



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 15, 2020

EXECUTIVE SESSION

None.

This meeting is being conducted in accordance with Sub. H.B. 197 and the guidelines set forth by the Ohio Dept. of Health

1. Roll Call. Mike Smith, Mayor; William Snavelly, Vice-Mayor; David Prytherch; Jason Bracken; Chantel Raghu; Glenn Ellerbe; Edna Southard

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

REGULAR MEETING

6:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

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

3. Public Participation.

- A. Proclamation – “National Hispanic Heritage Month”. pg6



Proclamation

- B. Discussion – Community COVID Update, Jenny Bailer, Health Commissioner. .
- C. Public Comments.

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

4. Consent Agenda.

- A. Minutes of the September 1, 2020 City Council Work Session. (Mary Ann Eaton, Clerk of Council) pg7



Minutes

- B. Minutes of the September 1, 2020 City Council Meeting. (Mary Ann Eaton, Clerk of Council) pg9



Minutes

- C. Report regarding the August 11, 2020 Planning Commission Meeting. (Sam Perry, Community Development Director) pg25



Report

- D. Report regarding the September 2, 2020 Environmental Commission Meeting. (Mike Dreisbach, Service Director) pg26



Report

- E. Report regarding the September 8, 2020 Planning Commission Meeting. (Sam Perry, Community Development Director) pg28



Report

5. Resolutions.

1. A Resolution of Oxford City Council authorizing the City Manager to develop a purchase agreement for the sale of a portion of City owned real property located on the

west side of Oxford Reily Road in the City of Oxford known as “Western Knolls”.
(Mike Dreisbach, Service Director) pg29



Staff Report/Resolution

2. A Resolution authorizing the City Manager to enter into a contract with IPS Group, Inc. for the purchase of four (4) pay station multi-space Smart Meters and specified associated equipment, software, and installation at National Cooperative Purchasing Alliance contract pricing at a cost not to exceed \$29,110.20. (John Jones, Police Chief) pg52



Staff Report/Resolution

3. A Resolution authorizing the donation of forty two thousand dollars (\$42,000.00) to Talawanda Oxford Pantry & Social Services (TOPSS) as a sub-recipient of Federal CARES Act funds to assist with the purchase of a mobile food pantry to serve those in need within the Talawanda School District. (Jessica Greene, Assistant City Manager) pg 56



Staff Report/Resolution/Exhibit"A"

4. A Resolution authorizing the donation of one hundred forty two thousand dollars (\$142,000.00) to the Family Resource Center as a sub-recipient of Federal CARES Act funds which shall be used for emergency financial assistance for housing and utilities, cold shelters, transportation needs, client eviction history and credit repair, child care and education support services for those in need within the Oxford/Talawanda School District community. (Jessica Greene, Assistant City Manager) pg66



Resolution/Application

5. A Resolution authorizing the donation of sixteen thousand dollars (\$16,000.00) to the Talawanda School District as a sub-recipient of Federal CARES Act funds which shall be used for technology to allow for remote schooling. (Jessica Greene, Assistant City Manager) pg70



Resolution/Application

6. A Resolution authorizing the donation of twenty thousand dollars (\$14,017.00) to the Oxford Community Arts Center as a sub-recipient of Federal CARES Act funds which shall be used to provide free tuition for virtual music and art lessons and the live stream equipment to host them. (Jessica Greene, Assistant City Manager) pg72



Resolution/Application

7. A Resolution authorizing the donation of twenty thousand dollars (\$20,000.00) to Butler Behavioral Health Services as a sub-recipient of Federal CARES Act funds which shall be used to provide expanded mental health counseling to one hundred people within the Oxford community. (Jessica Greene, Assistant City Manager) pg75



Resolution/Application

8. A Resolution authorizing the donation of forty six thousand five hundred dollars (\$46,500.00) to Oxford Seniors as a sub-recipient of Federal CARES Act funds which

shall be used for public health and technology upgrades within the Senior Center and transportation for seniors within the Oxford community. (Jessica Greene, Assistant City Manager) pg77



Resolution/Application

9. A Resolution authorizing the expenditure of twenty six thousand six hundred dollars (\$26,600.00) of federal CARES Act funds which shall be used for public health upgrades within the City of Oxford as set forth on Exhibit “A” attached hereto. (Jessica Greene, Assistant City Manager) pg79



Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance Approving The Final Dedication And Easement Plat For Lake Forest Drive In The City Of Oxford. (Sam Perry, Community Development Director) pg80



Staff Report/Ordinance/Map

B. Second Reading.

1. An Ordinance Repealing Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts In Chapter 1141 Entitled Accessory, Temporary, Supplemental And Environmental Regulations And Adopting New Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts In Chapter 1141 Entitled Accessory, Temporary, Supplemental And Environmental Regulations. (Sam Perry, Community Development Director) pg83



Staff Report/Ordinance

2. An Ordinance Repealing Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) And 1143.15(b)(1) All Entitled Permitted Uses In Chapter 1143 Entitled Districts And Adopting New Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) And 1143.15(b)(1) All Entitled Permitted Uses In Chapter 1143 Entitled Districts To Be In Compliance With Oxford Codified Ordinance Chapter 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director) pg109



Ordinance

3. An Ordinance Repealing Oxford Codified Ordinance Section 1147.03(b) Entitled Uses In Chapter 1147 Entitled Conditional Uses And Adopting New Oxford Codified Ordinance Section 1147.03(b) Entitled Uses In Chapter 1147 Entitled Conditional Uses To Be In Compliance With Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director) pg112



Ordinance

4. An Ordinance Repealing Oxford Codified Ordinance Section 1159.03 Entitled Definitions (beginning with letter “B”) And Section 1159.21 Entitled Definitions (beginning with letter “T”) In Chapter 1159 Entitled Definitions, And Adopting New Oxford Codified Ordinance Section 1159.03 Entitled Definitions (beginning with letter “B”) And Section 1159.21 Entitled Definitions (beginning with letter “T”) In Chapter 1159 Entitled Definitions To Be In Compliance With Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director) pg121



Ordinance

5. An Ordinance Repealing Oxford Codified Ordinance Chapter 743 Entitled Short Term Rentals And Adopting New Oxford Codified Ordinance Chapter 743 Entitled Bed & Breakfasts; Transient Guest Lodging To Be In Compliance With Oxford Codified Ordinance Section 1141.01 (c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director) pg124



Staff Report/Ordinance

6. An Ordinance Repealing Oxford Property Maintenance Code Section 310 Entitled Rental Permits And Adopting New Oxford Property Maintenance Code Section 310 Entitled Rental Permits. (Sam Perry, Community Development Director) pg129



Staff Report/Ordinance

7. An Ordinance Amending Ordinance No. 3538. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2020. (Joe Newlin, Finance Director) pg135



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

2. Future Meetings.

WED – Sept 16 Board of Zoning Appeals Meeting 6:30 p.m.

MON – Sept 21 Housing Advisory Commission Meeting 1:30 p.m.

MON – Sept 21 City Council CIP Work Session 7:00 p.m.

FRI - Sept 25 Student Community Relations Commission Meeting 3:00 p.m.

TUES – Oct 6 City Council Meeting 7:30 p.m.

WED - Oct 7 Environmental Commission Meeting 7:00 p.m.

THUR – Oct 8 Recreation Board Meeting 11:30 a.m.

FRI - Oct 9 Student Community Relations Commission Meeting 3:00 p.m.

MON - Oct 12 Parking and Transportation Advisory Board Meeting 9:30 a.m.

MON - Oct 12 Climate Action Steering Committee 3:30 p.m. Leonard Howell Park

TUES – Oct 13 Planning Commission Meeting 7:00 p.m.

WED - Oct 14 Historic & Architectural Preservation Commission Meeting 6:15 p.m.

MON - Oct 19 Housing Advisory Commission Meeting 1:30 p.m.

TUES – Oct 20 City Council Meeting 7:30 p.m.

WED - Oct 21 Board of Zoning Appeals Meeting 6:30 p.m.

FRI - Oct 23 Student Community Relations Commission Meeting 3:00 p.m.

8. Adjourn.

Office of the Mayor

Proclamation

Whereas: Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic/Latino Americans are one of the fastest growing groups in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanic/Latino Americans have contributed immensely to the growth of our country, helping to shape the character and future of this state; and

WHEREAS, the cultural, educational, and political influences of Hispanic/Latino Americans can be seen and appreciated in all aspects of our life, from farm-worker struggles for housing and equal wages, to incredible and gifted artists, vibrant businesses, music and community festivals; and

WHEREAS, the Hispanic/Latino American community has a long and important history of commitment to our Nation's core values and the contributions of this community have helped make our country great. During National Hispanic Heritage Month we celebrate the many achievements of Hispanic/Latino Americans and recognize their contributions to our country; and

WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic/Latino Americans everywhere. To honor those achievements, the Congress, by Public Law 100-402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as 'National Hispanic Heritage Month'.

NOW, THEREFORE, I, Michael Smith, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2020 as:

'NATIONAL HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic/Latino Americans in our country by participating in the activities and events planned for this important occasion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 15th day of September, 2020.

Michael Smith
Michael Smith, Mayor



A virtual Work Session of the Oxford City Council was called to order by Mayor, Mike Smith on Tuesday, September 1, 2020 at 6:30 P.M. Council members participating were Jason Bracken, Glenn Ellerbe, David Prytherch, Chantel Raghu, Bill Snively and Edna Southard.

Staff members participating were Doug Elliott, City Manager, Jessica Greene, Assistant City Manager, Sam Perry, Community Development Director, Chris Conard, Law Director, Ben Mazer, Assistant Law Director and Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

Mr. Snively moved to approve the agenda. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Snively, Ms. Southard
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

PURPOSE

The purpose of the Work Session was for the Law Director and Assistant Law Director to review Sunshine Laws and Social Media with Council.

DISCUSSION

Mr. Conard provided a PowerPoint to Council and staff prior to the Work Session and discussed many of the slides pertaining to Ohio's Open Meetings Law and Public Records Law and what could constitute a violation of them specifically with regard to email, texts, social media accounts and ex parte communications.

Recent court cases were discussed which involved ex parte communications and suits filed against persons who engaged in unconstitutional viewpoint discrimination for blocking critics from their social media accounts. Another case was discussed regarding protected speech.

Mr. Conard discussed Ohio Revised Code 102.03(E) and (D) which prohibits a public official from soliciting, accepting, or using their position to secure anything of value.

Mr. Conard discussed an opinion by the Ohio Ethics Commission in which the ethics commission was asked if City Council members employed by Miami University were prohibited from participating in matters before Council that definitely and directly affect the university and the answer was yes.

Mr. Conard discussed the issue of abstention vs. recusal with regard to Council voting on certain matters.

A brief question and answer period followed and Mayor Smith encouraged Councilors and Board and Commission members to email staff if they had additional questions.

ADJOURNMENT

Mr. Snavelly moved to adjourn at 7:26 p.m. Mr. Prytherch seconded. The motion passed by the following roll call:

AYE: Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Ms. Southard, Mr. Snavelly, Mr. Bracken
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

A virtual meeting of the Oxford City Council was called to order by Mayor Mike Smith on Tuesday, September 1, 2020 at 7:30 p.m. Members participating were Jason Bracken, Glenn Ellerbe, David Prytherch, Chantel Raghu, William Snavelly and Edna Southard.

Staff members participating were: Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Sam Perry, Community Development Director; Mr. John Detherage, Fire Chief; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Chris Conard, Law Director; Mr. Ben Mazer, Assistant Law Director; and Ms. Mary Ann Eaton, Clerk of Council.

APPROVAL OF AGENDA

Ms. Southard moved to approve the agenda. Mr. Snavelly seconded. The motion passed by the following roll call:

AYE: Ms. Raghu, Mr. Snavelly, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

PUBLIC PARTICIPATION

ANNUAL REPORT

POLICE COMMUNITY RELATIONS AND REVIEW COMMISSION

Mr. Patrick Meade, Chair, thanked Council for allowing the presentation to be made and thanked members of the PCR&RC, Deirdre Delong, Amber Franklin, Aimin Wang, Larry Nadler, Egan Kraan and Hannah Stohry. Mr. Meade advised the volunteers worked very hard this year with policing being a hot topic to help Oxford and the community and it was an honor for him to work with them. Mr. Meade noted he emailed the annual report to Council and staff and advised the report was posted on the PCR&RC's webpage as a public record. Mr. Meade noted he would discuss the PCR&RC's goals and what they hoped to accomplish in the future. Mr. Meade advised the commission drafted the goals in June and July prior to Council receiving a proposal from Black Lives Matter. Mr. Meade noted after he discusses the goals he would provide the commission's response to some of the Black Lives Matters proposals. Mr. Meade advised the first goal was one they have had every year, which was to increase communication with the African-American community and other demographic groups in the community about their perception of policing noting he felt the commission made real progress on that goal over the last couple of months. Mr. Meade advised the commission would like Council to help them join the National Association for Civilian Oversight of Law Enforcement (NACOLE) noting it was a national organization made up of commissions and boards that oversee law enforcement in their cities.

