoning would encourage the elimination of nonconforming land use; (2) whether the changes to the zoning would spur redevelopment while respecting the historic character of the neighborhood; (3) whether the areas are ideal for redevelopment in the near future.

These are the areas that the Commission felt would be appropriate for rezoning consideration for the time being and would like to see some redevelopment activities occur in the areas, before making any more recommendations to amend the zoning map. It was also the Commission's hope that with the recommended changes would draw the redevelopment to these areas than in the outlying areas of the town.

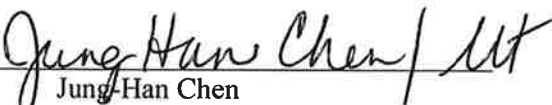
There needs to be clear expectations that any changes made to the Zoning Map and/or Zoning Code may not encourage development/redevelopment right away and it may takes several years. The Commission needs to set a timeline to review these no shorter than 3 to 5 years.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

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 legitimate need for additional land area in the zoning district that will be expanded.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

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

From: Community Development Department

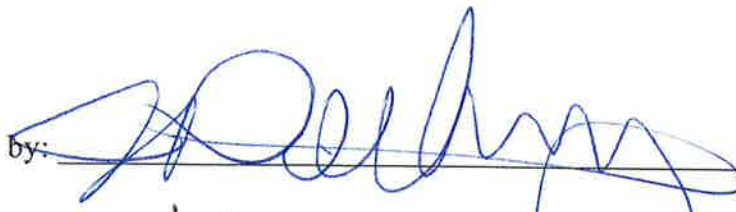
PC-2017-¹⁰~~12~~, ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethleage
PRINTED NAME

Date:

5-19-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-¹⁰~~12~~, ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments



Drawings reviewed by: *V. Popescu* Date: 5-18-17

VICTOR POPESCU
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-¹⁰~~12~~, ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: 5-24-17

John A. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-¹⁰~~12~~, ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, City of Oxford, Applicant

X Review _____ Revisions _____ Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

IT IS NICE TO SEE THE CITY RE-EVALUATING
THE EFFECTS OF THE 2003 ZONING RE-WRITE.

It is nice to see the City re-evaluating the effects of the 2003 zoning re-write.

Drawings reviewed by: _____

Date: 6-6-17

G. ALAN KYLON

PRINTED NAME



Internal Use Only:

Case No.

PC-2017-10

Date Filed

4/28/17

Zoning Map Amendment Application

Applicant Information

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

Name *	Jung-Han Chen
Mailing Address *	101 E. High Street
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5237
Email Address	jhchen@cityofoxford.org

Location and Lot Information

Location *	NW portion, Central and Southeast Mile Square
General Description of Proposed Amendment *	To change the zoning from R1MS to R2MS, R1MS and/or R2MS to R3MS
Current Zoning *	R1MS and R2MS
Proposed Zone(s) *	R2MS and R3MS

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** 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.
- (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. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

- K. 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.
- L. 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 (see later section).

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)² is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number. *Property Owner names will not be provided in the agenda packet.*

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. 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.

Fees & Receipt

The required fee is \$150.00, plus \$10.00 postage charge. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *




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 fee and postage charge made payable to **City of Oxford**, to Community Development Director, 101 East High Street, Oxford, OH 45056.

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

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

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

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 20, 2017

Date Prepared:

PC-2017-22, Conditional Use Permit Application to establish a place of worship-related gathering/study space, Crossroads Community Church, Inc. c/o Sue Landgrebe, Applicant

Recommendation: Approval with conditions

Discussion:

The Crossroads Community Church is seeking approval to occupy an existing vacant fraternity house for church related functions and activity center. Church Sunday services have been held on campus at Benton Hall and this will continue. The Church is looking for a place for gathering and study. The proposed facility would be open to the community, as well as existing members. The proposed use is somewhat a combination of church functions and living quarters for some members. The attached narrative provides a detailed explanation of the proposed use.

The existing 3-story building currently has an approved capacity for housing 38 tenants. The proposal is to convert the 1st and 2nd floors into an activity room and offices, while maintaining the 3rd floor bedroom arrangement. Additional exterior work has also been proposed in conjunction with the proposed use, including a new patio and signage. Given the proposed use is to incorporate church related functions with existing fraternity house arrangements, this report will attempt to cover both uses.

The Planning Commission reviewed the application, discussed issues raised by staff in their report, worked with the applicant about the project and recommended approval to City Council in a 7-0-0 vote, with conditions as follows:

1. That, no more than 3 Church member students shall reside on the 3rd floor;
2. That, 5 off-street parking spaces are sufficient for the proposed gathering/study function of the church;
3. That, the proposed lot coverage exceeding the underlying zoning district shall be waived. The patio encroachment shall also be waived to allow the construction of the patio as shown on the proposed building application.
4. The signage for the proposed project shall adhere to the sign regulations of the Oxford Zoning Code. Any additional signage will require approval from the BZA.

Approved By:

Department Head:
City Attorney:
City Manager:

JHC 8/20/17
DRE 9/1/17

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PLACE OF WORSHIP RELATED GATHERING/STUDY SPACE FOR CROSSROADS COMMUNITY CHURCH IN THE R2MS (SINGLE, TWO-FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AT 406 E. WITHROW STREET OXFORD, OHIO 45056 WITH CONDITIONS.

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

SECTION 1: The Planning Commission met pursuant to Oxford Codified Ordinance Section 1147.02 on August 8, 2017 for the purpose of considering the request of Crossroads Community Church, Applicant, for a conditional use permit to allow a place of worship related gathering/study space in the R2MS (Single, Two-Family Mile Square Residential) District at 406 E. Withrow Street Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after public hearing and discussion, voted to approve a motion recommending approval of the conditional use application to allow a place of worship related gathering/study space for Crossroads Community Church in the R2MS (Single, Two-Family Mile Square Residential) District at 406 E. Withrow Street Oxford, Ohio 45056 with conditions.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow a place of worship related gathering/study space for Crossroads Community Church in the R2MS (Single, Two-Family Mile Square Residential) District at 406 E. Withrow Street Oxford, Ohio 45056 with the following conditions:

1. No more than 3 Church member students shall reside on the 3rd floor.
2. Five (5) off-street parking spaces are sufficient for the proposed gathering/study function of the church.
3. The proposed lot coverage exceeding the underlying zoning district shall be waived. The patio encroachment shall also be waived to allow the construction of the patio as shown on the proposed building application.
4. Signage for the proposed project shall adhere to the sign regulations of the Oxford Zoning Code. Additional signage shall require approval from the Board of Zoning Appeals.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	September 5, 2017
<u>Case Number</u>	PC-2017-22
<u>Applicant Information</u>	Crossroads Community Church Theta Upsilon Housing Co.
<u>Requested Action</u>	Conditional Use
<u>Summary of Request</u>	To establish a place of worship-related gathering/study space
<u>Public Hearing Information</u>	A Public Hearing took place at 118 W. High Street on August 8, 2017. A Public Hearing notice was published in the Journal News on July 9, 2017. Courtesy notices were mailed to adjacent property owners on July 3, 2017. Signage was posted at the site on August 1, 2017
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval with conditions.
<u>Commission Findings and Conclusions</u>	The Planning Commission focused upon the number of students to reside at the location, parking spaces, encroachment of a planned new patio, and signage. A lengthy discussion took place and the Commission agreed upon 4 conditions. The Commission all agreed that this use was a positive one for an unoccupied structure.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report Dated 7/26/2017 2. Interoffice Review Transmittal Sheets 3. Surrounding Property Owner Notifications Map 4. Letter of Agency 5. Conditional Use Application

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-22

Date –August 8, 2018

APPLICATION

Applicant:	Crossroads Community Church, Inc. c/o Sue Landgrebe
Location:	406 E. Withrow Street
Owner:	Theta Upsilon Housing Co.
Agent:	Sue Landgrebe
Action Request:	Conditional Use Permit Application to house church related functions and activity center
Current Use:	Vacant Fraternity
Zoning:	R2MS (Single, Two-Family Mile Square Residential) District
Surrounding Existing Land Uses:	Fraternity houses, single family homes

GENERAL DESCRIPTION

The Crossroads Community Church is seeking approval to occupy the existing vacant fraternity house as a church related function and activity center. The church Sunday service has been held on campus in Benton Hall. They are looking for a place for gathering and study. The proposed facility would be open for all community members, as well as to the existing members. The proposed use is somewhat a combination of church functions and living quarters for some members. The attached narrative provides a detailed explanation of the proposed use.

The existing 3-story building currently has the capacity of housing 38 renters. The proposal is to convert the 1st and 2nd floors into an activity room and offices, while maintaining the 3rd floor bedroom arrangement. Additional exterior work has also been proposed in conjunction with the proposed use, including a new patio and signage. Given the proposed use is to incorporate church related functions with existing fraternity house arrangements, this report will attempt to cover both uses.

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

The proposal is to reuse an existing vacant fraternity house as a church related gathering and study place for students and community members. The Crossroads Community Church plans to use this building for church related activities, but will also have some member students living on the 3rd floor to help keep it secure and help facilitate events. Given that the proposed use encompasses church and fraternity functions, the concerns and regulations of each use is provided as follows:

- 1147.03(15) Churches, Library, 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

1147.03(19) Fraternity and Sorority Houses

- A. Potential Concerns
1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures
 - b. Residential scale and character
 - c. Yards and landscaping
 - d. Walls and fences
 2. Activities Areas:
 - a. Porches and patios
 - b. Locations of recreational areas and courts
 - c. Locations of accessory structures
 3. Vehicle Management:
 - a. Site access
 - b. Required parking
 - c. Emergency access
 - d. Deliveries
 - e. Occasional and excess parking management
 4. Adequate Public Utilities:
 - a. Water
 - b. Sewer
 - c. Storm water management
 - d. Other services
 5. Nuisance:
 - a. Waste/trash management
 - b. Noise and off-site impact
 - c. Lighting and off-site impact
- B. Requirements:
1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
 2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
 3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
 4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
 5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
 6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

Analysis:

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

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

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

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

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

Yes, the proposed use will satisfy.

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

Yes, the proposed use would be compatible with the general intent of the Comp Plan.

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

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

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

None anticipated.

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

Not applicable.

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

No accessory uses have been proposed.

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

No increase will be generated from the proposed use.

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

None is expected.

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

No substantial exterior changes have been proposed, other than the proposed patio and signage. This area is a student-rental neighborhood and several fraternity houses are located in this vicinity as well. The proposed uses would be consistent with the general character of the neighborhood.

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

The site is directly across the street from campus and does not appear to encourage any vehicle traffic in and out of the site. The church plans also to restore the parking spaces along the north side of the property to accommodate approximately 5 parking spaces.

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

None expected.

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

Yes, as stated by applicant.

The Crossroads Community Church proposes to occupy this vacant fraternity house and has a four-year lease with the owner to house gatherings/meetings and activities. The church will also have a few student members living on the 3rd floor of the building to keep it from being vandalized.

The proposed use along with student living in the building, predominantly for safeguarding and maintenance purposes, is a unique combination of fraternity and church functions in one building. The uniqueness of this proposal is that a typical church does not normally have residents living on the premises. Additionally, interior remodeling is planned to reduce the potential number of bedrooms which in turn reduces the need to meet the onsite parking requirements. It is unique in another way in that Sunday services have been held at a different location and the site would only be used for foot-traffic gathering/events. The parking needs for services would not be applicable, and the proposed improvement to the parking would seem to be for live-in student members only.

The Crossroads Community Church does not have a permanent location in Oxford, but does meet the Miami University criteria as being a student organization thus able to use facilities on campus for free. The goal of this church is to reach out to students for a positive student living environment experience. This organization at this location will be open Monday-Friday from 8 am to 5 pm and Sunday 1pm to 6 pm and receive reservations by request to host other events.

The direction of the church is to be available where most needed students live. Therefore, as the narrative indicates they used to be at E. Church Street (former Evan's Scholar building). The church organization believes that this would be a great site for this organization to be located in the area where students are concentrating and to provide an alternative off-campus lifestyle. Staff was not aware of the church occupying the Evan's Scholar building due to the fact that the operation was very low key and no complaints were filed to the City. It would seem that this organization was very focused on their service to the students and they have attempted to be as low profile as possible.

Given the location of this proposed use to be directly across from the Miami campus, and the modifications being proposed that would signify the use is the signage being proposed. It needs to be noted that the majority of members would come in as foot traffic and would not require parking arrangements.

The current zoning code only allows signage to be limited to one wall sign and 12 square feet in sign area. The Commission may consider allowing more wall sign as well as a larger sign face. However, the placement of the existing signage could not be ascertained nor permits were applied for or obtained. Given the residential character of the area, one sign might be sufficient, provided the sign is shifted closer to the southeast corner of the building. It appears that they had a sign for their previous location at E. Church St, that may be reused for this location to maintain continuity of their presence from their previous location.

Other compliance issues needing Commission action is the proposed patio encroachment into the front yard setback. The proposed patio will extend less than 8 feet into the front yard. The existing building is approximately 10 feet from the vacated right-of-way. The placement of the proposed patio would seem to be consistent with the other buildings of the blockface.

RECOMMENDATION:

The proposal would seem to be a good reuse of a vacant building by combining church functions/activities and fraternity house. The proposed church does not have Sunday service at this location, but would use the space for gathering/meeting purposes, while allowing a few number of students to live on the 3rd floor for the maintenance, upkeep and security of the building.

Staff does not have any objections to the proposed use for the first 2 floors to be used as gathering/meeting places and 3rd floor to be used for some student living. Based on the analysis of the use and the neighborhood character as well as other building placement, staff would recommend limiting the signage

to only one, but allowing a less than 12 feet, non-illuminated type sign. Staff would also recommend waiving the front yard setback and lot coverage requirement to allow the construction of a patio in front of the building along Withrow Street.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: July 26, 2017

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-22, CONDITIONAL USE, 406 E. Withrow Street, to allow for a campus organization to use a vacant fraternity house for gathering/study space, Crossroads Community Church, Sue Landgrebe, Applicant

X Review _____ Revisions _____ Other

Please return no later than: **August 2, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

More buildings should be used ~~like~~ like this.

Drawings reviewed by:


John Detherage
PRINTED NAME

Date:

7-18-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

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PC-2017-22, CONDITIONAL USE, 406 E. Withrow Street, to allow for a campus organization to use a vacant fraternity house for gathering/study space, Crossroads Community Church, Sue Landgrebe, Applicant

X Review _____ Revisions _____ Other

Please return no later than: **August 2, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments

without/comments

Drawings reviewed by:

V. Popescu

Date: 7-13-17

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-22, CONDITIONAL USE, 406 E. Withrow Street, to allow for a campus organization to use a vacant fraternity house for gathering/study space, Crossroads Community Church, Sue Landgrebe, Applicant

 X Review Revisions Other

Please return no later than: **August 2, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

This use would likely reduce police calls for service to this address. Approval is supported by Police Division

Drawings reviewed by: _____

[Signature]

Date: 7/18/17

John A. Jones

PRINTED NAME



PC-2017-22

Surrounding Property Owners Notifications Map

Legend

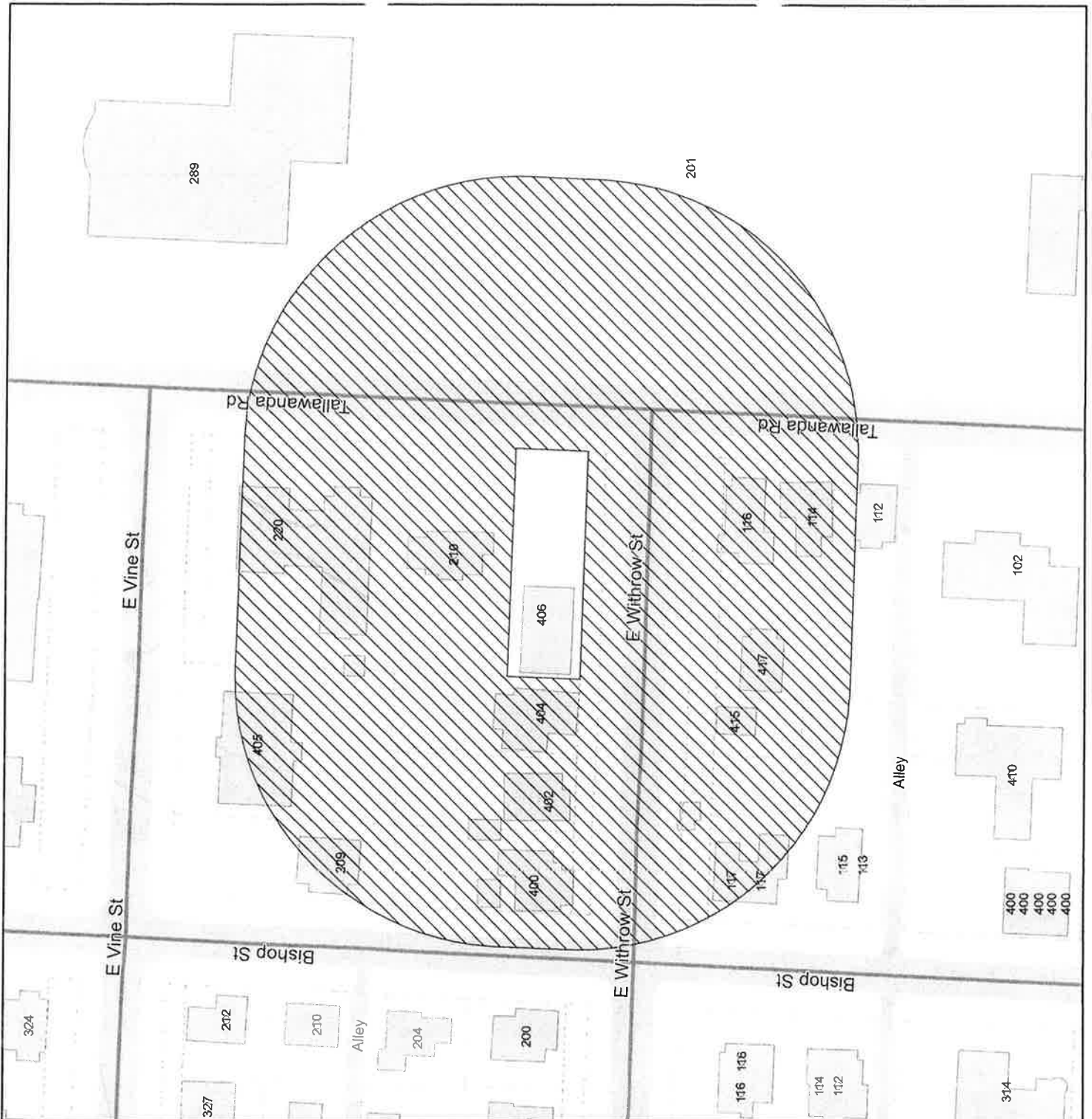
- Subject Parcel
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
- Paved Roadway



1 inch = 100 feet

Prepared on Thursday, July 20, 2017

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



6/21/2017

• • •

Chris Ferritto
Theta Upsilon Housing Corp
6735 Stallings Lane
Hamilton OH 45011

Lisa Kuhn
Crossroads Oxford
406 E Withrow
Oxford, OH 45011

Dear Lisa,

This letter is verification that Crossroads is entitled to apply for permits on behalf of Theta Upsilon Housing Corp. for the purpose of remodeling the property at 406 East Withrow.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Ferritto", with a long horizontal flourish extending to the right.

Chris Ferritto
President
Theta Upsilon Housing Corp



Internal Use Only:	
Case No.	PC-2017-22
Date Filed	6/23/17

Conditional Use Permit Application

Applicant Information

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

Name * Crossroads Community Church Inc. c/o Sue Landgrebe

Mailing Address * 3500 Madison Rd.

City, State & Zip Code * Cincinnati, OH 45209

Telephone Number(s) * office: 513.731.7400 ext. 353; cell: 513.673.3651

Email Address slandgrebe@crossroads.net

Owner Information

Name * Theta Upsilon Housing Co.; c/o Tim Johnson

Mailing Address * 4397 Helena Dr.

City, State & Zip Code * Cincinnati, OH 45244

Telephone Number(s) * Contact Person: Chris Ferritto 513.623.2300

Email Address chrisferritto@yahoo.com

Location and Lot Information

Location of Property * 406 E. Withrow St., Oxford OH

Legal Description * Parcel No: 4000006000155; See Attachment B

Zoning District * R2MS

Total Area * 6360 → Check One * Acres ☐ Square Feet ☒

Existing Use Description * Vacant; Was a Fraternity House

Proposed Use Description * Gathering/Study Space for Campus Organization

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

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

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

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

Fees & Receipt

The required fees are \$400.00 plus \$10.00 for postage. You may write a \$410.00 check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

She Landgrabe

Date *

6/22/2017

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

6/23/17

Receipt Number *

155632

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

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

SUBMISSION REQUIREMENTS AND DOCUMENTATION -- CROSSROADS OUTPOST

A. Application Fee. \$410

B. Description of Use and Site.

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

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

Applicant: Crossroads Church, 3500 Madison Road, Cincinnati OH 45209

Property Owner: Theta Upsilon Housing Co., % Tim Johnson, 4397 Helena Dr, Cincinnati OH 45244

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

See Attachment A -- Letter of Agency

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

See Attachment B

Parcel number H4000006000155

Situated in the Village of Oxford, County of Butler and State of Ohio, and being 54 feet of land taken evenly off the south end of outlot three hundred six (306) as the same is known and designated on the recorded plat of the village of Oxford, Butler County, Ohio

306 S 54° & N ½ vacant street

406 E. Withrow Street, Oxford OH

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

The existing use of the space is for the fraternity of Kappa Sigma. They housed students there and held meetings as well as social events. The building is currently vacant.

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

R2MS

6. A description of the proposed use.

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

Crossroads Oxford is new to the city of Oxford but is a part of a larger church that was formed in Cincinnati 20 years ago. Crossroads is a multi-site church with gatherings happening nationwide and growing rapidly. The Crossroads Oxford student organization launched about eighteen months ago. We are a collaboration of students and community members. We have around 200 people attending services on Miami's campus in Benton Hall on Sundays during the academic year. We can do that because we exist as a student org very similar to a fraternity. We are in good standing with the university and are recognized as a student organization which allows us to use space on campus for free, and advertise our events on campus. Dr. Michael A. Curme, Associate Vice President & Dean of Students, would attest to the positive impact we've had on the student population and community. He was and is extremely excited that we are a student org and that we are helping turn the tide on some of the negative culture that exists on campus.

To explain what Outpost is and what it is used for I'll need to rewind with a little history. Last year we found we had a need for office/meeting space to not only serve our needs but that of the community and university. We wanted to experiment with separating the various functions of a "church." We run services on campus, so we had no need for a space for church services. Instead, we wanted a space for leadership development, community building and a space for a launching pad for our other projects and efforts to serve the Oxford/Miami community. The Beta Fraternity had recently purchased the old Evan's scholar building on E Church Street and were looking for an organization to lease the building. As we met with Beta, it became clear that while the Crossroads Oxford student organization is not technically a fraternity, we do align with the Five Pillars of the Greek community as outlined by Miami University: Scholarship & Learning, Service & Philanthropy, Leadership & Values, Community and Brotherhood & Sisterhood. Accordingly, they agreed to lease us the space for the 2016-17 school year, allow us to do renovations and they decided not to rezone as we are a student org and we use the space the same way a fraternity does. Beyond the Five Pillars, we also functioned in a way similar to a traditional fraternity: a select number of students lived in the building to help keep it secure and help facilitate events. We hosted dry parties, we hosted meetings and discussions for the organization and the space served as a study space for students. We agreed to lease the Evan's Scholar building in July 2016. Our partnership with Beta has been excellent.

In the Miami tradition, we decided to name our building "Outpost". Outpost gave our community a place to belong and develop. Imagine if a coffee shop, study area, and community center combined... that's Outpost. Throughout the 2016-17 school year the space was used in the following ways, aligning with the Five Pillars:

- **Scholarship & Learning:** Students used the space for co-working and study. We offered free coffee, printing, wi-fi and soft drinks throughout the year. For midterms and exam season, we also had food throughout the day to encourage students.
- **Service & Philanthropy:** The student org was able to use the space as a launching pad for community service. A cohort of students used the space to plan a spring break trip to Nicaragua where they helped existing NGOs in serving children in poverty. They raised thousands of dollars through our Rice and Beans program and other fund raisers. The money that was raised funded a variety of service and philanthropic enterprises. Some examples include: free swim lessons for children in Oxford, support for other organizations working against the opioid addiction epidemic plaguing our region and funding NGOs in India working against child sex trafficking.
- **Leadership & Values:** The space was used nearly every night of the week for meetings of different committees of our student org. Most of these were leadership development committees. Some specific examples: a group of college-aged men and men from the community met Thursday evenings to develop a vision for their life, encourage one another to choose the right thing instead of the easy thing, work together as team players, work hard and use their strength to protect rather than exploit. This group grew to 70-80 college students and eventually launched a group that worked with those incarcerated in the Lebanon Correctional Facility. Another example of one of the committee in the student organization that used the space was a group of singers/song writers who gathered to develop their craft and encourage one another as artists. They met weekly and were featured as a subsection of the Crossroads Oxford student organization in the Miami student magazine Up.
- **Community & Brotherhood:** Our community raised money to host dry parties featuring music and free food trucks and events. Additionally, we hosted a Thanksgiving celebration in Outpost for students who couldn't make it home for Thanksgiving. Finally we worked with the university to reign in dangerous activity during Green Beer Day, by funding and running food trucks which launched from Outpost.

We started Outpost as an experiment, but it exceeded our wildest expectations. Outpost was so successful with hundreds coming through it's doors each week, we decided to invest in a new space when our lease was up. Ideally we would have just stayed at the old Evan's Scholar Building, but Beta had already rented it to another fraternity. So we began investigating other properties around campus.

That's when we became aware of the abandoned Kappa Sigma building. The building had been vacant for quite some time and was having significant vandalism occur weekly. The fraternity was not recognized and out of money to fix up the building. The vandalism that occurred during its vacancy, and poor upkeep when occupied by the fraternity, means we need to do significant renovations to make the building usable for students and overall more attractive. Kappa Sigma recognized that they didn't have the funding to be able to bring the building up to the bar they needed it to be when they re-form in the future. Kappa Sigma saw what we were able to do with Beta's building and how Beta was able to recruit Crossroads Oxford students in order to re-form on solid footing and they would like to do something similar. The building use will be exactly the same as the fraternity used it and the same use that we did this last year at our old Outpost space. We will hold meetings in it, it is open to anyone, we will be offering free coffee, pop, wifi and printing, we will have students live on the third floor, and we will have dry parties. We signed a lease for 4 years with the owner.

b. The hours of operation.

The building will be open at various times throughout the week. It will have open hours Monday-Friday from 8am-5pm and Sunday 1-6pm. It will also be open in the evenings for scheduled meetings, studies or events. The building is reservable at request as we host other events at the space as needed.

7. A narrative statement that evaluates the compatibility of the proposed use with the general vicinity and adjacent properties.

a. How the use is similar to or different from existing area uses and if there will be any interaction between the proposed use and existing uses.
See answer to Item #6.

b. How any existing structures, proposed structures, and the site design relate to adjacent structures and sites.

Existing and proposed structures will not impede on adjacent structures. The renovations proposed will beautify the existing neighborhood.

c. If the use will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.
None different than previous use.

d. How any potential negative effects on adjacent land will be mitigated.
No potential negative effects

8. A statement about why the location proposed is more appropriate for the use than other locations.

The location is adjacent to campus and on Talawanda which is a street frequently traveled by students and driven by the community. It is also adjacent to fraternities and other student organization locations.

9. A statement of the necessity or desirability of the proposed use to the neighborhood or community.

We offer free coffee, soft drinks, wifi and printing and are open to both student and community members to use and enjoy during our open hours.

10. Separate, detailed statements that individually address each of the items listed as potential concerns for the proposed use.

None

11. A list of the names and mailing addresses of all land owners within 200 feet of the site (see next section).

See Attachment C -- Adjacent Property Information

12. Such other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by Planning Commission.

C. Site Plan.

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

See Attachment D -- Site Plans

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

See Attachment E - Proposed Exterior Elevations

- E. Other. Photographs of the existing use and its surroundings.

See Attachment F -- Photos of Existing Property/Building



Barron Peck Bennie & Schlemmer

A LEGAL PROFESSIONAL ASSOCIATION

W. Thomas Fisher, Esq.
(513) 721-1350
wtf@bpbslaw.com

June 21, 2017

Crossroads Community Church
Attn: Sue Landgrebe
3500 Madison Road
Cincinnati, Ohio 45209

RE: Parcel No. H4000006000155

Dear Sue:

The owner of the above-referenced parcel is Theta Upsilon. The legal description for the parcel reads as follows:

Parcel No 3 situate in the Village of Oxford, County of Butler and State of Ohio, and being 54 feet of land taken evenly off the South end of outlot three hundred six (306) as the same is known and designated on the recorded plat of the Village of Oxford, Butler County, Ohio.

Please let me know if you have any questions.

Very truly yours,

Barron Peck Bennie & Schlemmer, LPA



W. Thomas Fisher

WTF/lbq

Ohio - Oakley Square:

3074 Madison Road
Cincinnati, Ohio 45209
(513) 721-1350
(513) 721-2301 Fax

www.bpbslaw.com

Legal Counsel Since 1897

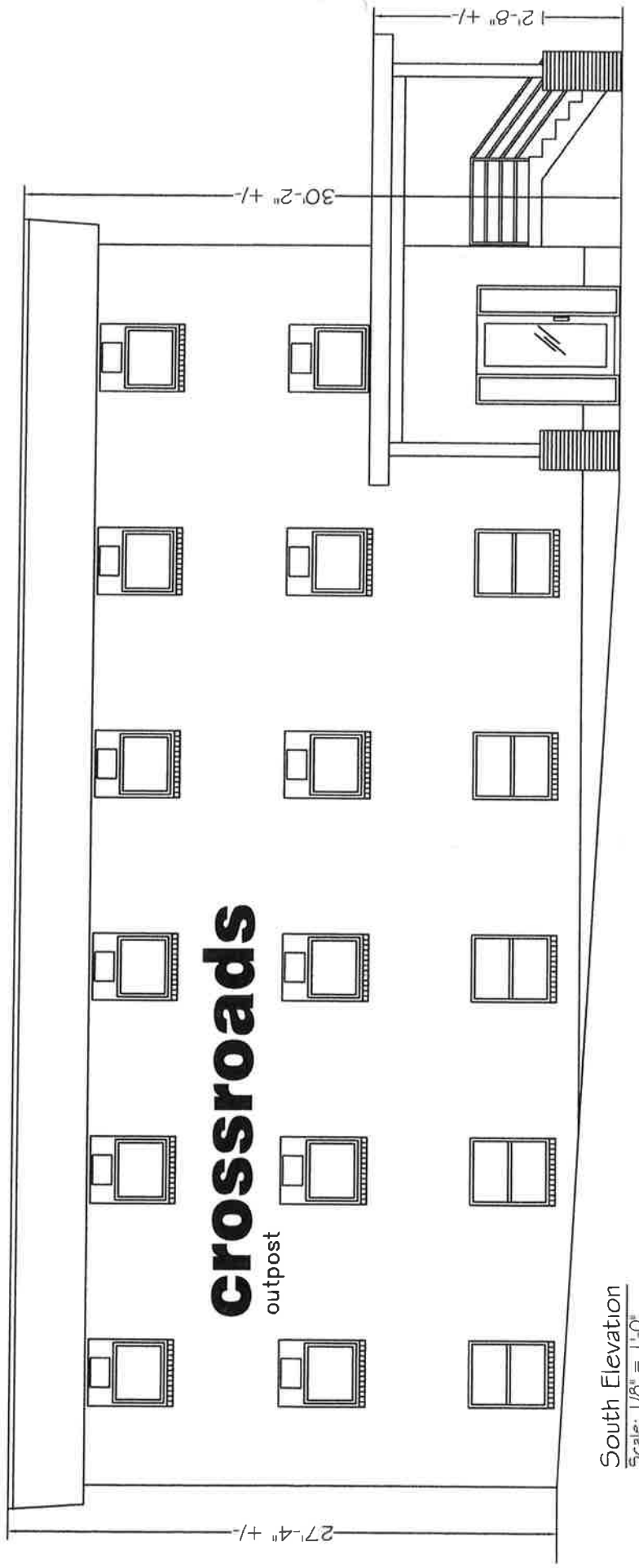
Kentucky:

30 E. Eighth Street, Ste 200
Newport, Kentucky 41071
(859) 547-1382
1-888-202-1894 Fax

Proposed New Entry & Canopy



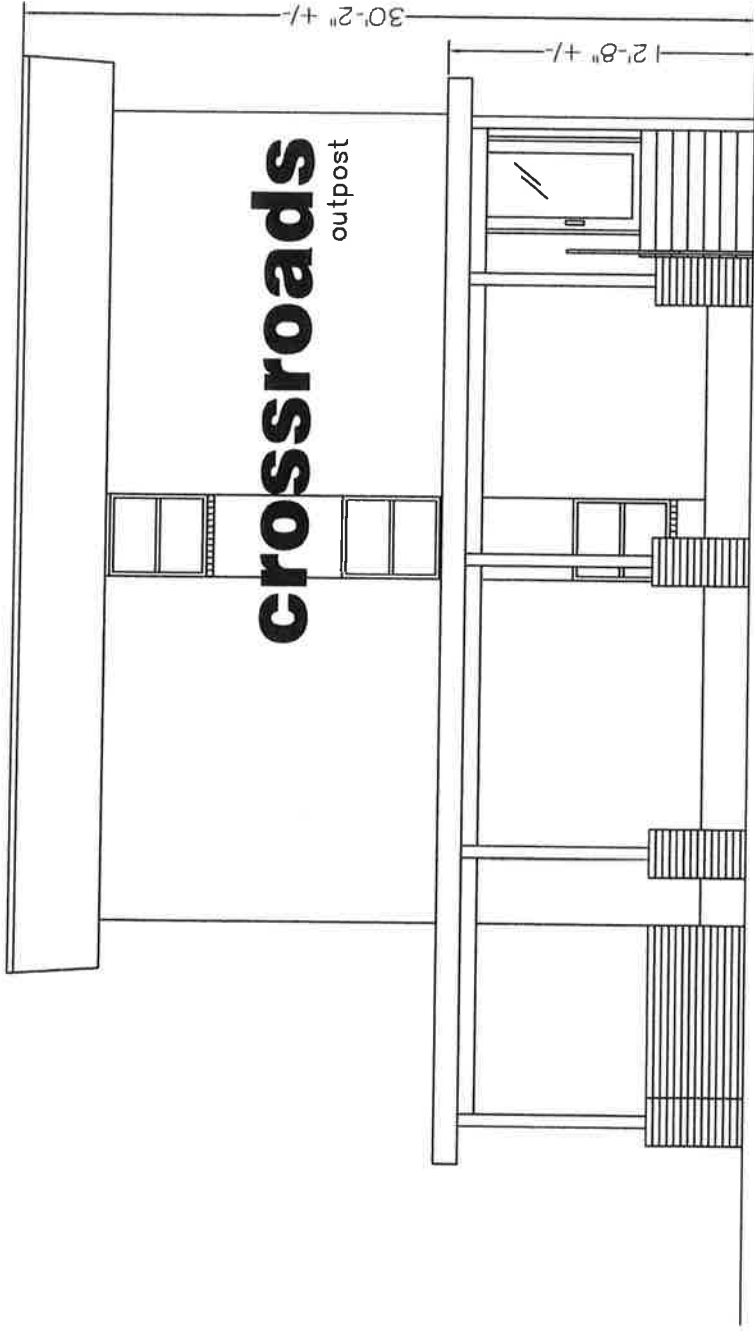
Artist Rendering



South Elevation
Scale: 1/8" = 1'-0"

GENERAL NOTES:

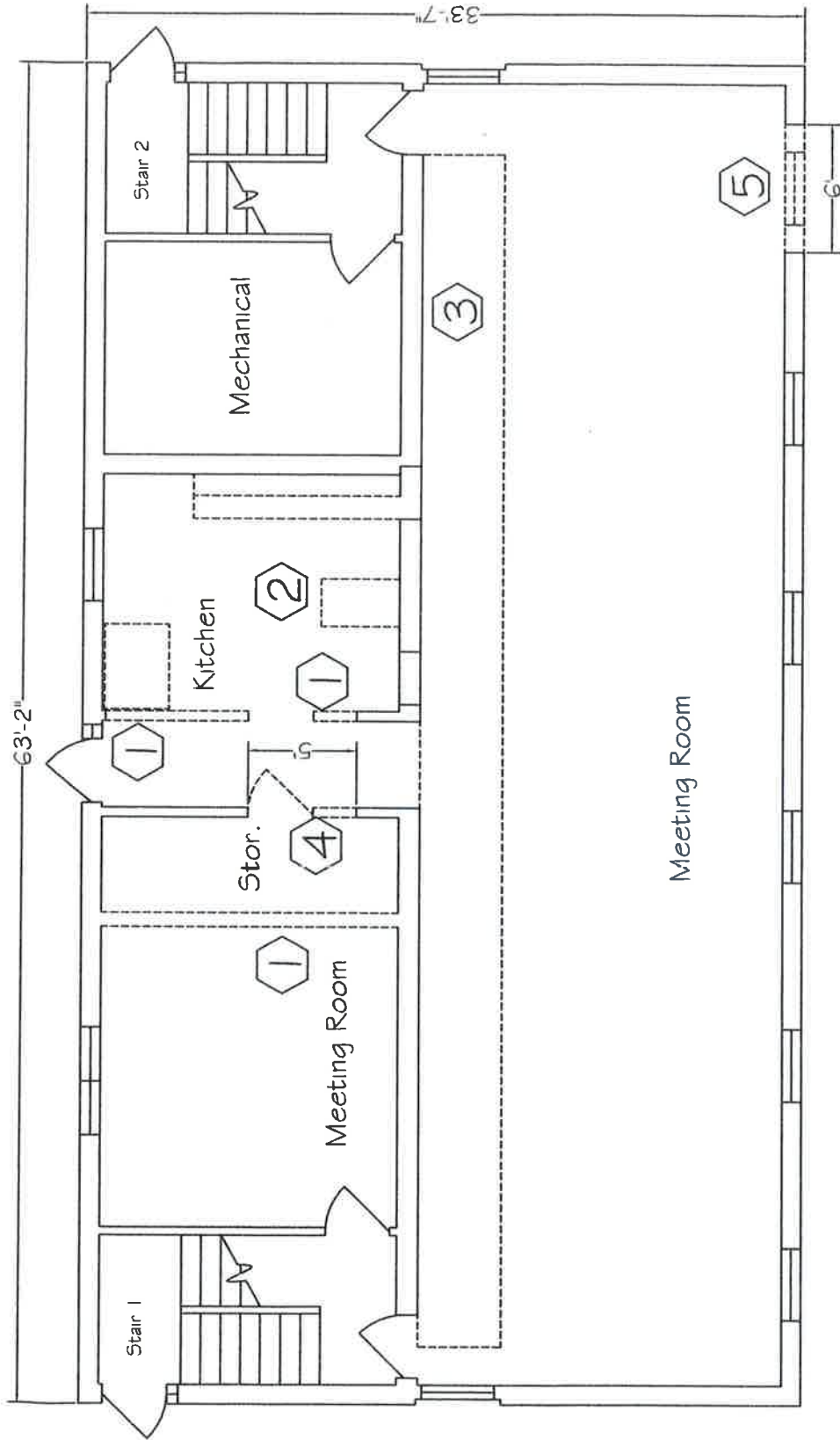
Proposed Canopy Structure is approximately 12' - 8" +/- in height above grade. Existing building varies in height between 27'-4" to 30'-2" +/- and is three (3) stories with a flat roof. Signage to be approximately 20'-0" wide or less x 3'-0" high maximum. Signage will not be illuminated.