Mr. Meade advised the membership would give the PCR&RC access to information, seminars and webinars to become better informed and knowledgeable about law enforcement issues. Mr. Meade advised the third goal was to strengthen the original ordinance establishing the PCR&RC regarding how the commission deals with complaints that are placed before them. Mr. Meade noted the commission would like to improve the complaint process itself by removing barriers to enable anonymous submissions. Mr. Meade advised the commission would like to obtain data regarding pedestrian and bicycle stops (field contacts) noting they would like to know the reasons for those stops with the data broken down by officer. Mr. Meade noted the commission was willing to work with Council on the re-envisioning of policing in Oxford and advised perhaps the police were dealing with societal issues that the City should deal with differently. Mr. Meade noted the PCR&RC has a long list of items to place on their agenda including training for members on de-escalation and crisis intervention. Mr. Meade advised the commission wanted to re-connect with Women Helping Women and deal with officer wellness. Mr. Meade encouraged everyone to email the commission with any questions.

Mr. Meade advised the PCR&RC met last month and discussed two of the three proposals from Black Lives Matter. Mr. Meade noted the PCR&RC formally recommends OPD begin providing the PCR&RC and the community with data on field contacts including the reason for the stops within the next 6 months. Mr. Meade advised the commission also recommends adding a QR Code or URL to each officer's business card so citizens would receive a card with each stop and have a way to obtain feedback about the stop.

Mr. Meade suggested OPD enter into a memorandum of understanding with the FOP to remove the barrier of requiring police reports to be notarized. Mr. Meade advised the commission felt this would allow OPD to be more transparent, open and accessible.

Mr. Meade noted the commission did not discuss the BLM proposal regarding alternatives to traditional policing, as it is a large subject, which will require a lot of conversation. Mr. Meade advised the commission would discuss the issue at their next meeting and prepare a recommendation for Council unless Council preferred they do something differently.

Mayor Smith and Vice Mayor Snively thanked Mr. Meade and the entire commission for their service and good work.

PUBLIC COMMENTS

Mr. Justin Chandler, noted he was now a resident of Cincinnati although he lived in Oxford for 5 years and is currently a PHD student at Miami University. Mr. Chandler advised he was also a member of Black Lives Matter – Oxford, Ohio and helped draft the letter that was presented to the PCR&RC and to City Council. Mr. Chandler thanked Mr. Meade, the PCR&RC, Chief Jones and City Council for being willing to listen to the concerns of Oxford citizens. Mr. Chandler referred to the proposal from the PCR&RC to require comprehensive reporting and noted he felt 6 months was too long to wait since it was something the PCR&RC and Oxford residents have requested for several years. Mr. Chandler advised if we value transparency in our institutions, he felt a 3-month window is very realistic.

Mr. Chandler urged City Council to request said data be reported to the PCR&RC within the next 3 months. Mr. Chandler referred to the proposal of removing barriers to reporting police misconduct and noted he was disappointed that the PCR&RC was not able to reach a decision about whether to offer a formal recommendation. Mr. Chandler advised he appreciated the progress made on the police complaint and accommodation form on the City's website that Jessica Greene and Chief Jones are working on although he felt not everyone is going to know about the website. Mr. Chandler noted some Oxford citizens will not know what recourse they have when they experience police misconduct which he felt was a problem. Mr. Chandler quoted from the BLM letter presented to Council on August 4 "for all stops require police officers to give civilians their name, badge number, reason for the stop and a card with instructions for filing a complaint with the PCR&RC". Mr. Chandler noted including this information about filing a complaint or accommodation on officer business cards and mandating that officers hand these out at each stop is a key step toward removing the barriers to reporting police misconduct. Mr. Chandler requested that Council return proposal 2 to the PCR&RC for further deliberation at their next regularly scheduled quarterly meeting in November. Mr. Chandler noted his hope the PCR&RC will have more time to attend to the specifics of the proposal and to come to a decision about its value to the citizens of Oxford.

Ms. Shana Rosenberg, 1036 Arrowhead Drive, advised she would speak to the PCR&RC's recommendations to Council. Ms. Rosenberg thanked Mr. Mead and the rest of the commission for taking the Black Lives Matter proposals seriously. Ms. Rosenberg thanked Council for their consistent attention to police reform in our City. Ms. Rosenberg referred to the recent change to the Dereliction of Duty Code, which bans the use of choke holds and requires officers to prevent excessive or unauthorized use of force by other officers noting she felt it was definitely an improvement over what the City had before. Ms. Rosenberg advised she appreciated that Council took seriously the initiatives of Black Lives Matter and had the PCR&R look at those proposals. Ms. Rosenberg noted when she was on the PCR&RC in 2016 they started to talk about wanting to have field contact data in order to determine whether there was any kind of implicit bias in Oxford's Police Department and advised in 2020 it is something citizens are still asking for. Ms. Rosenberg advised she would like to see City Council recommend that 3 months instead of 6 months be the timeframe for Chief Jones and OPD to start providing field contact data noting she felt it was very important for transparency sake and to better understand if disenfranchised groups in the City are being policed well or if there could be some improvement. Ms. Rosenberg referred to the business card proposal and advised it is an action item in Obama's Twenty First Century Policing Task Force recommendation that was published in 2015 specifically for business cards to have information printed on them that could be passed out regarding how to commend or complain about police conduct. Ms. Rosenberg noted she felt comprehensive reporting about field contacts with pedestrians and others outside of arrests and traffic stops is important to have a better understanding about the possibility of implicit bias in the police force. Ms. Rosenberg advised she felt removing barriers from the complaint process will help members of disenfranchised groups feel more comfortable about reporting their concerns about how they are policed by OPD. Ms. Rosenberg noted she appreciated that Council has demonstrated their belief we can improve the transparency and accountability of OPD.

Ms. Amy Shaiman, 11 Heather Ridge Court, thanked the PCR&RC for all of their volunteer work and thanked Chief Jones for being willing to be a part of this process. Ms. Shaiman noted she was not formally a member of the Back Lives Matter – Oxford group although she echoed many of their concerns and suggestions. Ms. Shaiman advised she appreciated Council's willingness to hear these issues and support the work of the commission. Ms. Shaiman noted she agreed that having opportunities to make anonymous reports to OPD was very important.

Ms. Amber Franklin, 1211 Dana Drive, thanked Mr. Meade for being an excellent Chair of the PCR&RC and thanked Chief Jones for working with the commission. Ms. Franklin thanked the community for pushing the commission because she felt when a commission is based on relations and review it can sometimes be a bit of a tightrope. Ms. Franklin noted outside of the events that happened this summer although these events in terms of anti-Black police violence have been happening since the creation of the commission the renewed attention this summer has caused the community to push the PCR&RC in ways that are challenging but positive. Ms. Franklin echoed Mr. Meade's request for support from City Council to join the National Association for Civilian Oversight of Law Enforcement noting she felt it would be very helpful. Ms. Franklin advised it would be helpful if the PCR&RC had a member of City Council who was an advisory member to the commission noting she felt there was a lot of mentoring that should happen when a commission is new. Ms. Franklin advised sitting in on the Sunshine Law Work Session was very helpful. Ms. Franklin noted she felt having someone assigned to the commission in an advisory role would make the commission more effective in knowing how and when to make recommendations and what to expect from City Council. Ms. Franklin thanked Council for being attentive to this matter.

Ms. Lexi Marsh, 49 Spartan Drive, thanked the PCR&RC noting having them here today establishes the fact that they have been in existence before we thought we would need them. Ms. Marsh advised having them to call on now instead of starting from ground zero to figure out how to begin dialog between community members and the police is so important and it makes her proud to live in a town like Oxford. Ms. Marsh noted Oxford was ahead of the game so that when we experience what we have experienced over the summer and need someone to talk to the PCR&RC has been there.

Mr. Egon Kraan, 84 Autumn Drive, member of the PCR&RC, noted he has worked in data collection for 18 years of his professional life. Mr. Kraan referred to a 3-month turn around to provide pedestrian stop data and advised he felt it was unrealistic. Mr. Kraan noted it was an incredibly aggressive deadline to provide useful data. Mr. Kraan encouraged setting realistic expectations as implementing the system and reporting the data in 3 months is not realistic.

Ms. Hannah Stohry, 626 Brill Drive, member of the PCR&RC, thanked Mr. Meade for providing the annual report as well as reflecting some of the recommendations the PCR&RC made to City Council. Ms. Stohry offered support for the suggestion Dr. Franklin made regarding having an advisory member. Ms. Stohry advised she also learned a lot during the Sunshine Laws Work Session noting she felt having someone advise the commission will help the PCR&RC formalize a structure for what they can do as well as a formal process as it relates to what to do with complaints when they do come in. Ms. Stohry thanked Chief Jones and City Council for their support.

Mr. Pat Meade, advised he would speak to another matter. Mr. Meade referred to funding the City received from the CARES Act and advised he spent 30 years working with students in Oxford many of whom did not have much. Mr. Meade noted it was obvious when students have to do schooling online at home that many people do not have internet access. Mr. Meade suggested some of the CARES Act funds be used to establish zones in Oxford for internet access. Mr. Meade noted the internet has become a utility and advised Covid-19 and the online schooling and work has put many Oxford citizens at a disadvantage. Mr. Meade advised Covid-19 is going to widen the gap between those who have and those who have not.

CONSENT AGENDA

Minutes of the August 18, 2020 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

Mr. Snavely moved to approve the consent agenda. Ms. Southard seconded. The motion passed by the following roll call:

AYE: Ms. Raghu, Mr. Snavely, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

RESOLUTION **AUTHORIZING** **TAX LEVIES**

A Resolution No. 7207 accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio, and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised the proposed Resolution is presented each year as part of the budgeting process. Mr. Newlin noted the purpose of the resolution is to legally adopt Oxford's property tax rates for next year as approved by the County Auditor's office.

There were no public comments.

Ms. Raghu inquired if the property tax takes into account how much a property was recently sold for noting she felt there was a discrepancy between what a property is worth verses how much taxes are paid. Mr. Newlin advised the Auditor's office was going through a re-evaluation process, which they do every 6 years noting the new values will be published and owners will have an opportunity to object to a new value.

Ms. Southard moved to adopt Resolution No. 7207. Mr. Snavelly seconded. The Resolution was adopted by the following roll call:

AYE: Mr. Snavelly, Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

RESOLUTION
CONTRACT WITH
PARR PUBLIC SAFETY EQUIPMENT

A Resolution No. 7208 authorizing the City Manager to enter into a contract with Parr Public Safety Equipment for the purchase of specified equipment to outfit three (3) Ford Interceptor Utility vehicles for the Police Division at a cost not to exceed \$32,479.84. (John Jones, Police Chief)

Chief Jones addressed his staff report as presented on page 27 of Council's packet and offered to answer any questions.

There were no public comments.

Ms. Raghu noted Council has discussed the cost savings of not having a 24 hour fleet and inquired if staff could provide that data as she was struggling to see evidence based information from other cities.

Chief Jones advised the report OPD has is older and noted doing an updated study would be helpful although it would take some staff time.

Mayor Smith noted he felt the pricing was great for the outfit package compared to what he has seen in the past.

Mr. Prytherch moved to adopt Resolution No.7208. Mr. Snavelly seconded. The Resolution was adopted by the following roll call:

AYE: Ms. Southard, Mr. Bracken, Mr. Ellerbe, Mr. Prytherch, Ms. Raghu, Mr. Snavelly
Mayor Smith (7)

NAY: None (0)

ABS: None (0)

Mayor Smith advised the next 6 proposed Ordinances dealt with new language for transient guest lodging.

Mr. Prytherch recused himself as someone who has rented bedrooms on Parent's Weekend noting in the past he has recused himself on all matters related to the proposed legislation.

ORDINANCES **FIRST READING**

ORDINANCE **NEW SECTION 1141.01(c)**

An Ordinance Repealing Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts In Chapter 1141 Entitled Accessory, Temporary, Supplemental And Environmental Regulations And Adopting New Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts In Chapter 1141 Entitled Accessory, Temporary, Supplemental And Environmental Regulations. (Sam Perry, Community Development Director)

Mr. Perry noted Dr. Mark Tremblay from the Farmer School of Business was participating in the meeting. Mr. Perry advised transient guest lodging language has been a project for several years noting over the past 1 ½ years quite a bit of work has been done to complete it. Mr. Perry advised the Planning Commission reviewed the proposed zoning text amendments and recommended approval. Mr. Perry noted because of changes made to the Business Code it was included with the text amendments as was the Property Maintenance Code, which is used to enforce rental properties. Mr. Perry provided an overview of how staff and the Planning Commission have got to this point noting in April of last year the code was revised to require the registration of short-term rentals, which allowed staff to begin the data capture process. Mr. Perry advised that led staff to Dr. Tremblay who offered to assist by doing research in a much more comprehensive way. Mr. Perry noted staff reviewed what is going on in other Midwest cities and some cities in Ohio and advised there was not a program the City could replicate, as they did not see anything similar to Oxford, which has a robust rental program in a small college town. Mr. Perry provided an overview of each code section that would be affected by the proposed new language. Mr. Perry referred to the first Ordinance, which amends Chapter 1141 and contains all of the details of transient guest lodging and the threshold of 90 days maximum for areas outside of the Neighborhood Conservation Overlay districts. Mr. Perry referred to Ordinance 2, which covers all districts that would need amendments in order to be updated. Mr. Perry referred to the 3rd Ordinance which covers the Conditional Use requirements noting there is a Conditional Use requirement that has not been enforced awaiting this project to proceed. Mr. Perry referred to the 4th Ordinance noting it includes definitions that need to be amended. Mr. Perry referred to the 5th Ordinance noting the Business Code needed to be amended in order to have the terminology updated to reflect transient guest lodging. Mr. Perry referred to the 6th Ordinance and advised the life safety requirements for rental inspections in the Property Maintenance Code needed to be amended. Mr. Perry advised the Planning Commission recommendation was to allow transient guest lodging in single, two and three family dwellings with only one booking at a time.

Mr. Perry noted rental permits would be required for all transient guest lodging units and the same permit would be used for regular rental property instead of having two separate permits. Mr. Perry advised for property owners that want to offer transient guest lodging more as a business there is a threshold of 90 days per year. Mr. Perry noted transient guest lodging over 90 days requires a Conditional Use hearing and it is prohibited in a Neighborhood Conservation Overlay district. Mr. Perry noted the ability to revoke the registration was an early request by the Planning Commission if there was an issue that was documented and citations were issued. Mr. Perry advised the Planning Commission recommendation was unanimous. Mr. Perry also discussed how transient guest lodging might occur in a condominium community. Mr. Perry offered to answer any questions noting Dr. Tremblay could speak to his research.

Mr. David Prytherch, 6195 Contreras Road, thanked Mr. Perry and the Planning Commission for many years of work trying to strike the best balance possible with transient guest lodging regulations. Mr. Prytherch noted he felt the threshold of 90 days was generous for people to not have to go through the Conditional Use process. Mr. Prytherch advised affordable housing was a key concern of Council noting he felt this addresses it squarely.

Ms. Raghu inquired how the City would monitor the 90-day threshold. Mr. Perry advised there were companies that do the compliance checks although he felt the City has options for its small market.

Ms. Southard noted she was delighted to see the proposed legislation and advised she appreciated the years of work associated with it. Ms. Southard inquired if staff had an estimate of how this will affect the budget in terms of hotel tax. Mr. Elliott advised he would work with staff and the Law Director to bring forward legislation noting staff wanted to get this step in place first. Mr. Elliott noted it could be a substantial source of revenue once things get back to normal although staff needs to decide how to go about collecting revenue and what the compliance costs are. Mr. Elliott advised not everyone is willingly going to pay the hotel tax and audits would need to be performed to ensure it is administered fairly.

Mayor Smith echoed all the work that has gone into this noting he was part of it a couple of years ago. Mayor Smith thanked Dr. Tremblay for all of his data collection noting the presentation of that data was outstanding. Mayor Smith thanked Mr. Perry for reaching out to the stakeholders noting he felt staff did everything possible to get everyone's input on this issue.

Mr. Snavelly asked Mr. Perry to briefly describe the purpose of each Ordinance.

ORDINANCE
NEW SECTIONS IN CHAPTER 1143

An Ordinance Repealing Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) And 1143.15(b)(1) All Entitled Permitted Uses In Chapter 1143 Entitled Districts And Adopting New Oxford Codified Ordinance Sections 1143.01(b)(1), 1143.02(b)(1), 1143.03(b)(1), 1143.04(b)(1), 1143.05(b)(1), 1143.06(b)(1), 1143.065(b)(1), 1143.07(b)(1), 1143.09(b)(1) And 1143.15(b)(1) All Entitled Permitted Uses In Chapter 1143 Entitled Districts To Be In Compliance With Oxford Codified Ordinance Chapter 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance amends the different zoning districts in town particularly the residential districts and reflects the changes.

Mr. Prytherch advised Council is legalizing short term rentals noting it has been an unregulated activity outside of the law in Oxford.

ORDINANCE
NEW SECTION 1147.03(b)

An Ordinance Repealing Oxford Codified Ordinance Section 1147.03(b) Entitled Uses In Chapter 1147 Entitled Conditional Uses And Adopting New Oxford Codified Ordinance Section 1147.03(b) Entitled Uses In Chapter 1147 Entitled Conditional Uses To Be In Compliance With Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director)

Mr. Perry advised a Conditional Use application will be considered if there is an application for a business class transient guest lodge or short term rental in a neighborhood.

There were no comments from the public or from Council.

ORDINANCE
NEW SECTION 1159.03 AND 1159.21

An Ordinance Repealing Oxford Codified Ordinance Section 1159.03 Entitled Definitions (beginning with letter “B”) And Section 1159.21 Entitled Definitions (beginning with letter “T”) In Chapter 1159 Entitled Definitions, And Adopting New Oxford Codified Ordinance Section 1159.03 Entitled Definitions (beginning with letter “B”) And Section 1159.21 Entitled Definitions (beginning with letter “T”) In Chapter 1159 Entitled Definitions To Be In Compliance With Oxford Codified Ordinance Section 1141.01(c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance amends the definition of Bed & Breakfast and adds a definition for transient guest lodging and transient guest lodging hosting platform.

There were no comments from the public or from Council.

ORDINANCE
NEW CHAPTER 743

An Ordinance Repealing Oxford Codified Ordinance Chapter 743 Entitled Short Term Rentals And Adopting New Oxford Codified Ordinance Chapter 743 Entitled Bed & Breakfasts; Transient Guest Lodging To Be In Compliance With Oxford Codified Ordinance Section 1141.01 (c) Entitled Accessory Use Provisions For All Zoning Districts. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance changes short term rental to transient guest lodging in the Business Code so everything matches nicely.

There were no comments from the public or from Council.

ORDINANCE
NEW SECTION 310 OF THE
PROPERTY MAINTENANCE CODE

An Ordinance Repealing Oxford Property Maintenance Code Section 310 Entitled Rental Permits And Adopting New Oxford Property Maintenance Code Section 310 Entitled Rental Permits. (Sam Perry, Community Development Director)

Mr. Perry advised the proposed Ordinance removes some exemptions from the property maintenance Code, which are used to enforce the rental inspection requirements.

There were no comments from the public or from Council.

ORDINANCE
SUPPLEMENTAL BUDGET

An Ordinance Amending Ordinance No. 3538. Supplemental Budget Ordinance Number 6 To Make Supplemental Appropriations For Fiscal Year 2020. (Joe Newlin, Finance Director)

Mr. Newlin addressed his staff report as presented on page 85 of Council's packet which deals with reimbursement for COVID-19 related expenditures. Mr. Newlin noted his hope to receive the funds from the county early next week.

There were no comments from the public.

Mr. Snavely advised the proposed Ordinance sets up the ability for the City to deal with the funding noting Council would review the funding proposals this evening.

DISCUSSION
CARES ACT FUNDING

Mr. Elliott advised the Corona Virus Aid Relief and Economic Security Act enacted on March 27, 2020 provides assistance to state and local governments. Mr. Elliott noted on July 16 the City received its first round of funding in the amount of \$428,884. Mr. Elliott referred to the supplemental budget ordinance on tonight's agenda and advised the City would receive an additional \$214,432 in the near future. Mr. Elliott noted Ms. Greene collected a lot of information from the City's partner agencies, Council members and staff and would present the information to Council.

Ms. Kari McLean, Oxford Community Arts Center, noted in previous years the OCAC has had about 18,000 people of all ages participating in their events, classes and other programs. Ms. McClain advised due to Covid-19 far fewer people have been able to learn and grow and enjoy arts programming this year. Ms. McClain noted it accelerated the need for arts organizations to find new ways to grow, change, and meet the needs of the community. Ms. McClain advised she would very much appreciate Council's consideration of the Oxford Community Arts Center's CARES request for live streaming equipment and funding to assist with tuition and staff resources.

Ms. Greene advised she would provide a brief introduction of how she requested information about the CARES Act spending and then discuss the excel sheet she shared with Council earlier by category. Ms. Greene noted she would also discuss what has already been expended. Ms. Greene shared her computer screen with everyone and advised CARES Act funding can be used for Basic Needs, Educational Assistance, Public Health and Economic Sustainability. Ms. Greene noted the City's allocation in total was \$643,296.24. Ms. Greene presented the Basic Needs slide, which included funding requests from Talawanda Oxford Pantry & Social Services for \$42,000, the Family Resource Center for \$130,000, and the Talawanda School District for \$5,000. Ms. Greene presented the slide for Educational Support, which included funding requests from the Family Resource Center for \$12,000, the Talawanda School District for \$11,000 and the Oxford Community Arts Center for \$10,000. Ms. Greene noted she also included funding for the City of Oxford to provide free Wi-Fi in the Uptown Park, at Park View Arms and at the mobile home community in the amount of \$180,000. Ms. Greene advised it would be a challenge to get this project up and running by December. Ms. Greene noted the management at Parkview Arms did not wish to be a place in town with free Wi-Fi as she felt it could cause loitering on the property although she was in favor of City wide free Wi-Fi. Ms. Greene advised she spoke with some internet providers and noted the City could provide free Wi-Fi in the community across the board but it would take all of the CARES Act funding to do that. Ms. Greene presented the slide for Public Health, which included funding requests from Butler Behavioral Health for \$10,000, Oxford Seniors for \$46,500 and the City of Oxford for \$236,025. Ms. Greene discussed the proposed projects for the City of Oxford some of which would be too challenging to implement by December. Ms. Greene presented the slide for Economic Sustainability, which included funding requests from the City of Oxford for \$105,000 and the Chamber of Commerce for \$33,000. Ms. Greene presented a slide showing funds already expended which amounted to \$110,934.34 and discussed her draft of proposed expenditures for a total of \$529,525, which did not include Wi-Fi or enforcement staffing.

Ms. Southard advised the Governor announced today there would be special funding for internet access throughout the State of Ohio noting she felt it would be exciting to tap into that funding. Ms. Southard inquired if staff knew anything about that funding. Ms. Southard noted there was also an announcement that FEMA will no longer fund facemasks or hand sanitizer and inquired if the City should budget for those items. Ms. Greene advised she would research the issue of the State providing internet access. Ms. Greene noted the City of Oxford has a large supply of PPE and advised it cannot be stockpiled using CARES Act funds.

Ms. Raghu advised this has been one of her happiest moments on Council noting Ms. Greene did an amazing job and she felt this was what it looks like when you have a people driven budgetary process. Ms. Raghu advised for it to be as transparent as it is and try to meet the different demands that directly help people she felt was cool. Ms. Raghu noted her hope there would be funding for internet access, as it was a utility not a luxury especially in a pandemic. Ms. Raghu thanked Ms. Greene for her presentation and noted her hope the City budget could follow a process like this.

Mr. Bracken inquired what the Wi-Fi funding entailed and inquired if it was for infrastructure and the cost of the service for a year. Ms. Greene advised it was for 4 access spots in the Uptown area, 4 access spots at Parkview Arms, and 4 access spots at the mobile home community. Ms. Greene noted she spoke to Cincinnati Bell about their projects in Cincinnati and advised they provided internet access for two entire neighborhoods at a cost of \$500,000. Ms. Greene offered to do more research if Council wished.

Mr. Prytherch thanked Ms. Greene and Mr. Elliott for providing the open solicitation process for obtaining the funding requests. Mr. Prytherch noted he felt the fact it yielded reasonable numbers with some adjustments was remarkable. Mr. Prytherch advised he would like to see infrastructure improvements that provide value beyond and suggested providing Wi-Fi around Merry Day Park, the Uptown Parks and possibly Leonard Howell Park. Ms. Greene noted Council will need to decide whether to fund the agencies or provide public Wi-Fi based on the cost and offered to do more research.

Mr. Snavelly advised he felt internet was a top priority as a state program or with what the City could put towards it. Mr. Snavelly suggested providing Wi-Fi at the Community Park as there are plenty of parking spaces there and it would not have the problem mentioned by Parkview Arms. Mr. Snavelly noted if the City has no additional funding he would rather see it go to some of the other things that were very clearly related to issues affected by the pandemic and that really help people. Mr. Snavelly advised he would like to know on some of the requests what the connection is to the pandemic.

Mr. Ellerbe thanked Ms. Greene for her presentation noting this was an enormous amount of work, which he appreciated. Mr. Ellerbe advised he felt utilities would serve the most amount of people noting he would like to see some semblance of it happen. Mr. Ellerbe suggested Wi-Fi be provided in the Uptown Park initially where there are a lot of picnic tables and people are social distancing while being outside and gathering. Mr. Ellerbe noted he agreed with any of the City owned public spaces being the next spots for Wi-Fi.

Mr. Prytherch referred to the number of Covid-19 cases in Oxford noting he felt there would be a containment problem and inquired if anything about the current situation changes the calculus.

Mr. Bracken advised he felt Wi-Fi was incredibly important noting the reason it is needed now more than ever is because people are teaching their kids at home which is not going to happen in the parks. Mr. Bracken advised he felt people Uptown do not tend to need Wi-Fi as most have phones and internet access. Mr. Bracken noted the area of need is the outer areas and suggested they be served first.

Ms. Greene advised she did not know enough about the Wi-Fi projects to give Council good answers this evening. Ms. Greene offered to get solid research for Council on the actual costs and report back to them.

Mr. Elliott suggested Council move forward on the Basic Needs, Public Health and Educational Support requests minus the Wi-Fi funding so staff can further research a Wi-Fi project. Mr. Elliott reminded everyone the money must be spent by December 31, 2020 and noted there were people with real needs.

Mr. Snavely advised issues such as food and shelter seem more important to him right now.

After further discussion regarding Wi-Fi, Basic Needs and other requests Mayor Smith advised at the second meeting in September Council will consider Resolutions on the things they want to move forward on to get the money into people's hands. Mayor Smith noted that would give Ms. Greene time to research the Wi-Fi issues.