East Elevation
Scale: 1/8" = 1'-0"

GENERAL NOTES:

Proposed Canopy Structure is approximately 12' - 8" +/- in height above grade. Existing building varies in height between 27'-4" to 30'-2" +/- and is three (3) stories with a flat roof. Signage to be approximately 20'-0" wide or less x 3'-0" high maximum. Signage will not be illuminated.



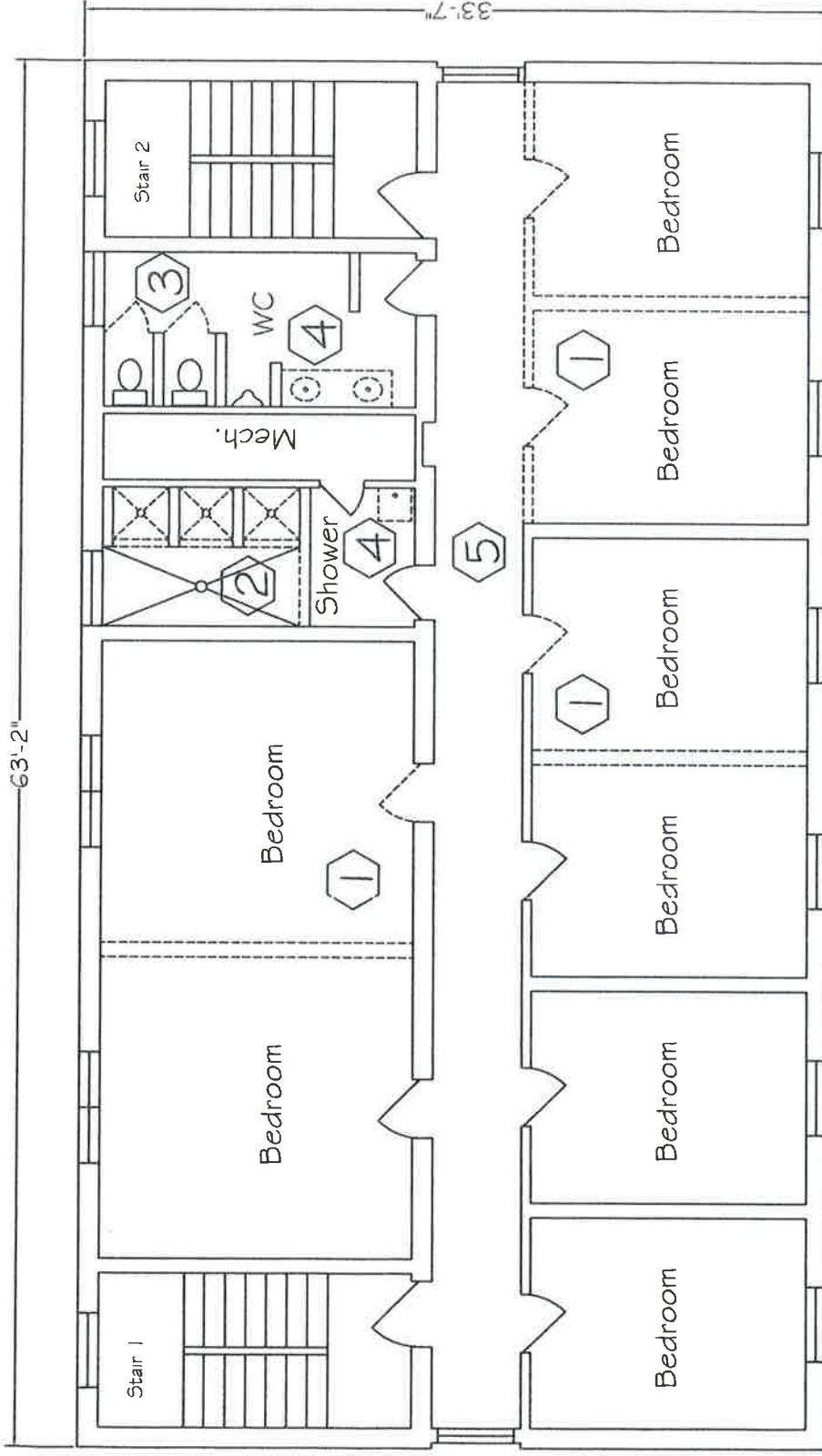
First Floor Demolition Plan
 Scale: 1/8" = 1'-0"

Construction Notes:

- 1) remove non-load bearing walls & doors where noted with dashed line
- 2) remove all kitchen cabinets & equipment where noted with dashed line
- 3) remove bulkhead & HVAC ductwork
- 4) remove non-load bearing CMU walls & door where noted with dashed line to allow for 5'-0" sliding barn door, to be selected by Tenant
- 5) remove window & brick to allow for new door & 2 sidelights at 6'-0", see Sheet 10

Existing Floor Plan
 1st Floor

JUN 16 2017
 RECEIVED



~~EXISTING~~

Second Floor Demolition Plan

Scale: 1/8" = 1'-0"

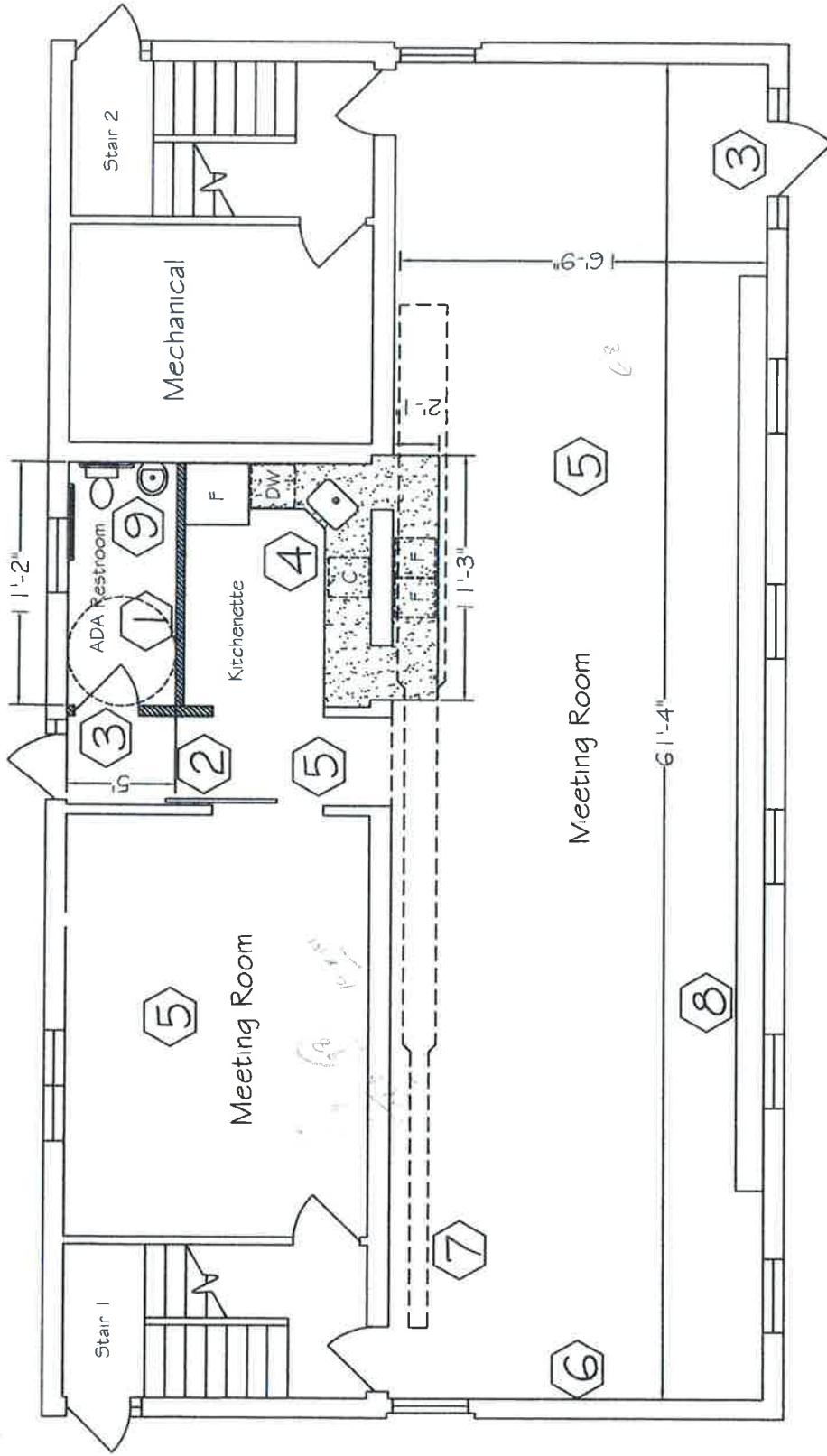
Construction Notes:

- 1) remove non-load bearing CMU walls & doors where noted with dashed line
- 2) remove shower tile, shower curb & plumbing fixtures; landing & tile floor in front of shower to remain
- 3) remove toilet partitions & doors; CMU to remain
- 4) remove sink(s) & base support, if applicable
- 5) hallway ceiling to be removed

NOTE: Third Floor is same as Second Floor with NO WORK, all bedrooms remain.

1/16/2012

RECEIVED



First Floor Plan

Scale: 1/8" = 1'-0"

Construction Notes:

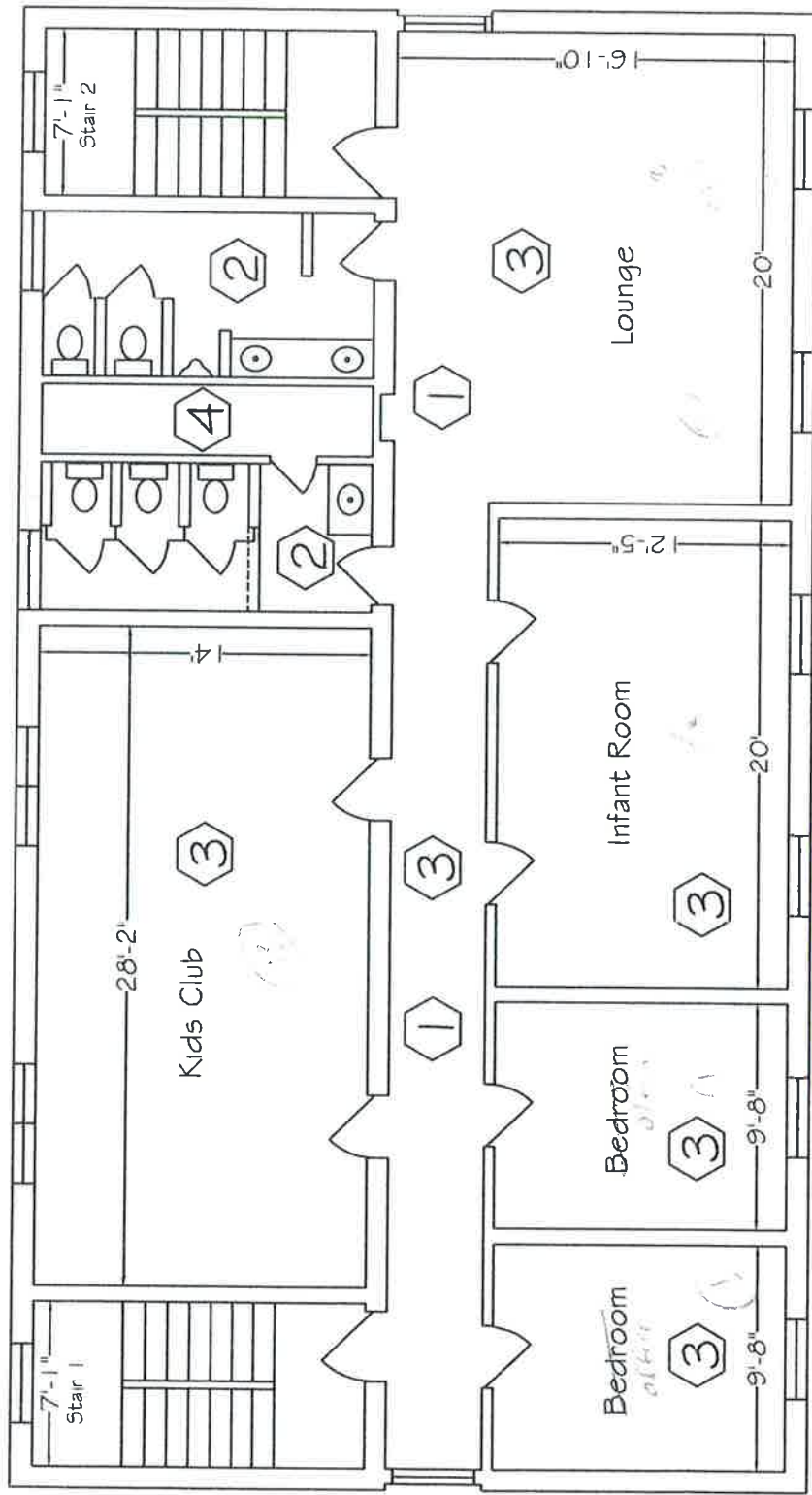
GENERAL - All walls, ceilings, doors & frames to be painted, color(s) to be selected & approved by Tenant. NO WORK on the 3rd floor.

- 1) 2x4 wood frame wall with 1/2" drywall each side floor to ceiling & sound batt insulation & blocking for wall mounted grab bars and infant changing table
- 2) new 5'-0" barn door
- 3) new 3' x 6'-8" door w/sidelight each side for total of 6'-0", see sheet 10 for exterior door details
- 4) new cabinetry, sink, dishwasher, refrigerator, coffee maker / brewer, countertop & undercounter refrigerator(s) to be selected by Tenant
- 5) carpet & rubber base selected by Tenant & installed throughout all areas except stairwells, storage, mechanical room, kitchen & restroom(s)
- 6) HVAC: New split air cooling system, condensor mounted 10' AFF of 1st floor & unit placement to be approved by Tenant
- 7) HVAC: Heating system to be repaired; New spiral duct to be installed where noted by dashed lines
- 8) 15" deep countertop installed directly to CMU wall at window sill edge with hardware able to withstand 100 lbs per linear foot
- 9) new ADA bathroom fixtures including toilet, sink, faucet grab bars & baby changing table: wall mounted exhaust fan to replace existing.

Proposed First Floor

JUN 16 2017

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Second Floor Plan
Scale: 1/8" = 1'-0"

Construction Notes:

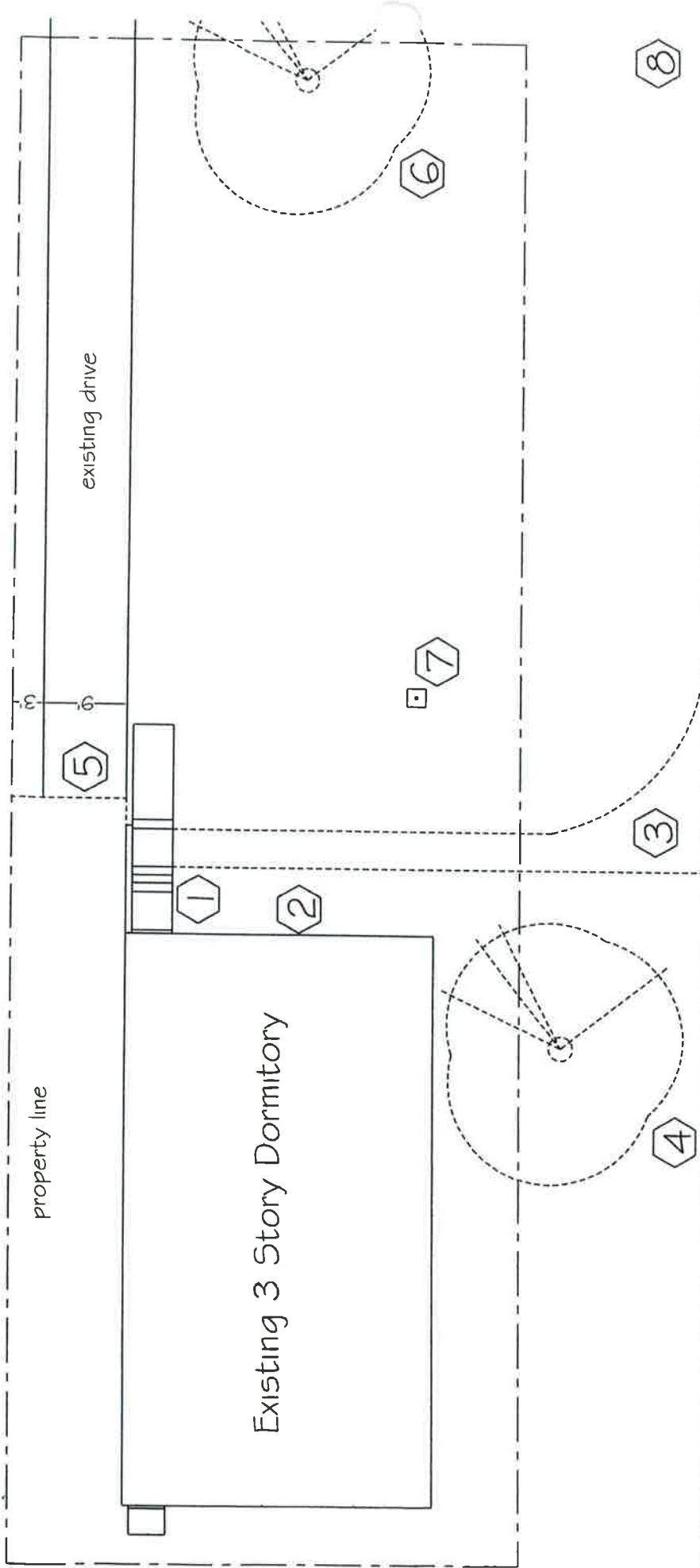
GENERAL - All walls, ceilings, doors & frames to be painted, color(s) to be selected & approved by Tenant. Hallway paint to be graduated with various shades of blue from light to dark. See finish schedule for details, colors of walls, doors & ceilings. NO WORK on the 3rd floor.

- 1) Hallway ceiling & utilities to be painted protecting mechanical unit valves & heads & light fixtures
- 2) new toilet partitions, toilet fixtures, sink(s), faucet(s), mirrors, towel & TP dispensers & wall mounted infant changing station; urinal to remain, repair if necessary; repair tile & CMU as necessary to match adjacent; install new exhaust fans
- 3) carpet & rubber base selected by Tenant & installed throughout all areas except stairwells, mechanical room & restroom(s)
- 4) HVAC: heating system repaired

NOTE: Third Floor is same as EXISTING Second Floor with NO WORK, all bedrooms remain.

RECEIVED

JUN 16 2017



Construction Notes:

- 1) reinforce concrete landing with flowable fill
- 2) replace GFCI & disconnect wire extension
- 3) remove sidewalk where indicated
- 4) remove tree & stump
- 5) remove gate & frame
- 6) trim tree
- 7) remove flag pole & base
- 8) remove shrub to allow for 20' visibility triangle at corner



Site Plan - Demolition Plan

Scale: 1/16" = 1'-0"

EXISTING

JUL 17 2017

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Lot Area Calculation

Lot Size = 9338 sq ft
 Max. Building & Hardscape Allowed (40%) = 3735.2 sq ft
 Building Footprint = 2120 sq ft
 Driveway = 757 sq ft
 Patio = 1092 sq ft
 New sidewalk within property line = 8 sq ft
 TOTAL Building & Hardscape = 3977 sq ft



JUL 17 2017

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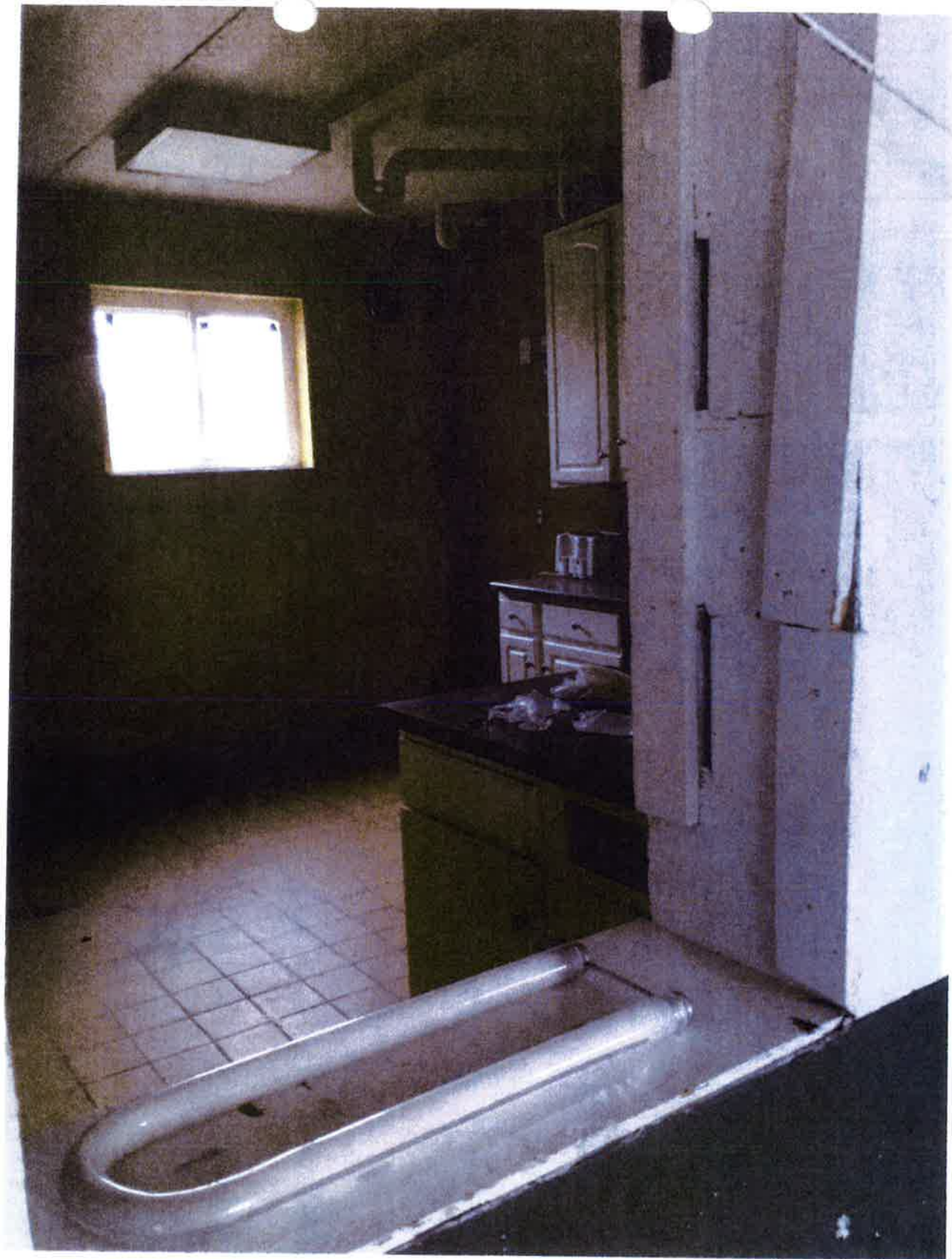
PHOTOS