Ms. Greene advised she would move the Economic Development and public restroom funding into public Wi-Fi. Ms. Greene noted she would also research the issue of the State of Ohio providing statewide Wi-Fi. Ms. Greene advised staff would prepare Resolutions for the various organizations as a grant.

Ms. Southard advised she was working with the Senior Center on the idea of using their van to transport people to the polls for early voting or depositing absentee ballots and for voting on Election Day. Ms. Southard noted she and the board were working on getting funding for the initiative.

ANNOUNCEMENTS

Mr. Elliott discussed an article in the Journal News regarding the 2020 Census noting the City had low self-response rates in a few precincts. Mr. Elliott advised Census workers were going door to door focusing on student housing to obtain responses. Mr. Elliott noted he would send Council an email he received today from the City's Partnership Specialist with the US Census which contains a lot of good information. Mr. Elliott advised the City was working with Miami University and the Census to make sure we get a complete count.

Mr. Elliott noted he and Mayor Smith were involved last week in a teleconference with Governor DeWine as the governor wanted to talk to various university towns about how things were going during the pandemic. Mr. Elliott advised other participants were from Athens, Bowling Green, Columbus, Dayton, Fairborn, Wooster, Youngstown, Cincinnati, Cleveland and Portsmouth. Mr. Elliott noted he and the Mayor shared with them the things Oxford has done and they listened to what other communities have done.

Chief Jones referred to the Police Community Relations & Review Commission discussion and advised it seemed some folks alluded to the fact they felt OPD had data and were withholding it. Chief Jones noted he wanted to make it clear that is not the case and advised OPD does not have the data. Chief Jones advised a process needed to be developed for collecting the requested data. Chief Jones noted his goal was to have a system in place and start collecting the data on January 1, 2021. Chief Jones advised OPD provides an enormous amount of data to the PCR&RC and noted people could review it on the PCR&RC website.

Mr. Wooddell advised the Parks and Recreation Department started their School by the Pool program this week led by a furloughed employee from the Talawanda School District. Mr. Wooddell advised a licensed educator was on site all day to make sure students were completing their schoolwork noting it also provides childcare needed for working parents.

Mr. Wooddell noted the Attic Teen Center officially opened yesterday inside the TRI Building which has free Wi-Fi teens can use after school hours.

Ms. Greene advised she was excited about the next phase of the Oxford Area Trail, which will open by the end of this month. Ms. Greene noted staff was planning a virtual celebration and hiking challenges people can do over the course of a month.

Ms. Greene advised staff worked with BCRTA on a Joint RFP for the Amtrak design noting it went out today and she hoped to receive some good proposals.

Mr. Perry advised the Census workers for the non-response follow-up would be out knocking on doors through the end of the month. Mr. Perry noted the workers have two forms of identification and they have sworn to protect people's information.

Mr. Perry advised a housing study was being performed mostly by internet and phone to property managers, landlords and some of the non-profits noting it was a credible study if anyone was asked.

Ms. Raghu noted she felt the most exciting thing about the discussion on CARES Act funding is that Council is looking at ways to directly help people and figure out how to stop evictions, homelessness and hunger, things Council knows can perpetuate the cycle of poverty that can be inherited. Ms. Raghu advised she felt it was important as Council goes forward to look at how they can best address certain things whether it is mental issues or intimate partner violence or drug abuse what can be done to fix the root causes. Ms. Raghu noted just like with the budget, the money is there but the way Council prioritizes the funding of it can be vastly different.

Ms. Raghu advised Council feels affordable housing is important although the budget does not reflect that so much.

Mr. Ellerbe thanked City staff for all of their hard work. Mr. Ellerbe addressed the citizens of Oxford noting the pandemic is real and the best way to get through it in this town is wash your hands, wear a mask, social distance and try to be considerate of your fellow man because you do not know if they have an underlying condition or other issues. Mr. Ellerbe asked everyone to be excellent to each other.

Mr. Snively advised he felt the information on Miami University's dashboard took a lot of people by surprise in town that it was that high. Mr. Snively noted most Councilors predicted that was going to happen when the students came back to Oxford. Mr. Snively advised he felt it would be accelerated when the rest of the students come back to on-campus housing. Mr. Snively noted everyone needs to continue to be socially distant and use masks.

Ms. Southard thanked the Law Department for the excellent Sunshine Law Work Session this evening noting since it was on YouTube anyone can view it if they wish.

Ms. Southard encouraged everyone to fill out their Census forms and to purchase gift cards from the City to support local businesses while staying safe.

Ms. Southard advised as a sponsor of the initial Ordinance to create the PCR&RC she was so pleased to see the good work they are doing and thanked the members for their service. Ms. Southard noted Council wanted to be prepared for the future, protect Oxford citizens and continue to be a welcoming community. Ms. Southard advised she did not ever want to see something happen in Oxford like what happened in Kenosha recently.

Ms. Southard noted early voting starts October 6 and Election Day was November 3 and encouraged everyone to vote to try to make a difference locally and nationally.

Mr. Bracken advised if Wi-Fi should not work out for the City, he would like Council to consider funding the impending eviction crisis and childcare. Mr. Bracken noted childcare was such an equalizer when it comes to wealth and equality and lack of resources. Mr. Bracken echoed comments of the other Councilors.

Mr. Prytherch noted he felt we entered into a new phase today when we saw the Covid-19 numbers which Council suspected would happen. Mr. Prytherch advised there was significant community spread in Oxford. Mr. Prytherch noted he felt Covid-19 updates should be regular agenda items for every meeting for upcoming months and advised he felt the public via the Oxford Press and Oxford Observer get a lot of information from Council meetings. Mr.

- Prytherch asked staff to think about what additional steps could be implemented to keep people safe. Mr. Prytherch thanked first responders and others who are out there amongst an infectious population.

Mayor Smith thanked first responders and particularly the EMT's noting on Thursday, Friday and Saturdays they are making runs to specifically help Miami students who we know are more likely to carry the virus. Mayor Smith commended OPD noting they were doing a great job during a time they were asked to do more than ever and were being scrutinized more than ever. Mayor Smith advised he has received compliments even from the student body about OPD doing a great job of educating them in lieu of issuing them a citation. Mayor Smith noted he appreciated OPD's discretion where it is needed and advised OPD has his full support in everything they are doing.

Mayor Smith advised the City has loaded the bases and he would like Miami University to speed up their adjudication process noting he felt some students needed to be suspended or expelled for endangering their population and the community population. Mayor Smith advised he felt Miami needed to make an example out of a few students so they take the pandemic seriously.

ADJOURN

Mr. Snavelly moved to adjourn at 10:02 p.m. Mr. Prytherch seconded. The motion passed by the following roll call:

AYE: Mr. Prytherch, Ms. Raghu, Mr. Snavelly, Ms. Southard, Mr. Bracken, Mr. Ellerbe
Mayor Smith (7)

NAY: None (0)

ABS: None (0)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	September 8, 2020
COUNCIL MEETING DATE:	September 15, 2020
AGENDA TITLE:	August 11, 2020 Planning Commission Summary (Virtual Meeting)
CITY MANAGER/DEPT HEAD APPROVAL:	<i>PRE 7/11/20 Sam Perry</i>

This meeting was conducted virtually using Zoom and Youtube in accordance with House Bill 197.

PC-2020-08, ZONING CODE TEXT AMENDMENT, to amend multiple chapters of the Zoning Code, Bed & Breakfasts, Transient Guest Lodging, **City of Oxford, Applicant**

Staff presented a recommendation for amendments to four chapters of Oxford Zoning Code as noted in greater detail in the agenda packet of September 1st Council meeting. There is a new section for accessory use provisions, changes to 11 zoning districts, changes to conditional uses and changes to definitions. The new term being recommended is Transient Guest Lodging instead of Short Term Rentals. It has also been recommended to use 30 days in the revised definitions and 90 days as the principal use threshold. The general intent of the proposed changes are to legalize TGL's through a new permitting and inspection process. Some TGL's would have to go through a hearing or may be prohibited due to location.

The Commission found that the proposed text amendment met the Decision Standards; therefore the Commission accepted the recommendation of staff and voted unanimously to recommend approval to City Council. There were no public comments during the meeting, but there were four written comments included in the agenda packet. Dr. Mark Tremblay and student Jordan McMaster from Miami Farmer Business School joined the Commission for discussion.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 15, 2020

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

September 4, 2020
Date Prepared

Agenda Title: Environmental Commission Meeting of September 2, 2020

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members in attendance for the Wednesday, September 2, 2020 virtual meeting were: Chair, Mr. Jon Ralinovsky; City Council Representative, Ms. Chantel Raghu; Planning Commission Representative, Mr. Jason Bracken; Mr. Andor Kiss, and Mr. Steven Elliott. A quorum was present. Also in attendance were Ms. Suzi Zazycki, Associate Director of the Miami University (MU) Institute for the Environment and Sustainability Department (IES), and MU journalism students Mr. Jason Meggyesy and Ms. Kyla Snodgrass.

Mr. Elliott moved for approval of the minutes from the August 5, 2020 monthly Commission meeting; Mr. Kiss seconded. The minutes were unanimously approved as presented.

Ms. Zazycki provided an anticipated timeline for the IES Professional Service Project (PSP) to prepare a community-scale greenhouse gas (GHG) inventory for Oxford during the 2020-2021 academic year. Earlier in the day, four graduate students were assigned to the community-scale GHG inventory PSP. Mr. Ralinovsky and Staff Liaison, Mr. Treleaven, are to be the Commission's contacts for the students. As part of a fall semester course, the students will prepare an outline of the background, problem definition, goal and objectives, and study design for the PSP. During the Environmental Commission's October meeting, a draft of this outline will tentatively be presented to the Commission for review and comment. Work on the Oxford community-scale GHG inventory will start in January 2021. The January "J" Term is typically when the students can make good progress on their PSP, as they do not yet have other class loads to compete for their time. The community-scale GHG inventory is required for Oxford's participation in the Global Mayors Covenant for the Climate and Energy.

Mr. Bracken informed the Commission that the Climate Action Steering Committee had assigned him the responsibility of researching information pertaining to the emissions from Oxford's closed sanitary landfill, particularly options for methane recovery. Staff updated the Commission regarding the monthly emission monitoring of the closed landfill's 23 passive vents. The Southwest Ohio Air Quality Agency had reviewed Oxford's calculations for determining the carbon dioxide equivalent (CO₂e) values from the emission monitoring, and indicated that they were sound, with one relic error in a spreadsheet cell formula identified (the daily CO₂e cells were actually displaying an hour's worth of CO₂e values).

(Continued)

Approved By:

Department Head:
City Manager:

Initial MB Date 9/9/20
DRB 9/11/20

Correction of the error suggests that the landfill's emissions are approximately 10% - 15% of the USEPA's annual estimate of 4,764 metric tons CO₂e, based upon four monthly monitoring events (May-August). Review of the emission's values by specific passive vents indicates that six of the 23 passive vents emit approximately 85% of the closed landfill's emissions. The Southwest Ohio Air Quality Agency does not conduct on-site monitoring activities. Staff has contacted SCS Engineers regarding hiring them to conduct on-site emissions monitoring of the passive vents, allowing Staff to compare Oxford's monitoring procedures and to also get values for comparison to Oxford's results. SCS Engineers indicated that monitoring a portion or all six vents that appear to be the major contributors to the emission's CO₂e values would likely present a fiscally sound approach. As of the September 2nd Commission meeting, Staff had not been provided a cost estimate for the monitoring event by SCS Engineers. Mr. Bracken requested Staff's attendance at the September 17th Climate Action Steering Committee meeting. Mr. Bracken also requested to accompany Staff on an upcoming monthly emissions' monitoring event.

Following the August 2020 Commission meeting, Mr. Wright Gwyn had resigned from the Environmental Commission after 10 years of service. Ms. Raghu volunteered to assume the Vice-Chair position that became vacant upon Mr. Gwyn's resignation. The Commission unanimously approved Ms. Raghu as Vice-Chair. There are now two vacancies on the Environmental Commission. Mr. Ralinovsky asked that Commissioners alert others to the open positions. Mr. Bracken and Ms. Raghu indicated that they both had already spoken to several people about their participation on the Environmental Commission. Mr. Bracken asked Staff for a summary of the Commission's accomplishments during Mr. Gwyn's tenure, and indicated he was thinking of suggesting City Council's formal recognition of Mr. Gwyn's service at an upcoming Council meeting.

Staff informed the Commission that Rumpke had printed announcement postcards for the distribution of the 65-gallon recycling waste wheeler totes to residential rental trash/recycling accounts in the Mile Square Plus area. Rumpke anticipates the over-sized postcards to be delivered during the week of September 7 – 11, 2020, with the distribution of the recycling totes during mid-September.

Staff provided an update of the residential food scraps drop-off program. Since April 2019, approximately 46,200 pounds (23.1 tons) of food scraps had been recovered and transported for composting. This is a weekly average volume of approximately 625 pounds.

Commissioners concluded discussions at 8:05p.m. The next regularly scheduled monthly Commission meeting is to be an online, virtual meeting starting at 7:00 p.m. on October 7,, 2020.



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STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	September 9, 2020
COUNCIL MEETING DATE:	September 15, 2020
AGENDA TITLE:	September 8, 2020 Planning Commission Summary (Virtual Meeting)
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 9/14/20 Sam Perry

This meeting was conducted virtually using Zoom and Youtube in accordance with House Bill 197.

PC-2020-09, CONDITIONAL USE, 305 N. Main Street, to allow for an accessory dwelling unit in an R3MS Zoning District, **Scott Webb, Applicant, Agent**

Staff presented the request from Scott Webb for an accessory dwelling unit in the rear yard of 305 North Main Street. The dwelling would be in an existing converted garage. There is an existing house in the front. This request was the first one that had been processed since the provision was adopted in 2017 as part of several other amendments to encourage densification of student-housing areas in the eastern half of the Mile Square.

The interior construction had taken place in 2003 but had not been recognized by the city as a dwelling. Commission members expressed concern regarding the safety of the interior as well as the building visibility as noted by the Fire Chief. The footprint of the structure is larger than the 1,000 square foot code provision allowed and is not consistent with Mile Square architectural guidelines. After a lengthy discussion and assistance from staff, the Commission voted to recommend that Council approve the Conditional Use for the Accessory Dwelling Unit with five conditions.



The City of Oxford
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15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	Michael Dreisbach
DATE PREPARED:	September 2, 2020
COUNCIL MEETING DATE:	September 15, 2020
AGENDA TITLE:	Resolution authorizing Staff to develop a Purchase Agreement for the sale of a portion of City owned real property known as Western Knolls 47 Acres
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE</i> 9/11/20 <i>[Signature]</i>

Discussion: The City owns 47 acres of undeveloped land currently zoned “R1B” (Single Family Medium Density Residential) on the west side of Oxford-Reily Road (SR732). The Oxford City Council approved Resolution No. 7196 on July 7, 2020 authorizing the City Manager to advertise for bids for the sale of this property or a minimum 5 acre portion thereof.

City Staff, including the City Manager, Asst. City Manager, Community Development Director, and Service Director, developed specifications for a Request For Proposals (RFPs) and advertised the RFP in the Journal News, the City’s website, and several RFP plan clearinghouses with a deadline of August 28, 2020 for submittals. The RFP gave specific objectives for consideration to bidders including Land Use, Environmental, and Economic objectives as well as design expectations for development of the property. Additionally, the RFP included the City document titled *Western Knolls Design Charrette* to



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

give potential responders an idea of expectations for the development of this land. A minimum sale price of \$23,000 was established for proposals.

The City accepted proposals until 10:00 am local time on Friday, August 28, 2020. One proposal was received from The Model Group, Inc. representing Episcopal Retirement Services as well as Oxford Senior Citizens, Inc. The Model Group proposed two phases to development on the site including:

Phase I: Senior affordable housing targeted at ages 55+ making 60% or less of Area Median Income (AMI). Seven acres would be purchased at a cost of \$25,000 per acre, and the land would support 36 one bedroom apartments and 14 two bedroom apartments with rents of ~\$589 and \$716 per month.

Phase II: The acquisition of an additional three acres, at a cost of \$25,000 per acre, for the site of a future Senior and Community Center owned and operated by Oxford Senior Citizens, Inc. Details of the submittal from The Model Group, Inc. are attached to this report as Exhibit "A".

The City issued one Addendum to the RFP to address utility service to the property. Prior to development of this property, a section of sanitary sewer from SR732, to the east on Melissa Dr., will need to be upgraded to meet current City standards and allow for adequate capacity to serve the new development. Staff is proposing an improvement project in the 2021 Capital Improvement Plan to address this need utilizing City staff for the construction. One issue to be addressed with the developer is the number of units allowed by our zoning code. Current zoning would allow only 44 units (with a waiver), short of the developer's goal of 50 units. The Community Development Director is reviewing options that could be amenable to both the City and the developer.



The City of Oxford
(513) 524-5200
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The proposal from The Model Group, Inc. meets the specifications as stipulated in the City's RFP and meets Comprehensive Plan objectives such as Objective 4 – *Expand Senior Housing Options*. Staff is recommending the City Council approve this Resolution authorizing the City Manager to develop a Purchase Agreement for up to 10 acres of the City's Western Knolls property. Once an Agreement concept is developed, Staff will present it to the City Council in the form of an Ordinance to approve the sale. At that point, a 2/3 majority of Council (5 votes) will be necessary to approve the sale of real property.



RESOLUTION NO.

A RESOLUTION OF OXFORD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO DEVELOP A PURCHASE AGREEMENT FOR THE SALE OF A PORTION OF CITY OWNED REAL PROPERTY LOCATED ON THE WEST SIDE OF OXFORD REILY ROAD IN THE CITY OF OXFORD KNOWN AS “WESTERN KNOLLS”.

WHEREAS, the City of Oxford owns forty seven (47) acres of undeveloped land currently zoned “R1B” (Single Family Medium Density Residential) on the west side of Oxford Reily Road; and

WHEREAS, Oxford City Council adopted Resolution No. 7196 on July 7, 2020 authorizing the City Manager to advertise for bids for the sale of said property or a minimum five (5) acre portion thereof; and

WHEREAS, City staff developed specifications for a Request For Proposals (RFPs) and advertised the RFP in the *Journal News*, the City’s website, and several RFP plan clearinghouses with a deadline of August 28, 2020 for submittals; and

WHEREAS, one proposal, attached hereto as Exhibit “A” was received from The Model Group, Inc. representing Episcopal Retirement Services as well as Oxford Senior Citizens, Inc.; and

WHEREAS, the proposal from The Model Group, Inc. meets the specifications as stipulated in the City’s RFP and meets Comprehensive Plan objectives to expand senior housing options; and

WHEREAS, the City Manager recommends Council authorize him to develop a Purchase Agreement for up to ten (10) acres of the City owned real property located on the west side of Oxford Reily Road in the City of Oxford known as “Western Knolls”.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and further authorizes him to develop a purchase agreement for the sale of a portion of City owned real property located on the west side of Oxford Reily Road in the City of Oxford known as “Western Knolls” finding that the same is in the best interest of the City and the citizens of the City of Oxford, Ohio.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



August 27, 2020

City of Oxford
Service Department
Attn: Michael B. Dreisbach
15 S. College Ave.
Oxford, OH 45056

Re: Request for Proposal
Purchase and Development of Western Knolls

Dear Mr. Dreisbach,

Enclosed you will find a response to the Request for Proposal from the team of Episcopal Retirement Services, The Model Group, Inc. and Oxford Senior Citizens Inc.. Because of our long history and experience both serving seniors and developing senior affordable housing, we believe we are uniquely qualified to partner with the City of Oxford on this opportunity. We are proposing a unique partnership that would result in two complementary phased developments:

- Phase 1 would be a senior affordable housing development targeted at those age 55+ making 60% or less of Area Median Income (AMI) on 7 acres at a purchase price of \$25,000 per acre. This development would be made up of 36 one (646 sqft) and 14 two bedroom (813 sqft) apartments with rents of approximately \$589 and \$716 per month.
- Phase 2 would include the acquisition of an additional 3 acres for \$75,000 south of Melissa Drive for the site of a future new Senior and Community Center owned and operated by Oxford Senior Citizens, Inc.

Please feel free to contact us with any questions. We realize our proposal is unique and we are open to working with the City and Oxford stakeholders to tweak our proposal's design or even possible location if there is a way that can better utilize this unique site to meet the City's goals and the needs of Oxford's seniors.

We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Thompson', with a large loop at the start and a long horizontal stroke at the end.

David Thompson
V.P. of Affordable Housing
Model Property Development, LLC
1826 Race St. Cincinnati, OH 45212
513-559-5858; dthompson@modelgroup.net

On behalf of our team:

Kathleen Ison-Lind
Vice President, Episcopal Retirement Services
3870 Virginia Ave., Cincinnati, OH 45227
513-272-5555x4216; kison@erslife.org

Robert L. Maly
CEO
The Model Group, Inc.
1826 Race St. Cincinnati, OH 45212
513-559-5854; bmaly@modelgroup.net

Steve Schnabl
Executive Director, Oxford Senior Citizens, Inc.
922 Tollgate Dr. Oxford, OH 45056
513-523-8100; sschnabl@oxfordsenior.org



922 TOLLGATE DRIVE
OXFORD, OH 45056

(513) 523-8100 PHONE
(513) 524-3126 FAX

www.oxfordsenior.org

August 25, 2020

Mr. Mike Dreisbach
Service Department
City of Oxford
15 South College Ave
Oxford OH 45056

Dear Mike:

Oxford Seniors (officially Oxford Senior Citizens, Inc.) has the pleasure of working with Episcopal Retirement Services and Model Group as they address Oxford's need for senior housing via their proposal to acquire acreage at the City's Western Knolls site west of Ohio 732 South.

Oxford Seniors has asked to partner with them to acquire a more three acres, in addition to their 7 acres, for our purchase from them at their bid rate of \$25,000 per acre. We currently have the funds available for the acquisition of the land.

If selected, Oxford Seniors would immediately begin working to raise the funds necessary to build a new facility designed for today's community residents' and older adults' needs to replace the current center, circa 1984, on Tollgate Drive. While we would be happy to work with community stakeholders in the design process, we expect the new location would increase parking, allow space for outdoor activities, tie into the community walking trail, and offer complimentary programming to the ERS residents across the street.

The Tollgate property, now owned by the City, could be repurposed to augment the Tri Center for offices and an expanded day care; could house Oxford Seniors' Adult Day Care Service; be repurposed for some other City use; or sold, possibly for more senior housing.

I believe that this is a strong mutual proposal that has Oxford's best interests at heart.

Sincerely,

F. Stephen Schnabl,
Executive Director



CREATING COMMUNITY SINCE 1953



ADDENDUM # 1
August 18, 2020

Western Knolls 47 Acres

A digital topographical map can be found on the City of Oxford web site:
https://www.cityofoxford.org/sites/default/files/service_and_eng/Western-Knolls-Contour-Map%20from%20CD.pdf.

The sanitary sewer capacity will be increased and extended to the property at the expense of the City of Oxford during the summer of 2021.

Please sign the attached Acknowledgement of Addendum and return to lhendricks@cityofoxford.org or fax to 513-524-5267. Thank you.

NOT TO SCALE



Rim=934.82
Inv.=922.00

Rim=932.87
Inv.=920.92

MELISSA DRIVE

175' Prop. 8" Sanitary Sewer
@0.615%

S.R. 732

Introduction:

The team of Episcopal Retirement Services and the Model Group, two experienced providers of housing for limited-income seniors, propose to purchase seven acres of Western Knolls to develop into 50 units of much-needed accessible, energy-efficient and affordable senior housing. Since our partnership began in 2009, ERS and Model have built 21 affordable senior communities; we have the right experience to bring to this project. Additionally, we have been meeting regularly with a small group of Oxford residents to be sure we understand the need for senior housing in Oxford, and so we can integrate our building into the network of nonprofits in Oxford that serve seniors. We believe our project meets the RFP's goals of creating low-density housing that is buffered from other development; preserving open space and mature trees; minimizing carbon emissions; and most importantly, adding to the supply of senior affordable housing, a market segment that is missing in the city. Our team is uniquely qualified to providing housing that is of the highest quality.

As a complementary use, Oxford Senior Citizens, Inc. is partnering with the development team to offer \$75,000 for an additional 3 acres of land on which it plans to build a future Community Center as a Phase 2 of this unique proposal.

The Need for Senior Housing in Oxford:

The City of Oxford's "State of Housing Affordability Report" released in 2019 confirms that a significant affordable housing gap exists in the Oxford area. *It reports that of households making less than the area median income, 80% did not have housing affordable to their income. Further, it reported that for every 100 households below 80% of the area median income in Oxford, there are only 34 available and affordable units.*

This problem exists in high numbers for seniors who are low-income. Older adults (age 50+) reported in a 2018 Miami University Scripps Gerontology survey done for Age-Friendly Oxford that housing they can afford is their number one concern related to growing older in the Oxford area.

Clearly, affordable housing, specifically for seniors, is a growing need in the Oxford Community.

B. Development Concept:

Since 2009, Episcopal Retirement Services Affordable Living (ERSAL) and the Model Group (Model) developed 21 affordable senior communities, a total of 1,285 apartments. We have gained an incredible amount of experience as developers over that span of time, especially in how to make housing comfortable and functional for seniors, as well incorporating a high level of environmental design. Particularly, we use finishes that can both fit into a modest construction budget yet are high-quality and will make the building indistinguishable from a market-rate building. Most importantly, each project is designed so ERSAL can bring its unique set of senior programs and

services to the residents. The Western Knolls Village project is an effort by ERSAL and Model to develop a low-density, sustainability-minded apartment complex dedicated to low and middle income seniors.

ERSAL ensures that its tenants receive a high quality of life by providing programs that focus on their physical, social, emotional, environmental, intellectual and spiritual wellness. More information about ERSAL, Model, and our credentials can be found in Exhibit E1 and E2.

In our search for an ideal location for seniors, we think the Western Knolls site has strong positives : it is adjacent to the proposed multi-use trail along Oxford-Reilly Road; it is walkable / bikeable to Kroger, the Community Park, the bus line, and other shopping. The current Oxford Seniors building is a short distance away which provides meals, transportation, social events, and other activities. Phase 2 of this proposal would relocate a new Oxford Seniors Community Center to only a few yards away on the south side of Melissa Drive. ERSAL and Model began meeting with representatives of Oxford's senior community and city staff in 2016 and have been meeting bi-weekly for most of 2020. It is our desire to develop this project by, for, and with the community.