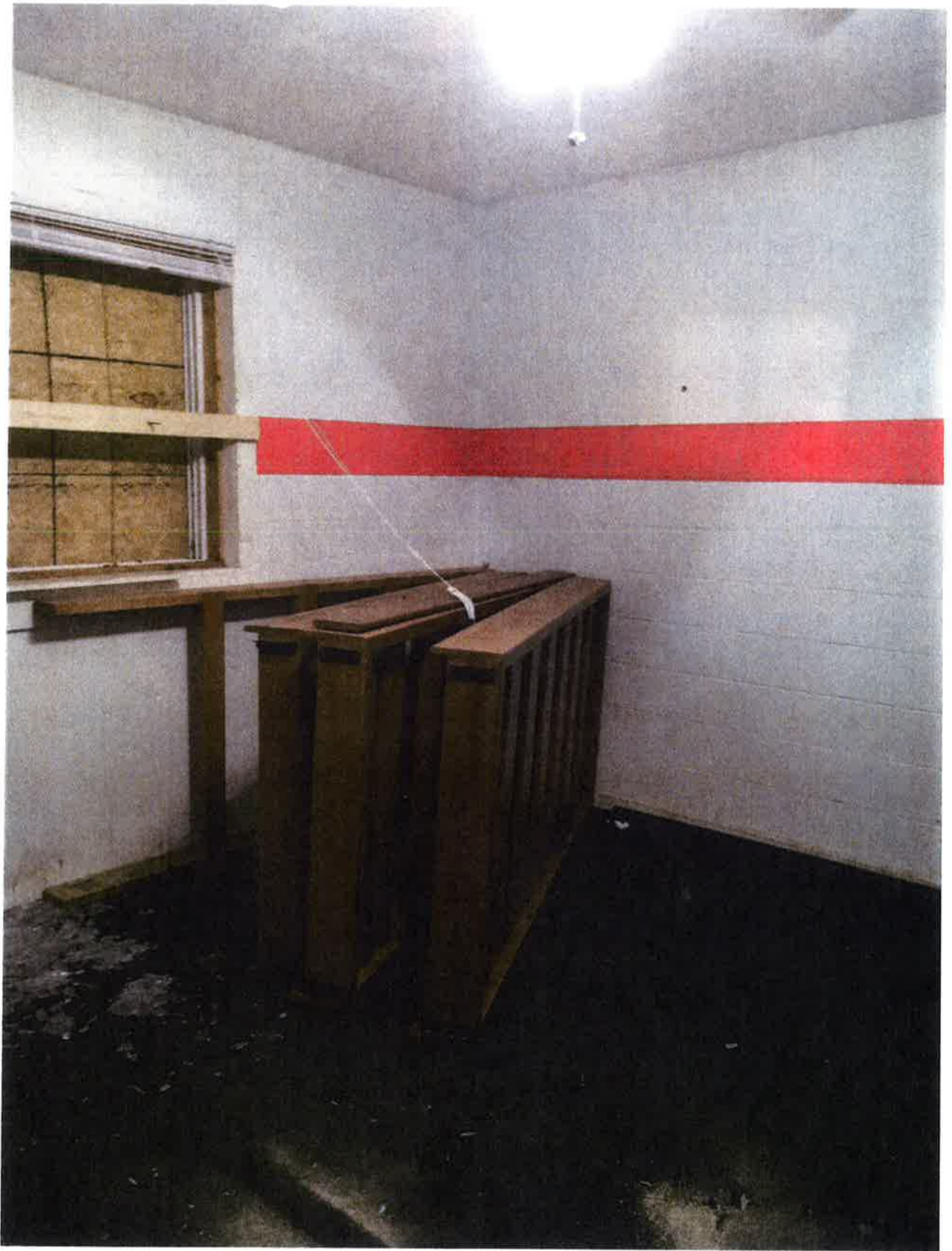
Exterior



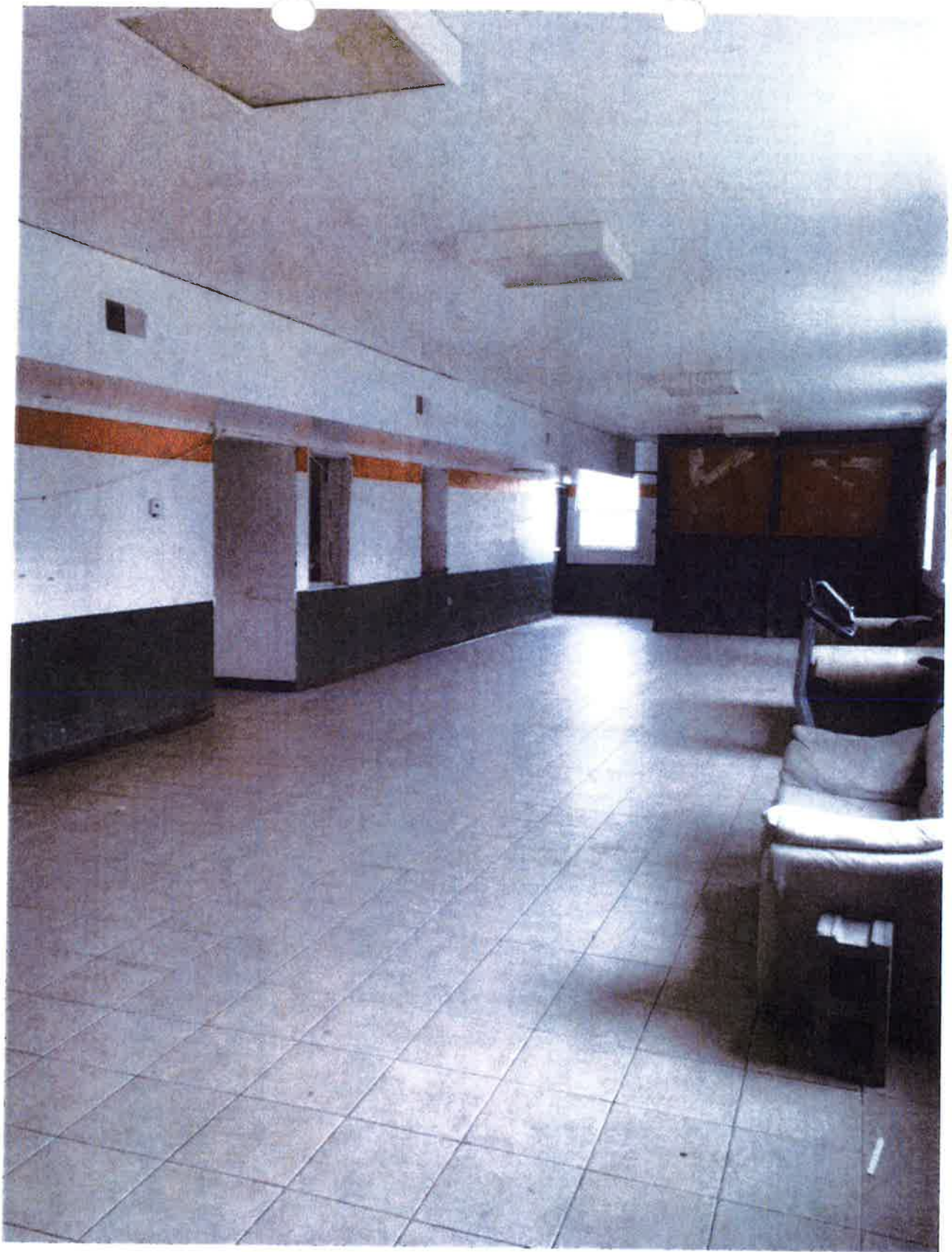
Exterior



Kitchen



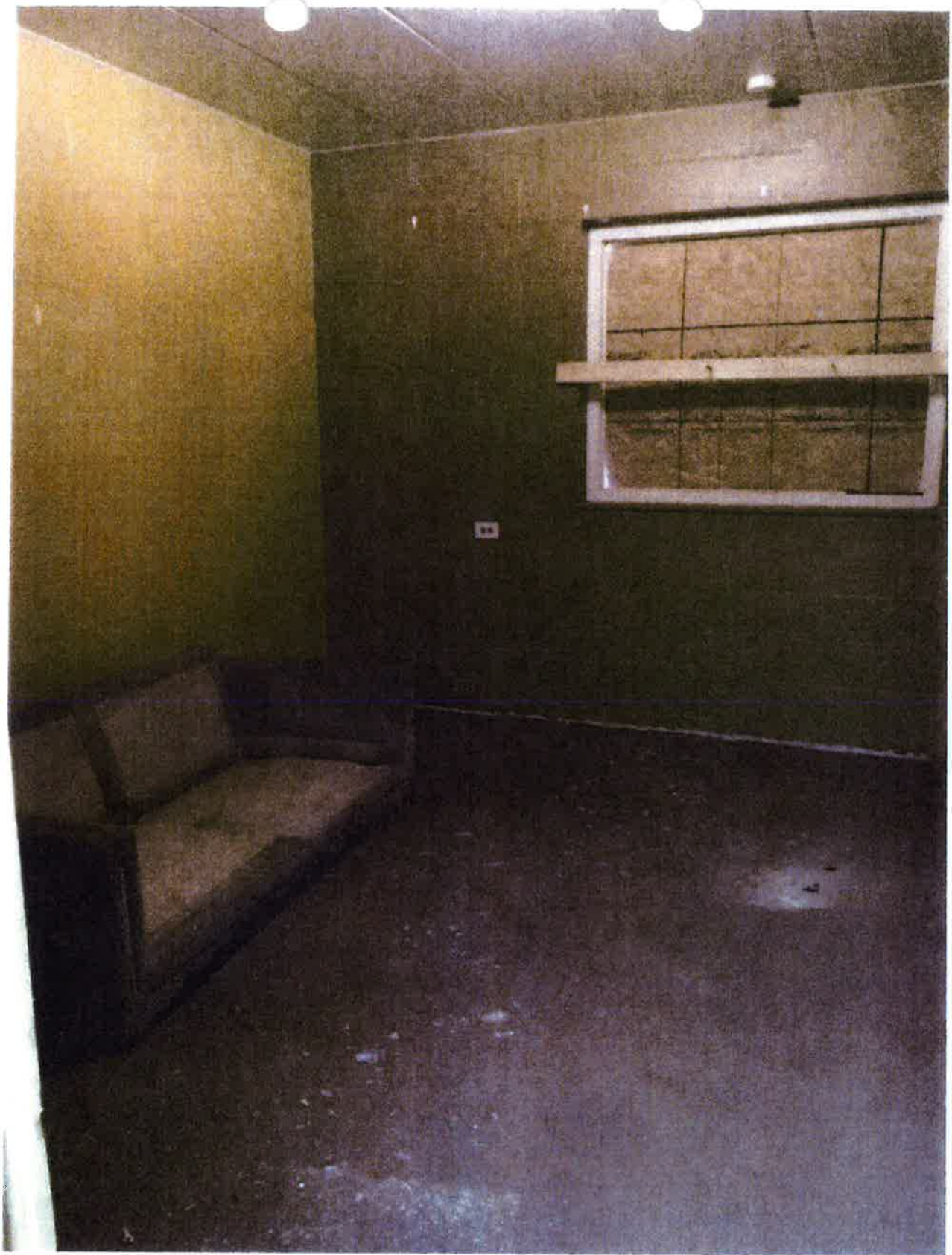
Meeting Room



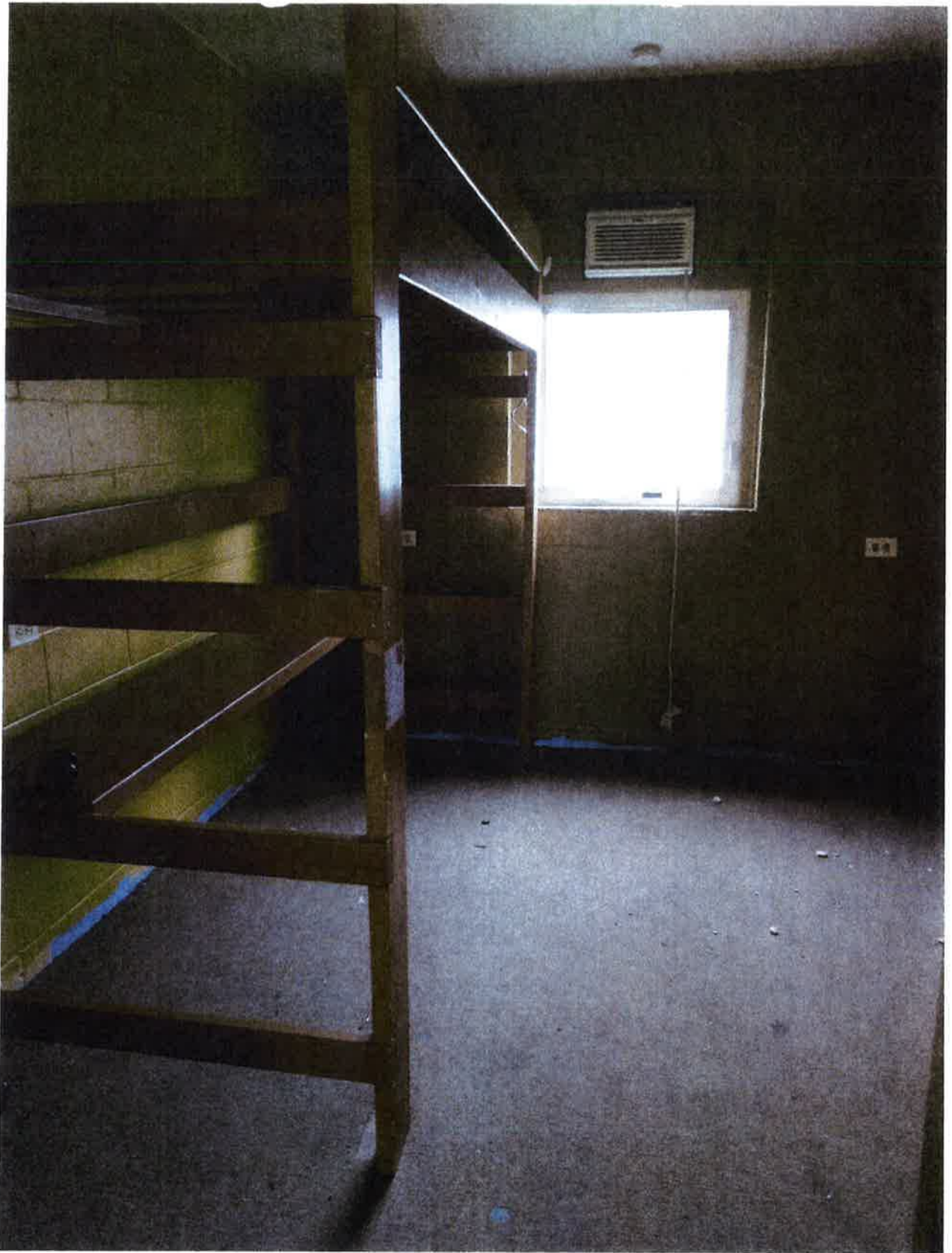
Meeting Room



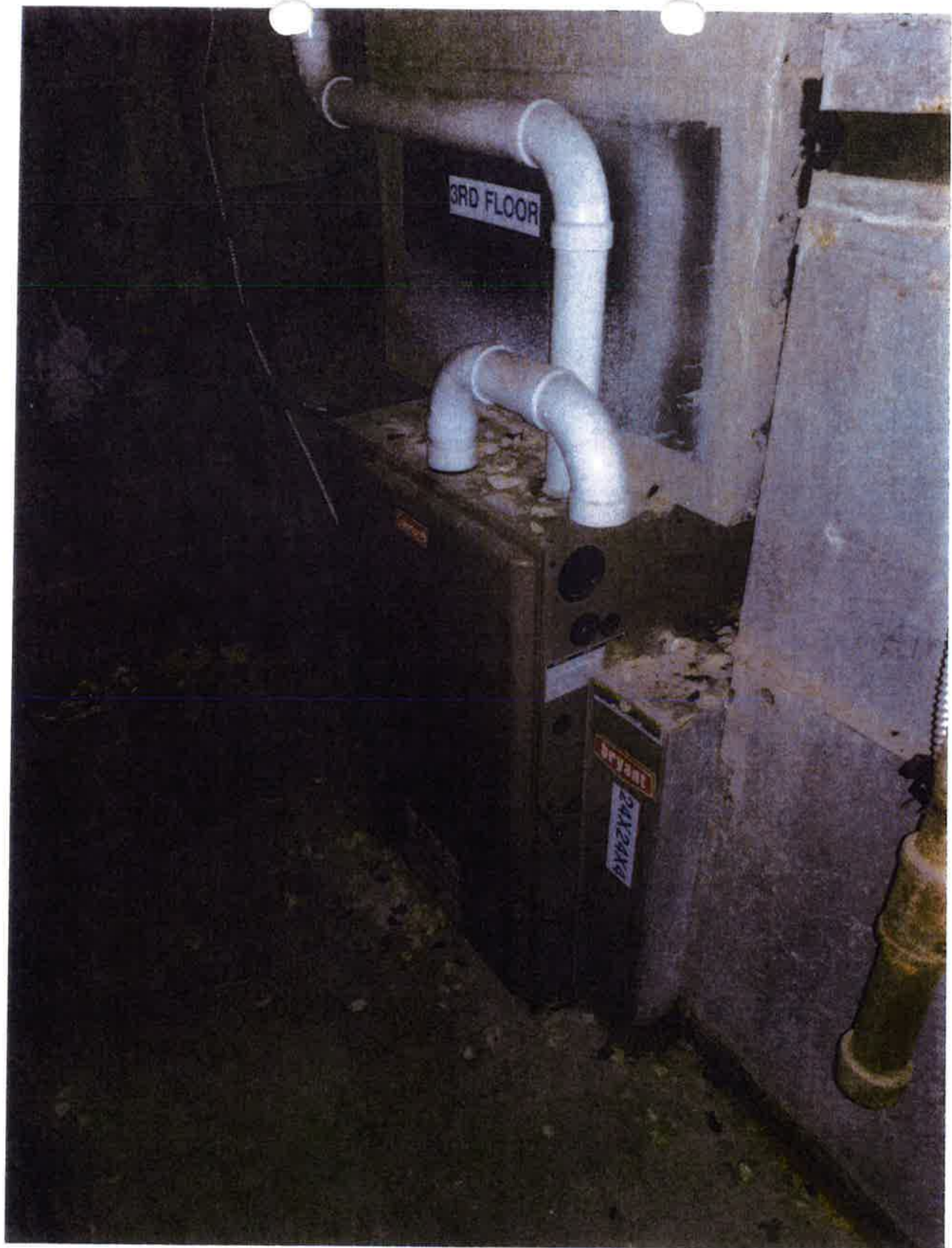
Second Floor Hallway



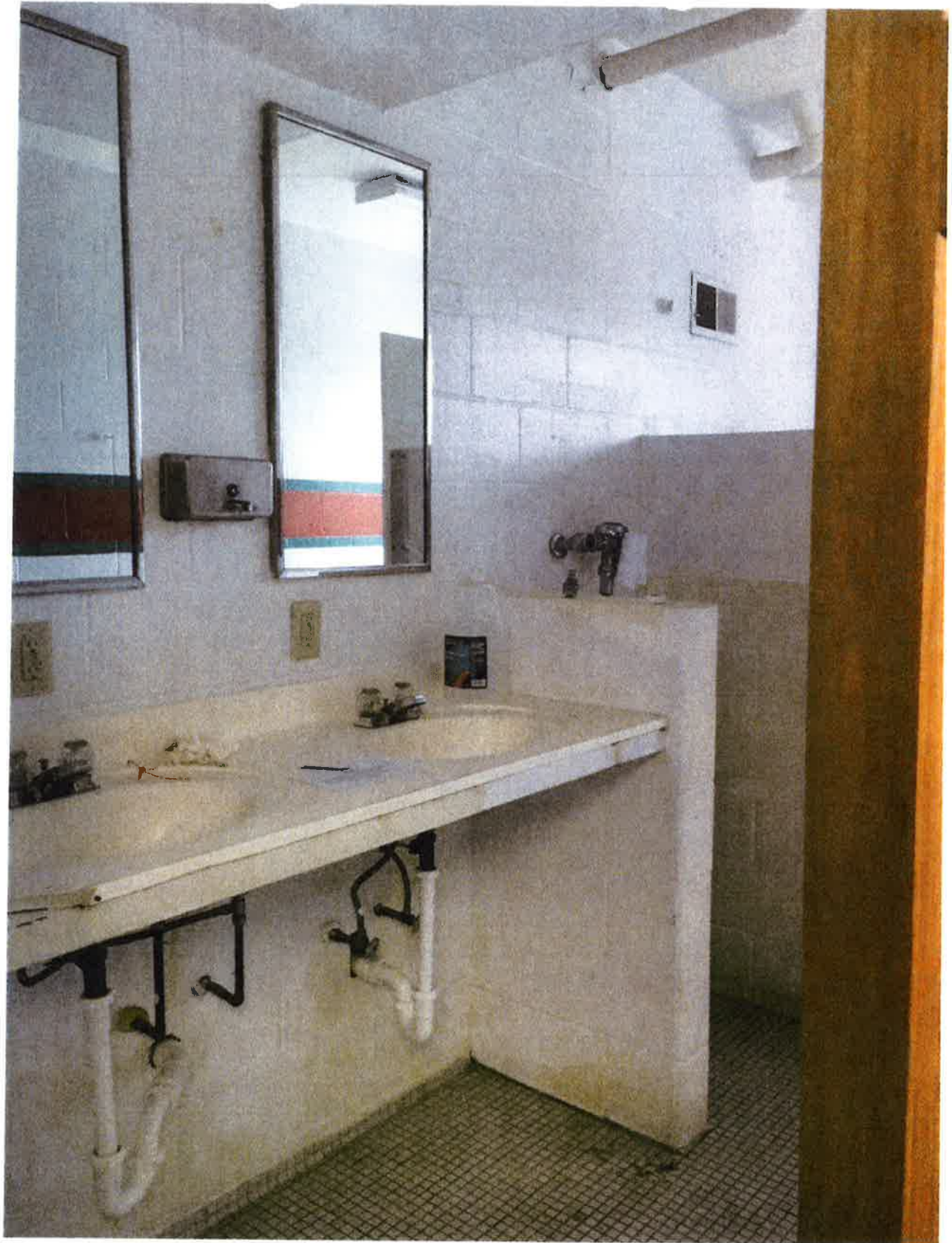
Bedroom



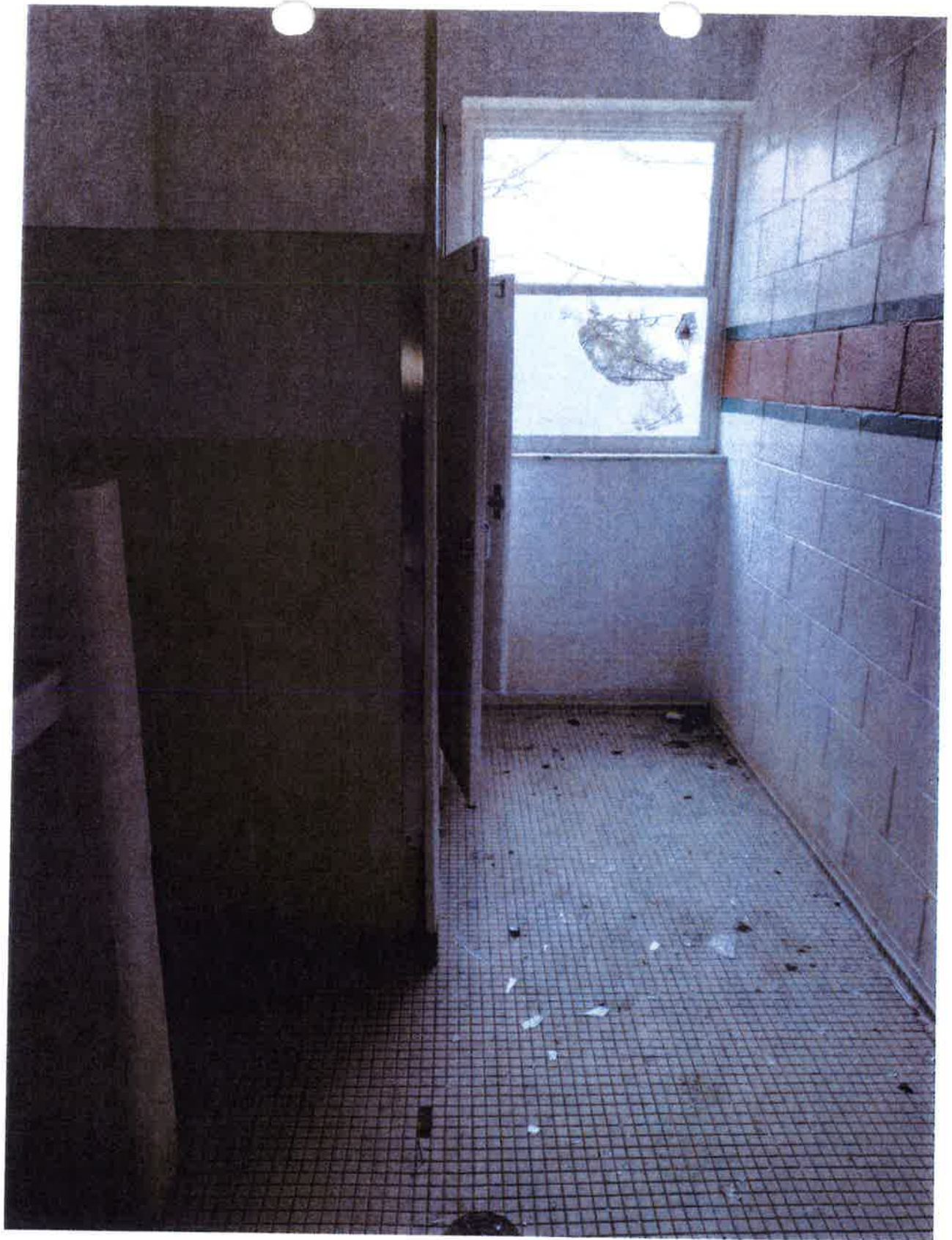
Bedroom



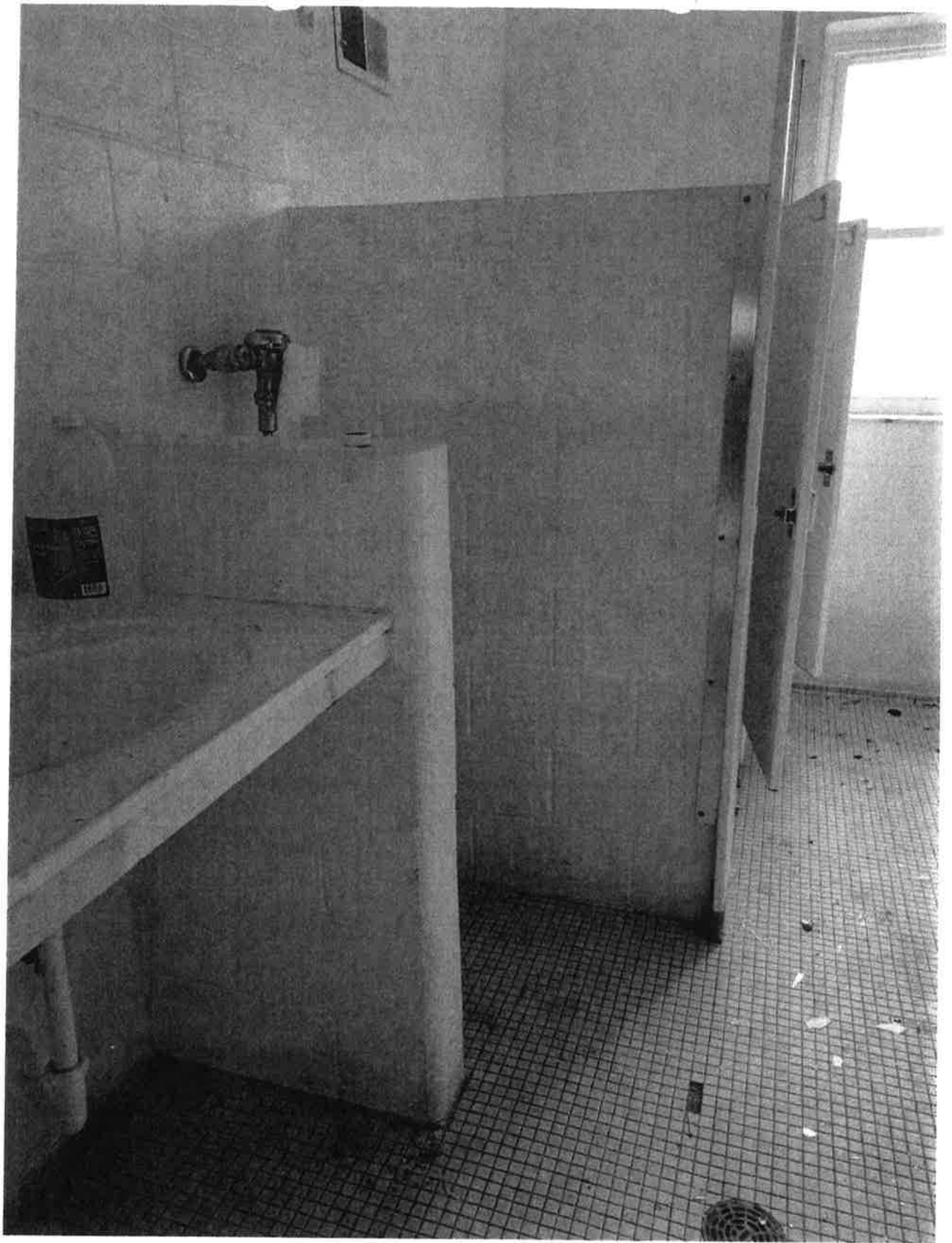
Mechanical Room



Toilet Room



Toilet Room



Toilet Room



Shower Room

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017
Date Prepared:

PC-2017-18, ZONING CODE TEXT AMENDMENT, to Amend Chapter 1147.03, specifically adding (39) accessory dwelling unit with use specific regulations and concerns, **City of Oxford, Applicant**

Recommendation by the Planning Commission: Approval

Discussion:

This application is part of amendments that specifically deal with the use regulations and potential concerns by allowing an accessory building to be used as a dwelling unit.

This is one of the two companion pieces that go with changes to 1143.07 R-3MS to allow accessory buildings to be used as a dwelling unit, since the proposed R-3MS District lists accessory dwelling units as a conditional use. The Planning Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building to build a new one just to accommodate one additional unit.

The Planning Commission recommended the approval of the proposed zoning text amendment in a vote of 7-0-0 to City Council for legislative action.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC / 8/1/17
JRE / 9/1/17

ORDINANCE NO.

ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1147.03 ENTITLED USE SPECIFIC REGULATIONS AND POTENTIAL CONCERNS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1147.03 ENTITLED USE SPECIFIC REGULATIONS AND POTENTIAL CONCERNS.