The design of this project is largely drawn from and inspired by the Western Knolls Design Charrette included in the RFP, in terms of street design and density. We also discussed this proposal with a few of the charrette's attendees.

In addition to the housing, we are proposing a second project or a Phase 2 which we believe will complement the proposed senior housing. Working together with Oxford Senior Citizens, Inc. we are proposing to acquire three acres on the south side of Melissa Drive for the future site of a proposed new Senior and Community Center owned and operated by Oxford Seniors, Inc. More information on this Phase 2 of the proposal can be found in the attached cover letter from Oxford Senior Citizens, Inc.

Overview of Project:

ERSAL and Model will provide 50 units of safe, comfortable, accessible housing for seniors, in a low-density, economically-friendly design. The project will consist of 10 buildings designed as "single-story rowhomes" situated around a community center, where programs will be offered. All units will be designed to meet LEED Silver standards or higher. One-to-one parking will be provided; we've found many senior residents do not have cars, and a one-to-one ratio provides enough for residents, staff, and visitors. We propose to purchase only 10 of the 47 acres available, identified in the site plan above. Seven acres on the north side of Melissa Drive will house the affordable senior housing and three acres south of Melissa will house the future Senior and Community Center.

Inside the units, ERSAL and Model will apply their years of experience to incorporate the latest in design for seniors, so that residents will be able to age-in-place. It is ERSAL's desire that seniors move in when they are young and ambulatory, and the unit is designed to accommodate their needs as they age. Particularly, we pay close attention to the design of bathrooms and kitchens.

Bathrooms are designed for ease of use by the seniors, and to reduce the incidence of slipping. Enough space is given for maneuverability, and sink, shower, and toilet models are carefully chosen to be comfortable to seniors' needs. Additional blocking is put behind walls for future addition of grab bars. In kitchens, counters are put at heights to make as easy as possible. Cabinets and appliances are easy to open and use. Panels under the sink can be removed to increase accessibility. All units will have energy-efficient HVAC systems, low-flow plumbing fixtures, and materials made from recycled materials, where possible. Laundry equipment will be provided in units. All units will have a porch.

Outside the units, the buildings will be designed to take advantage of the park-like setting of Western Knolls. Mature trees will be kept where possible. Walking paths will be used to connect to the multi-use trail along Oxford-Reilly Road, and between buildings on the campus. The buildings' visibility from the Oxford-Reilly Road will be limited, and their single-story design will fit in with the single-family homes on the surrounding streets.

The apartment's community building will provide an area for seniors to gather; it will include a large, flexible community room for events, as well as patio area with a grill. ERSAL has a strong emphasis on programs that focus on seniors' physical, social, emotional, environmental, intellectual and spiritual wellness. Services provided on a regular basis include intake and assessments, referrals to local agencies, coordination between residents, families, and case managers as needed, assistance applying for benefits, planning educational programming, assistance identifying and securing help with basic needs such as food, clothing and furniture, and much more. Services will be available to all residents, but participation will always be optional. When entering a new community, ERSAL works to identify churches and existing service providers (such as Oxford Seniors) so as to not duplicate programs offered by others. Oftentimes, ERSAL's busses provide transportation to other medical providers, shopping, and social events. The community building will have offices and a small conference room where these services will be offered. It will also feature a fitness room with specialized equipment for seniors.

ERSAL is strongly committed to being a good neighbor, keeping its properties clean and well-maintained. We have received letters from partnering community groups praising ERSAL for making their buildings an asset for the community.

We propose that ERSAL serve as 100% owner of the affordable senior building. As a nonprofit dedicated to senior housing, it is ERSAL's intent to never to sell properties to others, but rather maintain them and keep them affordable in perpetuity. Because of its financing (outlined in detail below) ERSAL will sign a restrictive use agreement to keep the buildings affordable for a minimum of 30 years. Oxford Senior Citizens, Inc. would be the owner and operator of the proposed new Senior and Community Center.

Please see Exhibit B1 for preliminary architectural designs.

Environmental Design:

ERSAL and Model have a high standard for environmental stewardship, a commitment we will bring to this project. A key goal of the project will be to minimize impact on carbon emissions through smart design. To do this, we will seek LEED Silver certification; we will hire Sol Design and Consulting, an energy consultant, to analyze all parts of our building process to determine how they can minimize energy and maximize environmental design.

Sustainability features include:

- HVAC systems and hot water heaters will be high-efficiency, which both reduces energy, and saves money for the property's operating budget
- Electrical fixtures will be low-energy types, including site lighting, interior lighting, EnergyStar appliances
- Plumbing fixtures will be low-flow, reducing water waste
- Construction materials will have recycled content as much as practicable; Sol will also ensure materials come from local providers, and are as durable as possible to reduce the need for replacement
- All landscaping will be local, drought tolerant, and non-invasive plants, in order to minimize watering
- Roof materials will be solar-reflective and will reduce the "heat island" effect
- Ground surfaces will be permeable as much as possible to reduce runoff; erosion controls will be used during construction
- The construction team will take efforts to waste materials as little as possible
- Bicycle storage will be provided
- Efforts will be taken to ensure high indoor environmental air quality to reduce exposure to mold and allergens
- Entire campus will be non-smoking
- Efforts will be made to educate tenants and staff of the environmental aspects of the building and encourage their participation in environmental responsibility.

Benefits to the City of Oxford:

Benefits to the City of Oxford include:

1. Development of high-quality, attractive, service-enriched housing affordable to low- and moderate-income seniors, a housing type that is severely lacking in Oxford and in Butler County.
2. Creation of an attractive, low-density development that fits in with surrounding land uses.
3. Preservation of and respect for the open-space nature of Oxford, exceeding the city minimum lot coverage of 20%. Parking is disbursed across the site and does not dominate.

4. Open spaces will be accessible only by multi-use paths. Mature trees will be kept where possible to exceed the city's Tree Protection and Preservation Ordinance, and landscape screening will be placed between the development and other land uses.
5. Preserve and protect the natural swale between our proposed site and the Cedar Creek townhome community to the north.
6. Minimize impact on carbon emissions through smart design, and seeking LEED Silver certification through the measures listed above.
7. Build a base of year-round residents in the City of Oxford to increase spending power.
8. Creation of larger economic and tax base for the City of Oxford.
9. Buffering and protection of established single-family homes by locating along Oxford-Reilly Rd, and taking efforts to screen the development from Oxford-Reilly Rd.
10. Connectivity to multi-use trail and other development via walking, bicycle, and other alternative forms of transportation.
11. Accommodation of all city safety standards, such as access for emergency vehicles, turning radii.
12. Replacing the current senior center, which was built in 1984 and no longer meets the needs of the community.

Financing of Project:

ERSAL and Model propose to fund Phase I (the apartment project) primarily through an award of Low-Income Housing Tax Credits (LIHTC). We intend to apply for LIHTC at the upcoming February 2021 deadline to the Ohio Housing Finance Agency (OHFA). The LIHTC program is a dollar-for-dollar tax credit an investor can take for investing in a project that keeps its rents affordable to no greater than 60% of the area median income. In addition to a first mortgage of \$850,000, we plan to apply for an annual allocation of \$900,000 in LIHTC, which will net \$8,416,658 in investment from a private investor. We will also apply for \$700,000 in soft financing from the Affordable Housing Program of the Federal Home Loan Bank of Cincinnati; and defer \$131,805 in developer fee. The total \$9,593,885 will pay for all the project uses, including construction costs, architect costs, professional services, legal fees, permit and tap fees, financing costs, and developer fees. A draft feasibility proforma is included as Exhibit F1 and more details can be shared upon request. Despite the fact the LIHTC program demands that a project have a modest budget, our architect and construction team have done so many projects together that we know how to drive good value for the interior and exterior finishes of the buildings, and can ensure a strong budget to provide for the proper program space ERS will need. Please see Exhibit F1 for a proforma of the proposed affordable senior project with Sources and Uses; Rent and Unit Mix, and Operating Proforma.

SOURCES OF FUNDS:

First Mortgage	\$850,000
FHLB AHP Grant	\$700,000
Deferred Dev Fee	\$131,805
LIHTC Equity	\$7,912,080
Total Sources of Funds	\$9,593,885

USES OF FUNDS:

Land Acquisition	\$175,000
Construction Costs	\$6,769,035
Soft Costs & Professional Fees	\$2,649,850
Total Uses of Funds:	\$9,593,885

The annual February OHFA round is a competitive process. Western Knolls Village will compete against projects submitted by developers in all parts of the state in point-scoring categories. We believe our project will score very high and is likely to get funded. ERSAL and Model regularly apply for LIHTC projects every year, and have a strong success rate; however, there is a chance it won't get funded, in which case we'd try to apply the following year.

Phase 2 of the project (the Community Center) will be financed by Oxford Senior Citizens, Inc. primarily through private fundraising. Oxford Senior Citizens, Inc. currently has the funding for the acquisition of the three acres for \$75,000. Please see Exhibit A2 for more details of their plan and F2 for proof of funds for acquisition.

Details of the offer:

The key details of our offer include:

- Purchase of approximately 10 acres for the two phases of development. *Our site plan indicates the specific area we'd prefer; however, we are open to other parts of Western Knolls, should the city receive offers from developers who also want portions of the 47 acres, and want to change our location to somewhere comparable on the site. Because of the unique nature of our proposal and the possibility of two phases, we are committed to working with the City of Oxford and stakeholders to find a win win development concept.*
- Purchase price of \$250,000. This is \$25,000 per acre, which is above the purchase price suggested in the RFP. This would be divided as \$175,000 from ERS for the 7 acre senior affordable housing site and \$75,000 from Oxford Senior Citizens, Inc. for the 3 acre Community Center Site. Given our affordable apartment project is funded primarily through a state program, OHFA has limits on the total development cost of our project, meaning that our budget must be modest; however, we do want to offer more to illustrate our serious interest in developing senior housing in Oxford.
- Provided ERSAL and Model are selected, our preference would be to structure our agreement with the city as a purchase option. That is, the City of Oxford would grant ERSAL the option to

purchase the property conditioned upon a successful LIHTC award in either the February 2021 or February 2022 round; provided we are successful, we are obligated to purchase the property, and are obligated to build senior housing only.

Zoning is next step:

As mentioned above, the net step for Western Knoll Village is to submit for OHFA's upcoming 9% competitive LIHTC round, due February 11, 2021. One requirement of the LIHTC application is that the land is properly zoned for its intended use. Of utmost importance to this project, we will have to work closely with Oxford's Community Development Department to file the appropriate zoning action, and get it approved by the Planning Commission and full city council before that deadline. We hope to work with the city very quickly on this.

C. Proposed Project Timeline:

A tentative timeline for the Phase I Residential project follows below:

September 2020	Award of RFP
Sep 2020-Feb 2021	Seek zoning action
January 2021	Receive confirmation of zone change
February 11, 2021	Submit LIHTC application to OHFA
May 2021	OHFA Award announcements
Summer 2021	Select equity syndicator, lender, move design forward
August 2021	Apply for FHLB AHP Funds
November 2021	FHLB AHP Award Announcements
Spring 2022	File for building permit
May 2022	Close on financing and start construction
August 2023	Complete construction and begin lease-up
November 2023	Lease-up complete

A tentative timeline for the Phase 2: Senior & Community Center follows below:

September 2020	Award of RFP
October 2020	Begin Fundraising & Preliminary Design
Sep 2020-Feb 2021	Seek zoning action
February 2021	Receive confirmation of zone change
Spring 2021	Design & Fundraising
Spring 2022	File for building permit
May 2022	Close on financing and start construction
August 2023	Complete construction
Fall 2023	Begin programming center

D. Affordability restrictions:

As mentioned above, we propose to finance the project with an allocation of Low-Income Housing Tax Credits (LIHTC). In order to comply with the LIHTC program, we would make all units affordable to and occupied by seniors (ages 55+) making no more than 60% of the area median income. To score additional points on our LIHTC application, and to avail ourselves of funds from other sources, we may choose even greater affordability levels for a subset of these units. The LIHTC program utilizes a Long Term Use Restriction on the deed which will ensure that these units remain affordable for the next 30 years.

E. Project Partners and Team:

Episcopal Retirement Services: will be co-developer, owner of the property, property manager, and service provider. ERS ensures that its tenants receive a high quality of life by providing programs that focus on their physical, social, emotional, environmental, intellectual, and spiritual wellness. ERS owns or manages 30 senior living communities: three continuing care retirement communities (CCRC), two in Hyde Park, one in Louisville, and through its subsidiary Affordable Living by ERS, 27 affordable senior living communities for limited-income seniors. ERS began in 1965. More information about ERS can be found in its resume, Exhibit E1.

The Model Group: will serve as co-developer and general contractor. Model is an integrated development, construction, and development company with a mission to positively transform communities through partnership, innovation, stewardship, and sincerity. Since 2003, Model has placed 50 LIHTC projects in service, a total of 2,961 units. Most of these were done working closely with a nonprofit partner. More information about the Model Group can be found in its resume, Exhibit E2.

ATA-Beilharz Architects: will serve as architect. ATA-Beilharz Architects has over 40 years' experience in designing multifamily housing, with specific experience in senior new construction projects. ATA's staff has been part of 114 renovation or new construction housing projects. ATA has experience in LEED design, LIHTC application packages, and zoning submission. Please see Exhibit E3 for a resume.