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

SECTION I: 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 July 11, 2017 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 entitled Use Specific Regulations and Potential Concerns and adopting new Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations and Potential Concerns.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations and Potential Concerns, and adopts new Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations and Potential Concerns as follows: (additions are bolded and deletions are struck through)

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS.

The uses listed in this section are Conditional Uses in at least 1 zoning district. Each use is listed with Potential Concerns and may be listed with specific regulations.

The Potential Concerns are use-specific criteria that Planning Commission shall consider when it makes a recommendation to Council on an application for a Conditional Use. The Planning Commission may also consider additional use-specific concerns not listed here if it deems them appropriate.

The Additional Regulations are more strict or additional dimensional regulations or operational conditions that apply to the use, regardless of whether it is permitted or conditional, and regardless of the zoning district in which it is located, and are enforced by the Zoning Administrator.

(a) General. Wherever no specific area, lot width, or setback requirements are specified in the provisions for specific Conditional Uses, then the dimensional regulations for the most restrictive permitted use in the applicable zoning district shall apply.

(b) Uses.

(1) Agricultural Services.

A. Potential Concerns.

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

B. Regulations.

1. Farm product storage buildings shall be setback 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 setback 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. Appropriate number of rooms for the neighborhood in which it is proposed.
 - 2. Location of separate entrances.
 - B. Regulations.
 - 1. No more than 8 rooms for rent in any structure.
 - 2. Owner or manager must live in the structure.
 - 3. At least one meal must be provided to guests on site.
- (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 setback 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 setback 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 setback 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 setback 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 setback 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 setback 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 characters 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**

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-18

Date – July 11, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1147.03, specifically adding (39) accessory dwelling unit with use specific regulations and concerns, City of Oxford, Applicant

DESCRIPTION

This application is part of amendments that specifically deal with the use regulations and potential concerns by allowing an accessory building to be used as a dwelling unit.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1147.03 R3MS (Single, Two- and Three-Family Mile Square Residential) District for your information.

COMPREHENSIVE PLAN

Land Use Element:

The community's small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encourage prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Map 3.6 and 3.7 also show the area of neighborhood enhancement area as well as neighborhood character as well.

Urban Design

- Preserve and enhance historic resources in the Mile Square including Uptown District

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This is one of the two companion pieces that go with the changes to 1143.07 R-3MS to allow accessory buildings to be used as a dwelling unit, since the proposed R-3MS lists accessory dwelling units as a conditional use. The Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building to build a new one just to accommodate one additional unit.

The Commission also went through the changes with the consultant and staff and felt that the changes are necessary to remove any potential conflict and confusion. Attached in this report are the changes to each particular section of the Zoning Code.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-18, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1147.03, Conditional Uses, by adding (39) accessory dwelling unit with use potential concerns and regulations, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **July 6, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethier
PRINTED NAME

Date:

7-10-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-18, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1147.03, Conditional Uses, by adding (39) accessory dwelling unit with use potential concerns and regulations, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **July 6, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: *H. Popescu* Date: 7-6-17

VICTOR POPESCU
PRINTED NAME

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

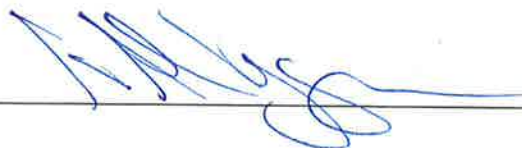
PC-2017-18, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1147.03, Conditional Uses, by adding (39) accessory dwelling unit with use potential concerns and regulations, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **July 6, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 7-6-17

G. Allen Kyrason
PRINTED NAME



Internal Use Only:	
Case No.	PC-2017-18
Date Filed	5/26/17

Zoning Code Text Amendment Application

Applicant Information

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

Name *	Jung-Han CHen
Mailing Address *	101 E. High St
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5237
Email Address	jhchen@cityofoxford.org
Amendment Description *	Amend Chapter 1147 by adding (39) accessory dwelling unit with regations and concerns

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 *

Date *


5/11/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

PC 12A

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

PC-2017-12, ZONING CODE TEXT AMENDMENT, to Amend Chapter 1141, Accessory, Temporary, Supplementary and Environmental Regulations by amending 1141.01 Accessory Regulations and 1141.03 Supplementary Regulations, **City of Oxford, Applicant**,

Recommendation by the Planning Commission: Approval

Discussion:

This application is part of amendments that accompany 1143.07 R-3MS changes to allow accessory buildings to be used as a dwelling unit, as well as amending 1143.03 allowing two principal buildings on a same lot and clarifying the language of a residential building addition.

This is one of two companion pieces that go with the changes to 1143.07 R-3MS to allow accessory buildings to be used as a dwelling unit, since the proposed R-3MS lists accessory dwelling units as conditional uses. The Planning Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building to build a new one just to accommodate one additional unit.

The Planning Commission recommended the approval of the proposed zoning text amendment in a vote of 7-0-0 to City Council for legislative action.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC / 8/1/17
DRE / 9/1/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1141.01 ENTITLED ACCESSORY REGULATIONS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1141.01 ENTITLED ACCESSORY REGULATIONS.

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

SECTION I: 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 July 11, 2017, 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 entitled Accessory Regulations, and adopting new Oxford Codified Ordinance Section 1141.01 entitled Accessory Regulations.

SECTION II: Council hereby repeals Section 1141.01 entitled Accessory Regulations, and adopts new Section 1141.01 entitled Accessory Regulations as follows: (additions are bolded and deletions are struck through)

1141.01 ACCESSORY REGULATIONS.

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

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

(1) Accessory Buildings

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

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

A. Swimming Pools & Hot Tubs

- 1. The pool and hot tub is to be used only by the occupants and guests of the principal use on the property.
- 2. The pool, including any ancillary sidewalk or decking surrounding said pool, shall be no closer to the side lot line

than the side yard requirement for the district in which it is located; and may encroach into the rear yard setback but in no instance shall be closer than ten feet to the rear property line.

3. A swimming pool located closer than 50 feet to a property line shall be screened by an obscuring fence, wall, hedge, or building not less than six feet in height and maintained in good condition.
4. A pool is exempt from the lot coverage regulations, except that an above ground pool shall not exceed 50% of the rear yard area.
5. No private swimming pools, including inflatable pools, shall be located in the front yard.
6. A hot tub shall not be located in a front yard and shall setback from the side and rear property lines in accordance with the district requirements.

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

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

(3) Porches, Decks and Patios

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

(4) Exemptions.

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

(b) Accessory Use Provisions in Business and Industrial Districts. Permitted accessory uses in a Business or Industrial District include any use which is customarily found in

conjunction with and required for the utilization and economic viability of the principal use, which meets the definition of accessory use as stated in this Ordinance, and which complies with the applicable standards of the district in which it is located.

(1) Accessory Buildings.

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

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

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

(c) Accessory Use Provisions for All Zoning Districts.

(1) Handicap Ramps As regulated in the City of Oxford Buildings Codes.

- (2) Accessory building or use shall be erected on the same lot 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 principle 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.

SECTION III:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-12

Date – June 13, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1141, Accessory, Temporary, Supplementary and Environmental Regulations by amending 1141.01 Accessory Regulations and 1141.03 Supplementary Regulations , City of Oxford, Applicant

DESCRIPTION

This application is part of amendments that accompany the 1143.07 R-3MS changes to allow accessory buildings to be used as a dwelling unit, as well as amending 1143.03 allowing two principal buildings on a same lot and clarifying the language of residential building addition.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1143.07 R3MS (Single, Two- and Three-Family Mile Square Residential) District for your information.

COMPREHENSIVE PLAN

Land Use Element:

The community's small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encourage prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Map 3.6 and 3.7 also show the area of neighborhood enhancement area as well as neighborhood character as well.

Urban Design

- Preserve and enhance historic resources in the Mile Square including Uptown District

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	Returned with no comments

Econ. Dev. Returned with comments
Fire: Returned with no comments

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This is one of the two companion pieces that go with the changes to 1143.07 R-3MS to allow accessory buildings to be used as a dwelling unit, since the proposed R-3MS lists accessory dwelling units as a conditional use. The Commission would hope that the property owner may utilize the accessory building as a potential dwelling unit, instead of razing the existing building to build a new one just to accommodate one additional unit.

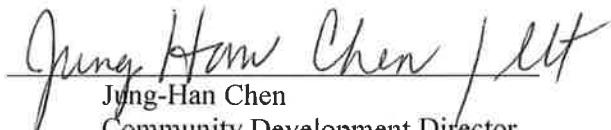
The Commission also went through the changes with the consultant and staff and felt that the changes are necessary to remove any potential conflict and confusion. Attached in this report are the changes to each particular section of the Zoning Code.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

¹²
PC-2017-~~X~~, ZONING CODE TEXT AMENDMENT - Chapter 1141, Accessory, Temporary, Supplementary and Environmental Regulations by Amending Section 1141.01 Accessory Regulations and 1141.03 Supplementary Regulations, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by:



Date:

5-15-17

John Dethuag
PRINTED NAME

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-~~14~~¹², ZONING CODE TEXT AMENDMENT - Chapter 1141, Accessory, Temporary, Supplementary and Environmental Regulations by Amending Section 1141.01 Accessory Regulations and 1141.03 Supplementary Regulations, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

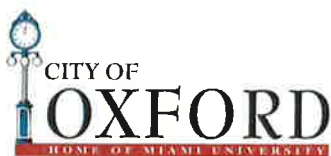
Drawings are returned: w/comments ~~without comments~~

Drawings reviewed by: C. J. [Signature] Date: 5/16/17

John A. Jones

PRINTED NAME

PRINTED NAME



Internal Use Only:	
Case No.	PC-2017-12
Date Filed	4/28/17

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-5245237

Email Address jhchen@cityofoxford.org

Amendment Description * Amend Oxford Zoning Code Chapter 1141.01 and 1141.03

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 *



Date *

4/15/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017

Date Prepared:

PC-2017-19, ZONING CODE TEXT AMENDMENT to Amend Chapter 1101 Subdivision Regulations, 1101.4 Design Standards and Construction Standards, specifically 1101.4 - 402 Sensitive Development Areas, **City of Oxford, Applicant**

Recommendation by the Planning Commission: Approval

Discussion:

This is a directive from City Council to look into sensitive development areas related to a recent development project that the site designer did not clearly identify important natural features for consideration. City Council directed the Environmental Commission to review the Zoning Code related to environmental protection and tree preservation issues since these are elements that the Environmental Commission has expertise on to help delineate submittal expectations, provide guidance to the developer on how to address the sensitive areas, and how to compile information in order for the Planning Commission to better understand the site and make an informed recommendation to City Council. There have not been any subdivision applications since the 2011 revision was adopted, but this might be a good time before any development projects are being submitted for consideration.

Additionally, the proposed changes would require ODOT pre-qualified firms to conduct specialized studies in ecological surveys or environmental site assessments for the final subdivision. Since the approval of a preliminary subdivision, the developer has been given the green light to develop construction plans for infrastructure improvements and detailed design of the subdivision, it would be reasonable to hire ODOT pre-qualified firms to conduct any specialized fields necessary for a clear deliberation on the scale of sensitive areas.

The Planning Commission recommended the approval of the proposed zoning text amendment in a vote of 7-0-0 to City Council for legislative action.

Approved by:

Department Head:

City Attorney:

City Manager:

JHC / 8/1/17
_____/_____
_____/_____

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1101 SUBDIVISION REGULATIONS SECTION 1101.4 ENTITLED DESIGN STANDARDS AND CONSTRUCTION STANDARDS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1101 SUBDIVISION REGULATIONS SECTION 1101.4 ENTITLED DESIGN STANDARDS AND CONSTRUCTION STANDARDS.

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

SECTION I: 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 July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards and adopting new Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards.

SECTION II: Council hereby repeals Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards and adopts new Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards as follows: (additions are bolded and deletions are struck through)

1101.4 DESIGN STANDARDS AND CONSTRUCTION STANDARDS.

400 GENERAL STATEMENT

In laying out a subdivision, the subdivider shall comply with the following design standards and requirements. The regulations contained herein, the Zoning Ordinance, Comprehensive Plan, Stormwater Drainage Plan, Water System Master Plan, and the City of Oxford Thoroughfare Plan shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help ensure

- convenient and safe streets;
- creation of useable lots;
- provision of space for public utilities;
- reservation of land for recreation uses;
- to minimize the impact on natural resources and the environment, and
- to ensure the planning of attractive, connected and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, unconnected, undirected, haphazard growth.

The Planning Commission has the responsibility for reviewing the layout of each future subdivision early in its design development. The development shall be laid out

- to minimize
 - the effect on ground water and aquifer recharge;
 - excavation and embankment;
 - unnecessary impervious cover;
- to provide adequate access to lots and sites; and
- to mitigate adverse effects of noise, odor, traffic, drainage, utilities and increased storm water runoff on neighboring properties.

401 SUITABILITY OF LAND

If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water or sewer supply, slippage potential, unstable subsurface conditions due to poor soils or other reasons and other such conditions which may endanger health, life, safety, or property and, if by any public agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the subdivision unless adequate methods for solving the problems are advanced by the subdivider. For major subdivisions a written statement may be required by the Planning Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

402 SENSITIVE DEVELOPMENT AREAS

(A) A Sensitive Development Area is defined as any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions.

(B) For the Preliminary Subdivision Plat, the applicant must create an inventory of sensitive areas identified in Section 402 (d) 1-8 from publicly available resources such as OEPA, ODNR, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the subdivision shall be based on a site analysis provided by the applicant.

(C) After the approval of the Preliminary Subdivision Plat, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) that is pre-qualified by the Ohio Department of Transpiration in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide report of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council

(D) ~~(B)~~ Design of the subdivision shall be based on the site analysis provided by the applicant. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:

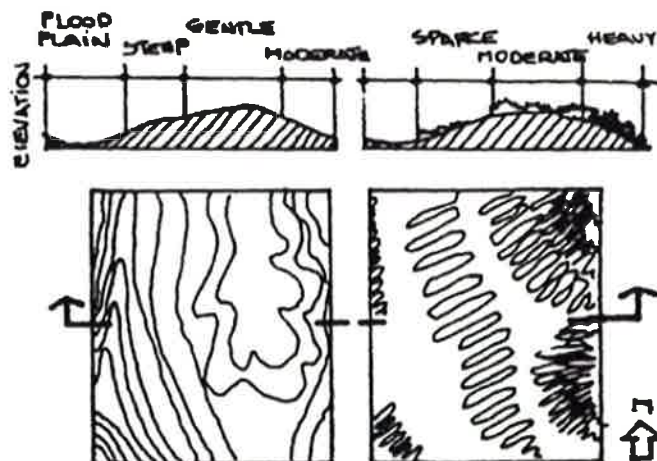
- (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
- (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
- (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.

- (4) Habitats of endangered wildlife, as identified on federal and state lists.
- (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
- (6) Aquifers and tributary drainage systems.
- (7) Tree growth areas or urban forested areas containing native mature trees.
- (8) Any area as identified on Map 3.3 of the Comprehensive Plan.

(E) The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce excavation and embankment; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings shall take into consideration topography, building height, orientation and drainage. **Stormwater Best Management Practices** ~~Best practices in~~ and Low Impact Development Designs are desirable and encouraged. **City guidelines for these practices and designs can be found in the City of Oxford Storm Water Management Design Manual**

(F) If the Planning Commission, or its designated representative, may require the applicant to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:

- (1) The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation.
- (2) A Geotechnical Report and/or a Wetlands Assessment/Delineation, prepared by a professional engineer, licensed in the State of Ohio, **or by a specialist pre-qualified by the Ohio Department of Transportation in Streams and Wetland.** This report can be in lieu of a development narrative.



403 TYPICAL SECTIONS

Subdivision shall be designed and constructed to conform to the Typical Sections incorporated by reference herein as Attachment H. The Typical Sections adopted as the standards for construction and design in the City are the following:

- (A) Principal Arterial street typical section;
- (B) Minor Arterial street typical section;

- (C) Major Collector street typical section;
- (D) Minor Collector street typical section;
- (E) Local street typical section;
- (F) Alley typical section;
- (G) Typical cul-de-sac details;
- (H) Temporary turn around;
- (I) Dead End/ Stub Street typical section (Hammerheads);
- (J) Multi-Use Path typical section;
- (K) Utility typical section;
Utility locations;
- (L) Typical Lot Consolidation/Split;
- (M) Standard Plat of Survey;
- (N) Record Plats
- W.1: Standard Record Plat Title Sheet;
- W.2: Standard Record Plat.

404 STREETS

The purpose of a street network is to connect spatially separated places and to enable movement from one place to another. More specifically, the street network provides continuous and direct routes; provides greater emergency vehicle access; provides convenience and safety to drivers and pedestrians and to provide access to residents for goods and services.

Although the Planning Commission has established general street guidelines, many of the specific technical standards governing the Public Streets are regulated by the City of Oxford's Engineering Division.

(A) Relation to Adjoining Street System

- (1) The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas, or their proper projection where adjoining land is not subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the possible future development of adjacent tracts. The Planning Commission reserves the right to disapprove any street plan which does not represent good design or does not ensure continuity of the existing street system.
- (2) Offset streets shall be avoided within a proposed subdivision and adjacent to an existing subdivision.
- (3) The street and alley arrangement(s) shall be such, so as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.
- (4) Streets obviously in alignment with existing streets shall bear the names of the existing streets. All proposed street names shall be checked against duplication or near duplication of other street names.
- (5) Wherever the tract to be subdivided abuts a dedicated or platted half-width street or alley, the other half-width of such street or alley falling within the proposed subdivision shall be platted.
- (6) Any subdivision with its main entrance onto an Arterial or Collector street shall provide a 25% wider opening at the entrance to the subdivision than the rest of the subdivision street width, unless otherwise determined by the Planning Commission.

(B) Street Classifications

- (1) The classification of all proposed streets shall be determined by the Planning Commission and shall conform to the Official City Thoroughfare Plan. The proposed use of the street, type of traffic and future traffic volume shall also be considered in determining the classification of a street.

Street Classifications:

- (a) Principal Arterial
- (b) Minor Arterial
- (c) Major Collector
- (d) Minor Collector
- (e) Local streets
- (f) Alleys

(C) Street Improvements

- (1) All public streets in residential subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs specific to the proposed subdivision, while balancing the needs of safe alternative modes of transportation. In all instances, street widths shall be measured from back-to-back of the installed curb. Minimum street width requirements are contained in Attachment H.
- (2) The City Engineer shall determine the need for a traffic impact study, based upon the level of impact of this development upon surrounding traffic flow and safety.
- (3) All street and public ways shall be constructed to their full specified width and to the appropriate grade and shall be surfaced in accordance with applicable standard specifications of the City. Such construction shall be subject to inspection by the City Engineer prior to release of the performance bond by Council. It is the duty of the subdivider to give proper notification to the City Engineer:
 - (a) Before the commencement of the work;
 - (b) Twenty-four hours prior to seeking an inspection; and
 - (c) At the end of the one-year maintenance improvements.
- (4) Proposed streets shall intersect one another and existing street(s) at right angles as topography and other limiting factors allow.
- (5) Street grade shall be designed to the Ohio Department of Transportation Highway Design Manual and acceptable to the City Engineer.
- (6) Where a tract of land is of such size, location or contour, preventing a lot arrangement directly related to a normal street design, there may be established one or more, dead-end/stub streets or other arrangements, provided that proper access shall be given to all lots from a dedicated street.
- (7) A cul-de-sac, dead-end/stub street or loop street shall not exceed 500 feet in length unless otherwise approved by the Planning Commission due to topography or unusual circumstances. (See also Section 405(B)(4))
- (8) All subdivisions shall have at least two (2) entrances to an existing street system unless otherwise determined by the Planning Commission. The spacing of the entrances shall be separated and in accordance with traffic engineering standards.

(D) Street Connectivity

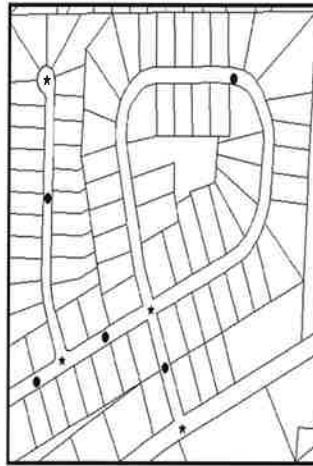
The purpose of this section is to support the creation of a highly connected transportation system within the City in order to enhance traffic circulation efficiency for drivers, pedestrians, and bicyclists; promote various modes of transportation; connect neighborhoods to each other and to local destinations such as schools and parks; reduce emergency response times; reduce vehicle miles of travel and travel time; increase effectiveness of municipal services delivery.

- (1) The following standard shall be met in all new residential development
 - (a) Any residential development shall be required to achieve a connectivity index of 1.2 or greater unless the Planning Commission determines that this requirement is impractical due to topography, existing development, and/or natural features. A connectivity index is a ratio of the number of street links (road

sections between intersections and cul-de-sacs) divided by the number of street nodes (intersections and cul-de-sac heads).

The following illustration provides an example of how to calculate the index. Street links on existing adjacent streets that are not part of the proposed subdivision are not included in the connectivity index calculation.

The measure of connectivity is the number of street links divided by the number of nodes. Nodes exist at street intersections as well as cul-de-sac heads. Links are the stretches of road that connect nodes. Stub outs shall also be considered as links. In this example, there are five (5) links (circles) and four (4) nodes (stars); therefore, the connectivity index is 1.25.



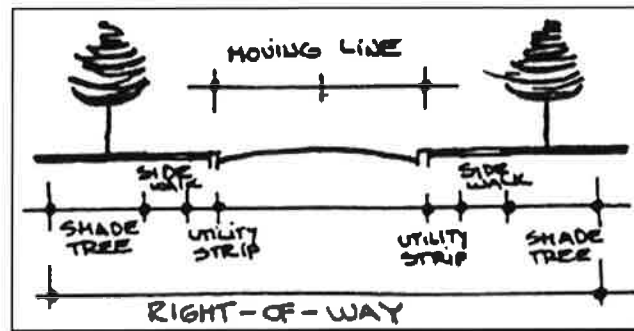
(E) Private Streets

- (1) No primary access into a subdivision shall be a private road.
- (2) Private streets shall conform to the minimum street standards, including construction materials, unless otherwise approved by the Planning Commission upon the City Engineer's recommendation.
 - (a) Sidewalks are required along a private street as required on public streets.
- (3) Any proposed private street shall serve a minimum of six (6) lots in order to be platted and recorded as a private street.
- (4) All lots utilizing a private street for access shall be provided with an access easement and maintenance agreement, to be noted on the Record Plat and to be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. Such maintenance agreement shall be acceptable to the Planning Commission and Law Director.
- (5) The Planning Commission may require passing lanes, turnarounds, and overhead and width clearances as necessary to accommodate, public utility and fire and emergency vehicles.

(F) Rights-of-Way

Defined as a general term identifying land or property, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way shall include the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a

final Record Plat is to be separate and distinct from the lots or parcels adjoining such rights-of-way and not included within the dimensions or areas of such lots or parcels, provided the size of the lot for zoning purposes shall be determined by the applicable zoning resolution.



- (1) The right-of-way width required shall reflect future development as indicated by the Thoroughfare Plan and the Typical Section Drawings in Attachment H herein.
- (2) When a road is not referenced in the City of Oxford Thoroughfare Plan, or the Typical Section Drawings in Attachment H, the right-of-way width shall be established per the recommendation of the City of Oxford Engineer, and shall be approved by the Planning Commission.
- (3) The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the roadway, curbs, sidewalks, utilities, graded areas and shade trees.
- (4) The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street unless otherwise approved by the City Engineer and Planning Commission.

(G) **Street Signage**

Street signs, regulation signage, and warning signs shall be erected by the subdivider before building permits for homes are obtained. The subdivider shall maintain such signage until such time when the City accepts the streets for public use. All regulatory and warning signs shall meet the Ohio Manual of Uniform Traffic Control Devices. All signage shall be regulated by the City of Oxford Engineering Division.

(H) **Parking**

- (1) Off-street parking lots shall follow the Vehicle Management Chapter 1149 of the Zoning Code including landscaping, screening and lighting.

405 PEDESTRIAN/ MULTI-USE PATHS

(A) **Sidewalks**

- (1) Concrete sidewalks, not less than five feet in width, shall be constructed along both sides of all streets, both private and public, and shall be in accordance with the City of Oxford's Curb, Gutter & Sidewalk Specifications Manual unless otherwise determined by the Planning Commission.
- (2) Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
- (3) It shall be the responsibility of the subdivider, prior to the release of the performance bond, to install any missing sidewalk segment on any undeveloped lots and in accordance with Section 106.

(B) Bike Paths/ Walking Trails

- (1) All bike paths or walking trails shall be elevated and/or distinguished from driving surfaces through the use of durable, low maintenance, hard surface materials such as asphalt, concrete, or other material approved by the City Engineer, to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (2) Bike paths shall be installed in accordance with these regulations, the City of Oxford Comprehensive Plan, Thoroughfare Plan and Typical Section Drawings in Attachment H.
- (3) All proper easements, dedication and maintenance shall be recorded on the Record Plat.
- (4) Cul-de-sacs that exceed 300 feet in length shall provide a multi-use path and easement at the end of such cul-de-sac. The purpose of this is to provide connectivity to neighboring subdivisions as well as emergency access.

406 INFRASTRUCTURE

(A) Water Lines

An approved public water supply shall be provided for each lot within the subdivision areas and shall be in accordance with the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual. Fire hydrants shall be installed in all subdivisions wherever required by the City Engineer and the Fire Chief in accordance with Ohio Fire Code and NFPA standards.

(B) Sanitary Sewers

The subdivider shall install sanitary sewer lines to serve each lot. All such sewer lines shall be constructed in accordance with regulations and requirements the City of Oxford Water and Sanitary Sewer Improvement Specifications Manual, the Sanitary Sewer Pump Station Requirements and under the inspection of the City Engineer.

(C) Storm Drainage

All necessary facilities, either underground pipe or drainage ditches, shall be installed to provide adequate disposal of surface water, groundwater and the waters of any natural watercourse and shall be in accordance with the City of Oxford Storm Water Management Design Manual.

(D) Detention/Retention

All necessary detention or retention facilities shall be installed in accordance with the City of Oxford Storm Water Management Design Manual.

(E) Utilities

Items of work which pertain to underground utilities, such as gas mains, electric lines and telephone cables, shall be constructed according to the standards and specifications of the utility company involved. Every effort shall be made to have all utilities provided underground.

(F) Street Lights

- (1) One street light shall be installed in conformance with the Ohio Department of Transportation specifications within 50 feet of every intersection created by the subdivision, at the end of a cul-de-sac or dead end/stub street, and at intervals not exceeding 400 feet. A street light shall have a fixture of at least 9,500 lumens. The City Engineer may vary from the spacing standards where the City Engineer determines that public safety or professional engineering design practice makes it necessary to vary the spacing standards.
- (2) Streetlights shall be designed, with appropriate lamps and reflectors, to minimize light pollution.

- (3) Light poles shall be consistent with the overall architectural theme and scale of the site.
- (4) Streetlights along the sidewalks shall not exceed 16' in height in accordance with Chapter 1149 of the Planning and Zoning Code. Streetlights for the purpose of illuminating an intersection, parking facility or roadway for safety purposes shall not exceed 32' in height.

(G) **Sedimentation and Erosion Control**

The subdivider shall comply with all requirements of Ohio's Standards for Stormwater Management Land Development and Urban Stream Protection, City of Oxford Storm Water Management Design Manual and subsequent amendments or revisions, as hereby incorporated into these regulations. In the development of a subdivision, the subdivider shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, river or lake. The subdivider shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property or public right-of-way. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. The Engineering Division will continuously monitor site development and efforts of sedimentation and erosion control.

407 DRIVEWAYS

(A) Minimizing driveway access points or curb cuts by using access roads, shared entrances and access management best practices shall be encouraged.

(B) All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the Record Plat.

(C) Driveways shall have a maximum grade of eight (8%) percent.

(D) Residential driveway access shall not be permitted onto Principal and Minor Arterials or Major Collector streets. Subdivisions shall be designed to encourage residential driveway access by using, but not limited to, alleys, access roads or common driveways.

(E) Shared driveways shall serve a maximum of three (3) lots and shall not exceed three hundred (300') feet unless otherwise determined by the Planning Commission.

(F) Driveways shall be in accordance with Chapter 1149 of the Planning and Zoning Code and the Curb, Gutter, Sidewalk Manual.

408 BLOCKS

Blocks shall be arranged to accommodate lots and building sites of the size and character required by these Regulations and the applicable zoning district, to provide for adequate community facilities, and with regard of the limitations and opportunities of topography. Irregularly shaped blocks, blocks intended for dead end/stub and loop streets, and blocks containing interior parks and playgrounds may be approved by the Planning Commission if properly designed and located.

(A) The maximum block length shall be 800 feet.

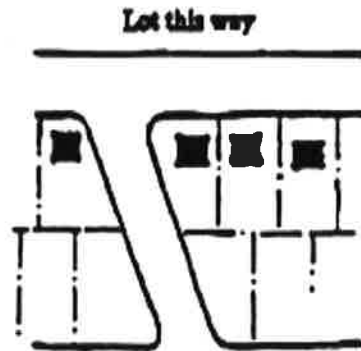
(B) Where blocks are over 600 feet in length, a public walkway which traverses the block may be required to be dedicated and installed by the subdivider.

(C) In platting residential lots, the depth of the block should not exceed 350 feet.

(D) Blocks in the traditional gridiron pattern should consist of two tiers of lots and an alley right-of-way easement may be required to separate them where appropriate to continue an existing alleyway.

409 LOTS

(A) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development. Consideration should be given to natural features and sites of historical significance.



(B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout.

(C) Through lots (extending from one parallel street to the other) are discouraged to avoid problems between adjoining owners, creating double frontage lots and to reduce the number of streets.

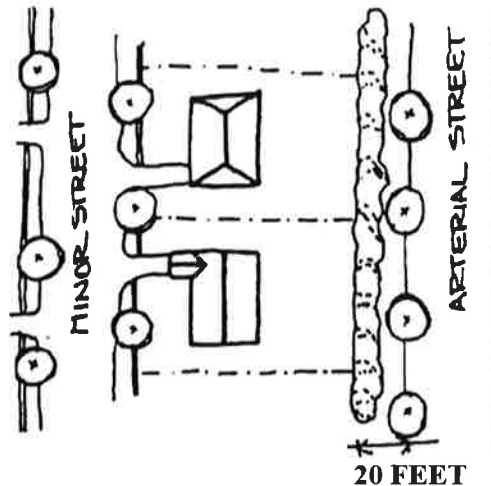
(D) No lot shall have an area or width less than that required by applicable sections of the Zoning Code except those pursuant to the Open Space Residential Development Regulations.

(E) Where corner lots back upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.

(F) All utility easements on individual lots shall be in accordance with the Record Plat and Street Standards of Attachment H herein.

(G) Each lot shall front (abut) on an approved street.

(H) Lots may not be created in a new, proposed subdivision, by dividing land at the end of stub streets in adjacent, existing subdivision(s), such stub streets being intended to promote continuity of street systems in adjoining subdivisions, unless otherwise determined by the Planning Commission.



(I) Twenty (20') feet minimum, of additional lot depth or a buffer strip, in accordance with the landscape standards of Chapter 1149 of the Zoning Code, Chapter 935 of the Codified Ordinance and Section 410 below, may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property.

(J) Lands abutting State or Federal highways, collector streets, or arterials should be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic on such trafficways; and with the view also to minimizing interference with traffic on such trafficways as well as the accident hazard.

(K) Panhandle or flag lots are specifically prohibited.

(L) All lot numbers shall be assigned by the Butler County Auditor's office and addresses will be provided by the City of Oxford Community Development Department.

410 LANDSCAPE PLAN

(A) A landscape plan shall be submitted with each plat application for proposed developments in accordance with Chapter 1149 of the Zoning Code and Chapter 935 of the City of Oxford Codified Ordinance, unless an exception is granted by the Planning Commission pursuant to these Regulations. The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction.

(B) Buffering

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Multi-use paths are permitted in the buffer area. Every subdivider shall provide sufficient buffering or additional lot depth when topographical or other barriers do not provide reasonable screening and when the Planning Commission determines that there is a need to shield;

- (1) Neighboring properties from any adverse external effects of a development; or
- (2) The development from negative impacts of adjacent uses such as streets or railroads.
- (3) Requirements
 - (a) Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8) feet in height shall be produced within three (3) growing seasons.
 - (b) All plantings shall be installed according to accepted horticultural standards.
 - (c) A five (5') foot minimum buffer width from parking lots, garbage collection, utility areas, and loading and unloading areas shall be provided.
 - (d) Twenty (20') foot width minimum from all other land uses.
 - (i) When adjoining undeveloped, vacant or agricultural land, such buffer width may be reduced to ten (10') feet.

In high-density developments, when building design and siting do not provide privacy, the Planning Commission may require landscaping, fences, or walls to screen dwelling units for privacy. Buffers shall be measured from the property line.

411 MAINTENANCE OF THE IMPROVEMENTS

Whenever any subdivision contains park areas, sewage treatment plants, water systems, drainage facilities or any other improvements to be used in common by persons living in the subdivision and which improvements cannot be maintained or are not maintained by an existing public agency, the deed restrictions applicable to the subdivision shall contain provisions establishing trusteeships and assessment procedures that will enable adequate care and maintenance to be provided for such improvements at the cost of persons residing in the subdivision.

412 DEED RESTRICTIONS AND COVENANTS

Deed restrictions or covenants running with the land may be included to provide for the creation of a Home Owner's Association, Condominium Association, or Board of Trustees in which individual owners share common responsibilities for the cost and upkeep of common open space, private driveways or streets, park areas, sewage treatment plants, water systems, drainage facilities or other facilities and the enforcement of the covenants and restrictions relating to the development. Any restrictions or easements; declaration of covenants, bylaws of a Home Owner's Association and its incorporation; Declaration of Condominium Ownership or other covenants, if any, shall be reviewed and approved by the City of Oxford Law Director and shall be recorded with the Record Plat. Enforcement of said Restrictions and Covenants is not the responsibility of the City.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-19

Date – July 11, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1101 Subdivision Regulations, 1101.4 Design Standards and Construction Standards, specifically 1101.4 - 402 Sensitive Development Areas. City of Oxford, Applicant

DESCRIPTION

This application is a directive from Council to address the intent of the Zoning Code dealing with sensitive development areas where it is part of a development project, as well as delineate the submittal expectations, provide guidance to the developer on how to address the sensitive areas and how to compile information in order for the Commission to better understand the site and make an informed recommendation to Council. There have not been any subdivision applications since the 2011 revision was adopted, but this might be a good time before any development project is being submitted for consideration.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1101.04 420 Sensitive Development Area.

AGENCY REVIEWS

Police:	Received without comments
Engineering:	No comments received
Econ. Dev.	Received with comments
Fire:	Received without comments

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This is a directive from Council to look at sensitive development areas related to a recent development project that the site designer did not clearly identify important natural features for consideration. The City Council directed the Environmental Commission to review the Zoning Code related to environmental protection and tree preservation issues since these are the elements that the Environmental Commission has expertise on.

For several months, the Environmental Commission was working on this, with suggestions from staff, to outline the basic requirements for preliminary subdivision that the site designer needs to adhere and the information that will be needed for review. The required information is all public available information that can be obtained from those agencies, at a minimum cost to the designers. It is important to understand the site in greater detail prior to laying out design concept in order to understand the challenges of the site and pay special attention to mitigate any potential negative impacts from damaging those sensitive areas.

Additionally, the proposed changes also would require ODOT pre-qualified firms to conduct specialized studies in ecological surveys or environmental site assessments for the final subdivision. Since the approval of preliminary subdivision, the developer has been given the green light to develop construction plan for infrastructure improvement and detailed design of the subdivision, it would be reasonable to hire

ODOT pre-qualified firms to conduct any specialized fields necessary for a clear deliberation on the scale of sensitive areas.

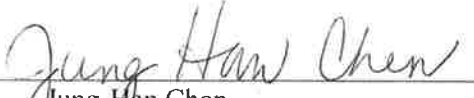
The changes being proposed are considered to be clarification of existing language by adding more information or providing guidance as to where the information can be obtained during the preliminary phase, at a minimum cost to the developer. The impact to the developer is considered to be minimum and the results would be useful and necessary for the Planning Commission to make a better, informed recommendation and a clear baseline of the existing geological and geographical information than lines on papers.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE June 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-19, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1101.4 Subdivision Regulations, specifically 402, Sensitive Development Areas, City of Oxford, Applicant

 X Review Revisions Other

Please return no later than: **July 6, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by



Date:

7-10-17

John Dethierage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-19, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1101.4 Subdivision Regulations, specifically 402, Sensitive Development Areas, **City of Oxford, Applicant**

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.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

7/10/17

John Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

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PC-2017-19, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1101.4 Subdivision Regulations, specifically 402, Sensitive Development Areas, **City of Oxford, Applicant**

 X Review Revisions Other

Please return no later than: **July 6, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

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

While I cannot argue against the merits of this legislation, I will ask the Planning Commission and City Council to explore the potential additional effects of this legislation.

Until just recently, with the Annex and the proposed completion of Heritage Subdivision, Oxford has very little new development. The Great Recession was one of the primary reasons for the lack of new development. Another reason is due to Oxford's smaller population and slower absorption rate.