Sol Design and Consulting: will serve as energy consultant and LEED rater. Sol Design and Consulting is a leader in sustainable design, green affordable housing, and high-performance retrofits. It has certified over 8,000 homes, representing over 500 projects. . Please see Exhibit E4 for a resume.

Age-Friendly Oxford: ERSAL and Model have been meeting regularly with Age Friendly Oxford (AFO) since January 2020. AFO has provided the development team with informal advice during the process, and has provided ideas and contacts to the group.

Oxford Senior Citizens, Inc. – has been serving the Oxford and surrounding community since 1953 with the mission of Serving Seniors and Strengthening Community. They have been operating the Oxford Seniors building on Tollgate Drive since 1982. Please see Exhibit E5 for a full resume.

F. Financial Capacity:

A development feasibility proforma specific to this project is included as Exhibit F1. 2019 Financial Statements of ERSAL and Model are included as Exhibit F2. The target market will be senior adults ages 55 and older who make less than 60% of the current Area Median Income. For a single person in Butler County in 2020, that amounts to \$36,300 and for a two person household that is \$41,460. If selected, we would commission a professional market study and would expect to use those results and work with local senior organization to market these units.

EXHIBIT B – Preliminary Architecture Plans:

- *Site Plan*
- *Building Plan*
- *Unit Plan*
- *Sample Elevation / Rendering*



SITE PLAN

 A001

SITE PLAN
 CONCEPT LAYOUT

PROJECT NO. 2003
 DRAWN BY: [blank]
 CHECKED BY: [blank]

REVISION	DATE	BY	DESCRIPTION
1	8.24.2009	JRS	CONCEPT

CERTIFICATION

AGE FRIENDLY OXFORD
 WESTERN KNOLLS SENIOR APARTMENTS
 OXFORD-RELLY ROAD
 OXFORD, OHIO

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 Fax: 614.221.1101
 www.ata-belinase.com



TYPICAL APARTMENT BUILDING RENDERING

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager: Douglas Elliott

Police

Originating Department

Council Meeting Of: September 15, 2020

John A. Jones

Account Code No. #: 142.711.61017.000

Prepared By

Budgeted Amount: N/A

September 9, 2020

Date Prepared

Agenda Title: Resolution authorizing the City Manager to enter into a contract with IPS Group for the purchase of four (4) pay station multi-space Smart Meters with specified associated equipment, software and installation for an amount not to exceed \$29,110.20.

Recommendation: Adopt the resolution

Discussion: The 2020 budget includes \$329,127 in the Capital Equipment fund for the purchase of Smart Meters as part of a phased multi-year approach to improving the city's parking infrastructure. As a reminder, the smart meter trial for single space smart meters in the 0 block of E. High St. and for two multi-space smart meters in Lot 52 went into effect in January 2020. We propose to move forward with the purchase of the two multi-space smart meters in Lot 52. Furthermore, we recommend purchasing two additional multi-space smart meters to replace the aging single space meters in the parking garage. The purchase of single space smart meters will be considered during a later phase of the improvement plan.

This resolution will authorize the City Manager to enter into a contract with IPS Group for the purchase of four (4) pay station multi-space Smart Meters with specified associated equipment, software, and installation for an amount not to exceed \$29,110.20

National Cooperative Purchasing Alliance Contract # 05-36.

Approved By:

Department Head:
City Manager:

Initial Date

DRE \ 9/11/20

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH IPS GROUP, INC. FOR THE PURCHASE OF FOUR (4) PAY STATION MULTI-SPACE SMART METERS AND SPECIFIED ASSOCIATED EQUIPMENT, SOFTWARE, AND INSTALLATION AT NATIONAL COOPERATIVE PURCHASING ALLIANCE CONTRACT PRICING AT A COST NOT TO EXCEED \$29,110.20.

WHEREAS, the 2020 Budget includes \$329,127.00 in the Capital Equipment Fund for the purchase of Smart Meters as part of a phased multi-year approach to improving the City's parking infrastructure; and

WHEREAS, the City Manager and the Police Chief recommend City Council authorize the City Manager to enter into a contract with IPS Group, Inc. for the purchase of four (4) pay station multi-space Smart Meters and specified associated equipment, software, and installation at National Cooperative Purchasing Alliance contract pricing at a cost not to exceed \$29,110.20.

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

SECTION 1: Council accepts the recommendation of the City Manager and the Police Chief and accepts the pricing from IPS Group, Inc. for the purchase of four (4) pay station multi-space Smart Meters and specified associated equipment, software and installation.

SECTION 2: Council further authorizes the City Manager to enter into a contract with IPS Group, Inc. for the purchase of four (4) pay station multi-space Smart Meters and specified associated equipment, software, and installation at National Cooperative Purchasing Alliance contract pricing at a cost not to exceed \$29,110.20.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



OXFORD, OH

Date: 9/3/2020
 Quote #: 2020-082382967
 Exp. Date: 10/2/2020

The Next Generation in Parking

IPS Group, Inc
 7737 Kenamar Court
 San Diego, CA 92121
 Michael Wilson
 p. 858-371-2028
michael.wilson@ipsgroupinc.com

TO: CITY OF OXFORD
 101 East High St.
 Oxford, OH 45056
 Chief John Jones
 p. 513-524-5247
jjones@cityofoxford.org

Salesperson	Contract	Shipping Method	Payment Terms	
MW		Ground	Net-45	
Qty	Item #	Description	Unit Price	Line Total
PAY STATIONS				
4	767-055	MS 1 Pay by Plate - USA	\$5,950.00	\$23,800.00
4	767-296	MS1/MS3 Standard Mounting Plinth	\$0.00	\$0.00
4	767-295	MS1/MS3 Standard Mounting Pedestal	\$0.00	\$0.00
4	767-089	MS1/MS3 Installation Hardware	\$0.00	\$0.00
2	1417-007	MS1 AC Conversion Kit	\$150.00	\$300.00
			Sub-Total:	\$24,100.00
RECOMMENDED SPARE PARTS				
1	767-047-ASY	MS 1 Cash Box Assembly with Lock 3.7 L	\$195.00	\$195.00
1	800-006	Hengstler Thermal Printer with IPS Cover and Custom Spou	\$795.00	\$795.00
1	795-054	Coin Validator Assembly Compatible with MK5 and MS1	\$75.00	\$75.00
1	767-622-2P	MS 1 Multi Space Battery - Tandem/Dual Battery Pack	\$324.00	\$324.00
1	UNIV.Card.Set	SHORT - Universal Card Set - (Diag/Maint/Collection) - (1 OF EACH)	\$8.25	\$8.25
1	800-001	Multi-Space Main Operating Board with LCD and Modem (US)	\$995.00	\$995.00
1	767-026	Standard USA MS 1 Card Reader Assembly	\$129.00	\$129.00
6	767-901	MS Paper - 7 inch Paper Roll (Standard)	\$25.00	\$150.00
			Sub-Total:	\$2,671.25
PARK SMARTER				
8		Stickers (Per Meter) with Spares	\$2.00	\$16.00
8		MyParkingReceipts.com	\$4.00	\$32.00
			Sub-Total:	\$48.00

		<u>INSTALLATION</u>		
1		On-Site Tech Services	\$950.00	\$950.00
		Sub-Total:		\$950.00
		<u>*BUDGETED Recurring Meter Fees:</u>		
4		MSPM - Monthly Fees, Reports and Communication (per meter)	\$25.00	\$100.00
		Gateway Fee (Per Credit card Transaction)	\$0.13	

Price Sheet prepared by: Michael Wilson, Director Regional Sales

Per meter / per Transaction - Secure Credit Card Gateway Fee: \$.13

DMS Fees are included in Monthly MS1 Fees

All Recurring fees combined, per meter / per pole, average 7% per month

Sub Total	\$27,769.25
Sales Tax	TBD
Shipping:	\$1,340.95
TOTAL:	\$29,110.20
Monthly Fees	\$100.00

To accept this quotation, sign here and return:

Name

Date



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Assistant City Manager
PREPARED BY:	Jessica Greene
DATE PREPARED:	9/8/2020
COUNCIL MEETING DATE:	9/15/2020
AGENDA TITLE:	CARES Act Funding
BUDGETED AMOUNT:	\$307,117
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 9/11/20</i>

DISCUSSION:

The CARES Act has provided the City of Oxford \$643,296.24 to use toward our Coronavirus response. These funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability. Funds are to be used by December 28, 2020 and cannot roll over into 2021.

Local community partners, department heads and Council members were asked to submit their proposals of how we can help support our residents during this COVID pandemic. A draft of ideas was presented to City Council on September 1, 2020 for discussion. Based on this discussion the following resolutions are being presented for approval:

Talawanda Oxford Pantry & Social Services	\$42,000
Family Resource Center	\$142,000
Talawanda School District	\$16,000
Oxford Community Arts Center	\$14,017
Butler Behavioral Health	\$20,000
Oxford Seniors	\$46,500
City of Oxford Public Health	\$26,600
Total Proposed	\$307,117



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

A full explanation of each category can be found on the attached chart. If all \$307,117 requested is approved, this leaves \$225,244.90 to be allocated. There is further research being conducted on public Wi-Fi, public restrooms and economic sustainability options. These will be presented in draft form for discussion and then later approval.



RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF FORTY TWO THOUSAND DOLLARS (\$42,000.00) TO TALAWANDA OXFORD PANTRY & SOCIAL SERVICES (TOPSS) AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS TO ASSIST WITH THE PURCHASE OF A MOBILE FOOD PANTRY TO SERVE THOSE IN NEED WITHIN THE TALAWANDA SCHOOL DISTRICT.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of forty two thousand dollars (\$42,000.00) to Talawanda Oxford Pantry & Social Services (TOPSS) as a sub-recipient of Federal CARES Act funds to assist with the purchase of a mobile food pantry to serve those in need within the Talawanda School District.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of forty two thousand dollars (\$42,000.00) to Talawanda Oxford Pantry & Social Services (TOPSS) as a sub-recipient of Federal CARES Act funds to assist with the purchase of a mobile food pantry to serve those in need within the Talawanda School District.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



Name of Organization: TOPSS, Talawanda Oxford
Pantry and Social Services

Address: 5445 College Corner Pike, PO Box 391

Contact Name: Ann Fuehrer

Contact Phone: 513-523-3851

Contact Email: director@topss.org

Define your service area: Talawanda School District

Your organization mission statement: The mission of TOPSS is to alleviate hunger and provide nutrition information to the families and individuals in need within the Talawanda School District.

How would your organization expand its support services during the Coronavirus pandemic if you had additional funds? Funds must be expended by Dec 2020.

One of the largest challenges we have faced since March 1, 2020, has been how to reach our customers and potential customers in ways that would allow customers to quarantine and social distance, while maintaining dignity by being able to choose food items. An added wrinkle is that our customers are facing greater economic challenges because of lost employment, and greater demands for food when children and all family members are home all day, so there is less to spend on gasoline to travel to a stationary food pantry. We had kept the same model of having customers come to our location to shop for free for the first 13 years of our existence. However, since March 30, we have been delivering pre-packed food boxes to all regular customers, to better preserve their health, safety and economic well-being. The primary downside of this procedure is that it is too labor intensive to customize 28 different food boxes on a service day, hence, all boxes are fairly similar in content.

Within the next few months, we will reopen for shopping, but we know we will need to continue to deliver to many of our customers, for the reasons identified above. Fortunately, during this period, more than 20 members of the community have helped us deliver food boxes to our regular customers. BCRTA also assisted with deliveries twice a week for about 4 weeks in April and May, and Steve Schnabl has offered to assist with making food more accessible to our customers. However, we know there is considerable unmet need in the community.

Because the Talawanda School District is the largest school district in the state, geographically, many customers are far away from our location. We believe there is a need for a mobile food pantry, so that customers can choose food items instead of receiving pre-packed food boxes, and we have begun to explore this option. This model could also help us identify and serve the potential customers who have never used our services, and we know those families are out there—since March 1, 2020, 62 new families have sought out the Pantry, about 20% of the 334 different families we have served during that period. Mobile Food Pantries are increasingly popular among Feeding America agencies—see information about the HACAP Food Reservoir Mobile Food Pantry in Cedar Rapids, Iowa, at hacap.org.

A grant of **\$42,000** from the City of Oxford CARES Act Fund would allow us to purchase a used refrigerated food truck, a used 16-20 foot truck with refrigeration and accessible side panels at ground level in certified condition with a maintenance log. The pantry could travel to each of 6 locations (subsidized housing, mobile home parks, township community centers) once every two weeks, mirroring the procedures currently in use by the Talawanda School District and St. Mary Backpack Program.

The Board of TOPSS had already begun discussion of this option, and is in favor of evolving our distribution channels in this way. The corona virus pandemic has necessitated evolution of creative procedures, and the City of Oxford Cares Fund could facilitate our move in this direction.

DRAFT CARES ACT PROPOSED EXPENDITURES		
Starting Amount	\$	643,296.24
Total current spend	\$	110,934.34
Remaining to allocate	\$	532,361.90
Category		Possible Expenditure
Basic Needs	\$	172,000.00
Educational Support	\$	42,017.00
Public Health	\$	93,100.00
Total Proposed	\$	307,117.00
Amount remaining	\$	225,244.90

Basic Needs

Est.