As a developer develops land, the developer pays for all the developmental costs upfront: land acquisition, environmental studies, infrastructure (water, sanitary, roadways, and sidewalks). Then as the lots are sold or units are rented, the developer begins to recoup their costs and then makes a profit. In smaller growth areas like Oxford, it can take years for the project to break even or turn a profit.

The more it costs a developer to develop, the less likely a developer will develop in a small, low absorption rate market.

As I stated in my opening paragraph, I am not against these items, I would just like all aspects of the proposed legislation to be considered. If the costs are minor and the rewards high, then it is a no brainer.

Drawings reviewed by:  Date: 7-6-17

G. Alan Kyrnan
PRINTED NAME



Internal Use Only:

Case No.

PC-2017-19

Date Filed

5/26/17

Zoning Code Text Amendment Application

Applicant Information

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

Name *

Jung-Han Chen

Mailing Address *

101 E. High Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

513-524-5237

Email Address

jhchen@cityofoxford.org

Amendment Description *

Amend Oxford Zoning Code Chapter 1101.04 specifically the Sensitive Development Areas 402

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 *

Date *




Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

PC 11A

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

PC-2017-11, ZONING CODE TEXT AMENDMENT, to Amend Chapter 1143, Districts Sections 1143.03, 1143.05, 1143.07, R-1MS, R-2MS, R-3MS, **City of Oxford, Applicant**

Recommendation by the Planning Commission: Approval

Discussion:

This application is part of an almost year-long discussion of the Planning Commission to look at ways to encourage redevelopment to allow higher density in the area near the campus. It is also part of the thought process of encouraging meaningful redevelopment that would respect the historic character of the Mile Square while providing a safe environment for tenants. The new proposed language also outlines the process to allow "accessory buildings" to be used as a dwelling unit a conditional use application.

Several changes to the R-1MS and R-2MS text are proposed, particularly the purpose statement to heighten the urban setting as well as the historic character of these two districts. Another change is to re-format the site development regulations. Attached are the revisions to the existing sections of the Zoning Code.

The major changes to Chapter 1143.07 R-3MS (Single-, Two-, Three-Family Mile Square Residential) District are as follows:

1. Reduce the lot requirement for each dwelling type.
2. Reduce the lot width for each dwelling type.
3. Delineate the maximum and minimum front yard setback.
4. Increase lot coverage.
5. Delete the provision of lot coverage for all enclosed building.
6. Adding accessory dwelling units as a conditional use.

Other changes include changes to the Mile Square Design Guidelines related to the architectural features for a new 3-family dwelling as to what design features shall be provided. The amendment also includes in this a set of design standards for the accessory dwelling unit. It outlines that the style and height that needs to be compliant to the main structure and is subject to the Planning Commission and City Council's Conditional Use review process.

The Planning Commission recommended the approval of the proposed zoning text amendment in a vote of 7-0-0 to City Council for legislative action.

Approved by:

Department Head:
City Attorney:
City Manager:

JHC , 8/1/17
DRE , 7/1/17

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.03 ENTITLED R-1MS SINGLE-FAMILY RESIDENTIAL MILE-SQUARE DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.03 ENTITLED R-1MS SINGLE-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: 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 July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Residential Mile-Square District and adopting new Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Residential Mile-Square District and adopts new Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

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

(a) Purpose. This district is designed to preserve and encourage a single-family residential environment in **an urban environment while maintaining the historic form and character of development within the Mile Square district.** ~~established residential areas of historically significant character.~~

(b) Uses.

(1) Permitted uses.

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

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

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed and breakfast homes for transients.
- E. Publicly owned and operated neighborhood recreation centers.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.

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

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

Single Family Dwelling	
Lot Requirements	
Minimum Lot Area (Square Feet)	6,000
Minimum Lot Width (Feet)	60
Yard Requirements	
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	35 feet
Minimum Side Yard Setback	7.5 feet
Structural Requirements	
Maximum Building Height	35 feet
Lot Coverage for Lots with Vehicular Access from a Public Street	
Lot Total	45 % of lot
Front Yard	30 % of front yard
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with no Access from a Public Street	
Lot Total	45 % of lot
Front Yard	5 % of front yard

~~(1) Lot requirements:~~

- ~~A. Minimum lot area 6,000 sq. feet~~
- ~~B. Minimum lot width 60 feet~~

~~(2) Yard requirements:~~

- ~~A. Minimum front yard depth 20 feet~~
- ~~B. Minimum rear yard depth 35 feet~~
- ~~C. Minimum side yard width 7.5 feet on each side~~

~~(3) Structural requirements:~~

- ~~A. Maximum building height 35 feet~~
- ~~B. Lot Coverage~~
 - ~~C. Lots with vehicular access from a public street~~
 - ~~1. Lot total 35 percent~~
 - ~~2. All enclosed buildings 25 percent of lot~~
 - ~~3. Front yard 25 percent of front yard~~
 - ~~D. Lots with vehicular access from a rear or side alley, and no access from a public street~~
 - ~~1. Lot total 40 percent~~
 - ~~2. All enclosed buildings 25 percent of lot~~
 - ~~3. Front yard 5 percent of front yard~~

(d) Mile Square Design Standards. The Mile Square Design Standards encourages all new and renovated building to be outstanding examples of architecture and planning. These standards are a planning instrument. It does not dictate any architectural style or design. Design regulations are intended to allow imaginative design that is respectful to its neighbors. The regulations are meant to help achieve good design and to establish consistent framework for assessing proposed development. The Mile Square Design Standards are intended to be predictable. It is also intended that it be flexible. The predictability and flexibility embodied in these standards are intended to permit creativity and diversity in architectural design, because the construction, renovation, and maintenance of outstanding buildings and public spaces continue to

contribute to the health, welfare, character, and history of the City and its citizens, The design of all new construction and exterior renovation in the R1-MS, Single-Family, Mile-Square Residential District shall conform to the following requirements.

(1) Streetscape.

- A. The restoration or alteration of existing buildings must follow the historical characteristics of the existing building.
- B. Commercial appearance at ground level must agree to the following guidelines:
 - 1. Storefronts must be aligned with the modular bays.
 - 2. Upper Stories must have a repetitive solid/void organization, ranging from narrow piers between openings (as in the main facade of the Bank One building) to spaces of equal width to the window openings.
 - 3. Front facades of new buildings must follow guidelines similar to those enumerated above. Equal bays must be used with their division by wall and openings following a regular pattern. If an entry bay is to be indicated (either on center to the overall width, as in the Kyger Block, or to one side) its proportions must clearly indicate this differentiation. In either case, a clear storefront must be present at ground level to help reinforce the definition of the bays.
- C. In new or altered buildings the storefront height must fall between 10 feet and 14-1/2 feet.
- D. New construction must follow the rhythm of facades, overall spacing, setbacks, and proportions of existing adjacent structures of that block face, as well as those on the opposing block face.
- E. For both residential and commercial structures, the buildings themselves must have their fronts oriented parallel to the adjacent street. In addition, buildings must be oriented perpendicular to the adjacent street (i.e. the building must not be situated on the lot at an irregular angle).

(2) Foundations.

- A. New construction must not include exposed poured concrete, concrete block or cinder block foundations. If this material will be above grade (due to a sloped lot or other unavoidable geographic reason), historically appropriate facing treatment must be applied to the exposed portions of the foundations.

(3) Masonry.

- A. Masonry veneers that face main streets shall not have exposed cinder block or concrete block, or poured concrete foundation.
- B. Brick, stone, authentic stucco or material replicating stone veneer are acceptable materials.
- C. The masonry of any additions must resemble the existing structure utilizing like materials and style in order to be compatible.

(4) Siding.

- A. No vertical siding may be incorporated into any structure. Plank treatments are to remain horizontal in fashion.
- B. Decorative, wood shingles are an acceptable treatment for the residential structures in the Single-Family, Mile Square Residential District.
- C. Since artificial siding tends to differ from the original historic material in size, design, and texture, the use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.
- D. Widths, lengths, and composition of siding must be consistent between existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure.

- (5) Roofs.
- A. Any new roof must relate to the architectural theme and details of the existing structure.
 - B. Flat roofs are prohibited for residential buildings except for porch roofs.
 - C. New roof forms must complement existing roofs in material and style.
 - D. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required
 - E. Decorative cornices and parapets are encouraged.
- (6) Gutters and downspouts.
- A. Gutters and downspouts shall be an integrated component of the structure.
 - B. Gutters and downspouts are to be located on the roof corners, where they will not interfere with the appearance of the structure.
- (7) Entrances and Doors.
- A. For all doors, the recommended material is “wood appearing” type of material.
 - B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.
 - C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.
 - D. Entrances and doors which are to be closed-off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.
- (8) Windows.
- A. Windows must be proportionally vertical.
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They must not be on front side of the roof slope facing the street.
 - D. All window openings, sash appearances, and materials must be consistent and architecturally appropriate to the building style.
 - E. Windows which are to be closed-off must not be removed and the hole filled in with some type of permanent material. Rather, the window must be maintained.
 - F. Original features such as corner boards, brackets, hoodmolds, and other details must be preserved, repaired, and/or replaced.
- (9) Porches and stoops, decks and patios.
- A. Any newly constructed or reconstructed porch or stoop must be compatible with the architectural style of the building to which it is attached.
 - B. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood. Porches have roofs. Decks are not allowed on the front façade. Stoops may not exceed 50 square feet.
 - C. All porches shall satisfy the required setbacks and lot coverage requirements of the applicable zoning districts.
- (10) Storefronts.
- A. Storefronts must be open and must utilize large amounts of glass. Window glass must extend at least from the top of the first floor to knee level. This does not necessarily mean that a large single pane of glass must be used. The openness creates an inviting feeling to pedestrians that helps set the ground floor commercial uses apart.
- (11) Garages and outbuildings.

- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.
 - B. An attached garage shall not be located closer to the right-of-way than the residential structure itself (i.e., no snout garage)
 - C. It is recommended that a detached garage ~~to~~ be accessed from the alley if alleys are available for vehicular traffic.
- (12) Awnings and canopies.
- A. Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.
 - B. Solid, dark colors are preferred.
 - C. Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.
 - D. Soft, pliable materials are encouraged. Metal or other similar material is not recommended.
 - E. Retractable awnings and canopies are encouraged, as they can be closed in the winter months to allow more sunlight into an establishment.
 - F. Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.
 - G. The Zoning and Building Codes must be consulted for other specific requirements.
- (13) Fences and gates.
- A. Chain link fences are prohibited.
 - B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.
 - C. Traditional materials, such as wood and wrought iron, are strongly encouraged.
- (14) Chimneys and flues.
- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials.
- (15) Shutters.
- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.
- (16) Utilities.
- A. This element is covered by other City Codes and standards. Please remember to consult with City staff before planning your project to learn how the codes will affect your proposal.
- (17) Home security.
- A. Guidelines for Entrances & Doors and Storefronts must also be consulted in relation to the recommendations given below.
- (18) Driveways and parking lots.
- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.
- (19) Landscaping.
- A. Existing mature trees should be preserved and maintained when possible.
 - B. Public and private space shall utilize natural landscaping materials and ground cover shall be utilized for the perimeter to delineate individual property boundary line.
- (20) Graphics, signage, and building identification.
- A. The Sign Code of the City of Oxford must be consulted for specific sign regulations in addition to these guidelines.

(21) Heights.

- A. The scale and mass of the building shall consider the mass of the adjoining properties of that block face. Please consult with the dimensional regulations of the Oxford Zoning Ordinance for the specific zoning district which the building is located.
- B. Buildings on corner lots must relate in setback and height to the structures along both adjacent blocks.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-11

Date – June 13, 2017

APPLICATION

Applicant: City of Oxford
Action Request: **ZONING CODE TEXT AMENDMENT** to Amend Chapter 1143, Districts Sections 1143.03, 1143.05, 1143.07, R-1MS, R-2MS, R-3MS, **City of Oxford, Applicant**

DESCRIPTION

This application is part of an almost year-long discussion of the Planning Commission to look at ways to encourage redevelopment to allow higher density in the area near the campus. It is also part of the thought process of encouraging meaningful redevelopment that would respect the historic character of the Mile Square while providing a safe environment to renters. The new proposed language also outlines the process allowing “accessory” building” to be used as a dwelling unit a conditional use application.

The proposed language also recommends changes to the site development regulations. The attached proposed amendment shows those details.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1143.07 R3MS (single, Two- and Three-Family Mile Square Residential) District for your information.

COMPREHENSIVE PLAN

Land Use Element:

The community’s small college town character will be preserved and enhanced.

- New development and redevelopment will be sensitive to pedestrians in terms of scale and walkability.
- New architecture will add to the character of the community as opposed to corporate, franchise architecture.

Infill development and redevelopment of underutilized sites is a priority

- Reuse of vacant and underutilized sites will be encouraged prior to new development.

Table 3.4 Concept Area Matrix and Table 3.5 Character Area Matrix also provided the overall theme of the Use Element of the Comp Plan. Additionally, Map 3.6 and 3.7 also show the area of neighborhood enhancement area as well as neighborhood character as well.

Urban Design

- Preserve and enhance historic resources in the Mile Square including Uptown District

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

Police:	Returned with no comments
Engineering:	No comments returned
Econ. Dev.	Returned with comments
Fire:	Returned with no comments

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The City Council allocated dollars in 2017 budget to direct staff and Planning Commission to conduct a zoning study to look at the nonconforming issue. The City retained a land use consultant, Campus Point Planning, to assist the Commission with this task. Given that nonconforming is generally created either prior to a land use regulations, or land use regulations changed after the uses are legally in place, so the focus has been on looking at the underlying district to address the nonconforming issue. Other factors also came into the mind of the Commission were the continued increasing student enrollment at Miami push for more housing demands, along with the age of the housing stock and its interior configuration to reflect the preferences of renters.

Looking at ways to increase density in the area near the campus and allow redevelopment, the consultant worked with the Planning Commission during various work sessions and went through each and every change with the Commission to ensure the proposal would reflect the desire of the Commission. The Commission also directed staff to invite stakeholders that may be impacted by these changes to the work session to voice their perspectives and one final go-around before giving its final okay to move this item to the public hearing process.

The amendment involves several other changes to the existing regulations, in addition to Chapter 1143. There are slight modifications to 1141 Accessory Structure and a new Conditional Use category under 1147 for accessory building used as a dwelling unit. Those changes are accompanied to this amendment as necessary changes to make all the changes occurring concurring.

Several changes to R1MS and R2MS are proposed, particularly the purpose statement to heighten the urban setting as well as the historic characters of these two districts. Another change is to re-format the site development regulations.

The major changes to Chapter 1143.07 R3MS (single, Two-Family, Three-Family Mile Square Residential) district are as follows:

1. Reduce the lot requirement for each dwelling type.
2. Reduce the lot width for each dwelling type
3. Delineate the maximum and minimum front yard setback.
4. Increase lot coverage
5. Delete the provision of lot coverage for all enclosed building
6. Adding accessory dwelling units as a conditional use

Other changes include changes to the Mile Square Design Guidelines related to the architectural features for a new 3-family dwelling as to what design features shall be provided. The amendment also includes in this a set of design standards for the accessory dwelling unit. It outlines that the style, heights that needs to be compliant to the main structure and is subject to the Planning Commission and City Council's Conditional Use review process.

These changes would not have impacts to the existing stock if no improvements have been planned. But any future redevelopment could be beneficial due to the reduction in the lot area, lot width to have additional dwelling. However, the regulations are only part of the redevelopment requirements. The

existing configuration of lot and the willingness of property also can and will become critical for the redevelopment. If the lot is not sizeable enough, it is still limited to what would be allowed based on the lot size.

Having the R3MS designation of any specific areas might be also an important step to address some nonconforming issue, particularly for those nonconforming uses that would have been allowed under R3M either being an allowable use or through conversion to become a conforming use. The area of interest the Commission has been looking at are (1) along Tallawanda Road/Sycamore; (2) central Mile Square, bordered by Church Street on the north, Campus Ave to the east and Heather Lane to the south and Beech Street to the west.

These changes are series of discussions the Planning Commission has had in hopes to increase density in the area adjacent or near the Campus that would be reasonably expected to attract students to live, and also allow existing housing stock to be able to be updated, within the stipulation of the Zoning Code, either the proposed one or the existing one.

The process of getting this proposed language for consideration has required many hours of Commission members attending the work sessions and discussed, debated and argued over what would be the end result of the changes. This may be not the best changes the Commission could come up with, but thanks to the Consultant, Wendy Muller, the Commission came to an agreement this version would be an appropriate one to move forward, but with the understanding that other changes may be under consideration in the future when necessary.

RECOMMENDATION

The attached revision and additional language provides detailed verbiage of the proposed text amendment. Staff recommends that the Planning Commission concur with the changes and forward to City Council for legislation.

SUBMITTED

BY:


Jung Han Chen
Community Development Director

DATE:

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-~~10~~¹¹, ZONING CODE TEXT AMENDMENT- Chapter 1143, District by Amending Chapter 1143,
Sections 1143.03, 1143.05, 1143.07, R1MS, R-2MS, R3MS.

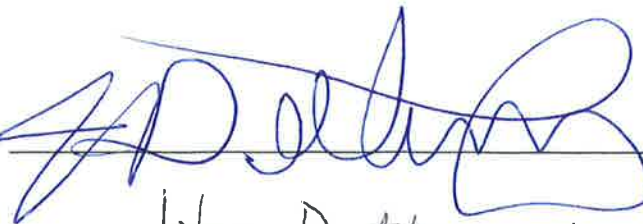
☒ X Review ☐ Revisions ☐ Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



John Dethurage
PRINTED NAME

Date:

5-15-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

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PC-2017-11, ZONING CODE TEXT AMENDMENT- Chapter 1143, District by Amending Chapter 1143,
Sections 1143.03, 1143.05, 1143.07, R1MS, R-2MS, R3MS,

☒ Review ☐ Revisions ☐ Other

Please return no later than: **June 5, 2017** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by: JAJ Date: 5/16/17

John A. Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-10, ZONING CODE TEXT AMENDMENT- Chapter 1143, District by Amending Chapter 1143, Sections 1143.03, 1143.05, 1143.07, R1MS, R-2MS, R3MS

☒ Review ☐ Revisions ☐ Other

Please return no later than: June 5, 2017 Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

IT IS NICE TO SEE THE CITY RE-EVALUATING
THE EFFECT OF THE 2003 ZONING CODE RE-WRITE
OXFORD WILL ALWAYS HAVE A LARGE NUMBER
OF RENTAL PROPERTIES IN THE SQUARE MILE.
LET'S MAKE THEM THE BEST POSSIBLE.

Drawings reviewed by:

Date:

PRINTED NAME

It is nice to see the City re-evaluating the effects of the 2003 zoning re-write

Oxford will always have a large number of rental properties in the Square Mile. Let's make them the best possible.



Internal Use Only:	
Case No.	PC-2017-11
Date Filed	4/28/17

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-5245237

Email Address jhchen@cityofoxford.org

Amendment Description * Amend Oxford Zoning Code Chapter 1143, 1143.03, .05, .07

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 *

Date *


4/15/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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