Organization Item Est. Cost Est. Timeline Feasibility

TOPPS	Mobile Food Pantry (deliver to 6 community locations)	\$42,000	5+ weeks	
	Total TOPPS	\$42,000		
Family Resource Center				
	Emergency Financial Assistance for Housing and Utilities	\$60,000	2-4 Weeks	
	Cold Shelter (rent 6 to 8 rooms at one of our hotels)	\$30,000	2-4 Weeks	
	Transportation Needs	\$30,000	2-4 Weeks	
	Client Eviction History and Credit Repair	\$10,000	5+ Weeks	
	Total FRC	\$130,000		
TOTAL		\$172,000		

Educational Support

Est.

Organization	Item	Est. Cost	Est. Timeline	Feasibility
Family Resource Center	Child Care and Education Support Services	\$12,000	2-4 Weeks	
	Total FRC	\$12,000		
Talawanda School District	Mobile Hot Spots (not covered by their CARES Act) and extra laptops for remote learning	\$16,000	2-4 weeks	
	Total TSD	\$16,000		
Oxford Community Arts Center	Free tuition for virtual music and art lessons and the live stream equipment to host them.	\$14,017	2-4 weeks	
	Total OCAC	\$14,017		
TOTAL		\$42,017		

Public Health

Est.

Organization Item Est. Cost Est. Timeline Feasibility

	Butler Behavioral Health	Expanded mental health counseling to 100 people	\$20,000	2-4 weeks	
		Total BBH	\$20,000		
	Oxford Seniors				
		Public Health Upgrades (auto door, safety barriers, cleaning materials)	\$11,000	5+ weeks	
		Technology upgrades for interpersonal connections	\$5,500	2-4 weeks	
		Transportation for seniors	\$30,000	5+ weeks	
		Total Oxford Seniors	\$46,500		
	City	Public Restroom (LCNB rental or trailer rental). Includes cleaning and maintenance. Allows for handwashing in Uptown area.		8+ weeks	
		Hands Free Water Bottle Filling Stations (no water fountains right now)	\$20,000	2-4 weeks	
		Intramural Programming Facilities	\$4,200	5+ weeks	
		Additional Cleaning staff OPRD restrooms	\$2,400	1-2 weeks	
		Total City	\$26,600		
TOTAL			\$93,100		

Already Expended					
Organization	Category	Item	Est. Cost	Est. Timeline	
City of Oxford	Public Health	PPE	\$ 20,045.59	Completed	
		Staff to provide extra sanitation and cleaning of City property and facilities	\$ 24,714.25	Completed	
		Staff to backfill quarantined EMS staff	\$ 4,339.09	Completed	
		Signage Boards	\$ 29,259.76	Completed	
		Let's Stay Healthy Together Educational Campaign	\$ 5,833.96	Completed	
		Zoom Subscription	\$ 4,941.79	Completed	
		Technology to allow for remote work for City Staff	\$ 16,298.98	Completed	
		Total Public Health	\$ 105,433.42		
	Economic Sustainability	Red Brick Fridays staff and supplies	\$ 2,186.92	Completed	
		Expanded patio safety equipment	\$ 3,314.00	Completed	
		Total Economic Sustainability	\$ 5,500.92		
		Total	\$ 110,934.34		

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF ONE HUNDRED FORTY TWO THOUSAND DOLLARS (\$142,000.00) TO THE FAMILY RESOURCE CENTER AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED FOR EMERGENCY FINANCIAL ASSISTANCE FOR HOUSING AND UTILITIES, COLD SHELTERS, TRANSPORTATION NEEDS, CLIENT EVICTION HISTORY AND CREDIT REPAIR, CHILD CARE AND EDUCATION SUPPORT SERVICES FOR THOSE IN NEED WITHIN THE OXFORD/TALAWANDA SCHOOL DISTRICT COMMUNITY.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of one hundred forty two thousand dollars (\$142,000.00) to the Family Resource Center as a sub-recipient of Federal CARES Act funds which shall be used as set forth on Exhibit "A" attached hereto for emergency financial assistance for housing and utilities, cold shelters, transportation needs, client eviction history and credit repair, child care and education support services for those in need within the Oxford/Talawanda School District community.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of one hundred forty two thousand dollars (\$142,000.00) to the Family Resource Center as a sub-recipient of Federal CARES Act funds which shall be used as set forth on Exhibit "A" attached hereto for emergency financial assistance for housing and utilities, cold shelters, transportation needs, client eviction history and credit repair, child care and education support services for those in need within the Oxford/Talawanda School District community.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



CARES ACT Funding Application

Organization: Oxford Talawanda Community Services dba Family Resource Center

Contact Information: Brad Hoblitzell - director@frcoxford.org - 513.523.5859

Service Area: City of Oxford and Talawanda School District

EIN: 31-0958091

Mission Statement: To create a safe and healthy community by advocating for those in need and connecting them to resources and services

Amount of Coronavirus Relief Fund Requested: \$142,000

Briefly describe the funds requested and how you will utilize these funds before December 28, 2020.

Emergency Financial Assistance for Housing and Utilities - \$60,000

This funding would be used to assist families and individuals who are in danger of facing evictions because of unpaid rent, mortgage, or utilities. We would also use these funds to assist families and individuals who are facing utility disconnection. We would extend our utility coverage to internet support for families who are dependent on it for education or employment purposes. We would like to assist homeless clients that we are working with on obtaining new housing with initial rent and deposit and up to and additional two months of their first rent payments to help secure housing for them here in Oxford. This amount would enable us to work with eight to ten housing situations for the remainder of 2020.

Cold Shelter - \$30,000

Several agencies and the Family Resource Center have identified this as a major need in our community. This plan is in the beginning stages, but would accommodate individuals with warmth, sleeping quarters, and restrooms/showers. We will rent 6 to 8 rooms at one of our hotels to have shelter ready to be used by those who are in need.

Transportation Needs - \$30,000

Transportation is a major issue for the under resourced in Oxford. We have typically not been able to assist with car repairs. Our goal would be to help clients in need of car repairs who are relying on their transportation for employment and education. The ability to transport our clients to other community agencies, county and state services, shelters would be a great benefit to our mission. We would seek to obtain a vehicle for the Family Resource Center's services.

Client Eviction History and Credit Repair - \$10,000

Many of our clients are denied housing opportunities based on eviction history. This program would allow for clients to obtain matching funds to clear their eviction and credit history to obtain housing. This is a huge hurdle to much of our homeless population in Oxford.

Child Care and Education Support Services - \$12,000

Child Care is a growing concern in our community with at home learning this semester. Many families are also in need of at home educational support services with their children such as tutoring. This funding would be used to assist these families for the fall semester of 2020.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF SIXTEEN THOUSAND DOLLARS (\$16,000.00) TO THE TALAWANDA SCHOOL DISTRICT AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED FOR TECHNOLOGY TO ALLOW FOR REMOTE SCHOOLING.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of sixteen thousand dollars (\$16,000.00) to the Talawanda School District as a sub-recipient of Federal CARES Act funds, which shall be used for technology to allow for remote schooling.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of sixteen thousand dollars (\$16,000.00) to the Talawanda School District as a sub-recipient of Federal CARES Act funds, which shall be used for technology to allow for remote schooling.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



CARES ACT Funding Application

Organization: Talawanda City School District

Contact Information: Shaunna Tafelski

Service Area: PS-12 Education: Remote Learning

EIN: 31-6005340

Mission Statement: Our biggest mission is to provide excellent educational services to our Preschool to Grade 23 students, whether it be in person or remotely.

Briefly describe the funds requested and how you will utilize these funds before December 28, 2020.

We are having to supplement our student's education by purchasing hotspots in order for them to access consistent/reliable internet. We have written a grant to pay for these from July-December 2020, but had already paid for the hotspots when the Governor shut us down in March 2020: \$11,000.00

We are in need of additional Chromebooks/lpads for our students to take part in our remote learning platform. Every student currently has one, but we are in need of backups for when they break or need servicing from our IT department; we are currently lacking in this area: \$5,000.00

Total Amount Requested: \$16,000

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF FOURTEEN THOUSAND SEVENTEEN DOLLARS (\$14,017.00) TO THE OXFORD COMMUNITY ARTS CENTER AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED TO PROVIDE FREE TUITION FOR VIRTUAL MUSIC AND ART LESSONS AND THE LIVE STREAM EQUIPMENT TO HOST THEM.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of fourteen thousand seventeen dollars (\$14,017.00) to the Oxford Community Arts Center as a sub-recipient of Federal CARES Act funds, which shall be used to provide free tuition for virtual music and art lessons and the live stream equipment to host them.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of fourteen thousand seventeen dollars (\$14,017.00) to the Oxford Community Arts Center as a sub-recipient of Federal CARES Act funds, which shall be used to provide free tuition for virtual music and art lessons and the live stream equipment to host them.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



CARES ACT Funding Application

Organization:

Oxford Community Arts Center
10 S. College Avenue
Oxford, OH 45056

Contact Information:

Kari McLean
Associate Director, Development & Marketing
Tel: 513-524-8506
Email: kari@oxarts.org

Service Area:

Oxford, Ohio and surrounding areas

EIN: 31-1761141

Mission Statement:

To ENRICH lives and build community by providing, celebrating and promoting a diverse array of cultural and arts programming, performances and exhibits; to carefully PRESERVE the historic Oxford College building and campus as a welcoming environment offering classroom, studio, rehearsal, concert, theatre and meeting spaces; and ENSURE the Center's ability to serve future generations as a catalyst, connector and magnet for emerging and established artists, performers, students, visitors and arts organizations

Briefly describe the funds requested and how you will utilize these funds before December 28, 2020.

Note: details on the next page.

- Two sets of equipment for live-streaming events and classes.
- Two high-duty laptops for streaming events and classes.
- iPad
- Mobile laptop cart to safely transport equipment off-site
- Go-Pro Camera to bring a performer/teacher perspective to live-streamed events
- Utility tables and drafting chair from which to set up live-stream "command central"
- Lockable file cabinet to safeguard equipment
- External hard drives to back up computers
- "Arts on the Go" bags and supplies
- fees

CARES ACT Funding Application
Oxford Community Arts Center continued

\$4,000	Two high-duty laptops
\$3,142	Two Video-audio recording starter pack/cameras (chargers, cables, mics, batteries, mSD cards, tripods, utility cases, etc.)
\$350	One iPad for use in promoting OCAC on social during live stream events, etc.
\$350	Mobile laptop cart
\$350	One Go-Pro Camera
\$130	Two Commercial grade utility tables to run live-streaming from
\$150	One Drafting Chair for live-streaming person to sit at command central
\$125	One Lockable file cabinet to store equipment
\$120	Two External Hard Drives
\$300	Supplies and bags for Arts on the go
\$5,000	Tech staff fees, Teacher fees, Performer fees, subsidized registration fees
\$14,017.00	

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF TWENTY THOUSAND DOLLARS (\$20,000.00) TO BUTLER BEHAVIORAL HEALTH SERVICES AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED TO PROVIDE EXPANDED MENTAL HEALTH COUNSELING TO ONE HUNDRED (100) PEOPLE WITHIN THE OXFORD COMMUNITY.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of twenty thousand dollars (\$20,000.00) to Butler Behavioral Health Services as a sub-recipient of Federal CARES Act funds, which shall be used to provide expanded mental health counseling to one hundred (100) people within the Oxford community.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of twenty thousand dollars (\$20,000.00) to Butler Behavioral Health Services as a sub-recipient of Federal CARES Act funds, which shall be used to provide expanded mental health counseling to one hundred (100) people within the Oxford community.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



Name of Organization: Butler Behavioral Health	Contact Name: Randy Allman
Address:	Contact Phone: 513-375-6093
10 N Locust Oxford, OH 45056	Contact Email: rallman@bbhs.org

Define your service area: Mental Health and Addictions Counseling

Your organization mission statement: To be your first choice for caring, comprehensive and well-coordinated behavioral health care services.

How would your organization expand its support services during the Coronavirus pandemic if you had additional funds? Funds must be expended by Dec 2020.

With \$20,000 our organization would:

- Provide mental health counseling with the focus on keeping the person and person's family mentally well during the COVID-19 pandemic. Counseling would be provided virtually to ensure safety for all.
 - Target groups would be business owners, teachers, and other essential employee type persons.
 - \$20,000 would provide care to 100 people/families

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE DONATION OF FORTY SIX THOUSAND FIVE HUNDRED DOLLARS (\$46,500.00) TO OXFORD SENIORS AS A SUB-RECIPIENT OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED FOR PUBLIC HEALTH AND TECHNOLOGY UPGRADES WITHIN THE SENIOR CENTER AND TRANSPORTATION FOR SENIORS WITHIN THE OXFORD COMMUNITY.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the donation of forty six thousand five hundred dollars (\$46,500.00) to Oxford Seniors as a sub-recipient of Federal CARES Act funds which shall be used as set forth on Exhibit "A" attached hereto for public health and technology upgrades within the Senior Center and transportation for seniors within the Oxford community.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the donation of forty six thousand five hundred dollars (\$46,500.00) to Oxford Seniors as a sub-recipient of Federal CARES Act funds which shall be used as set forth on Exhibit "A" attached hereto for public health and technology upgrades within the Senior Center and transportation for seniors within the Oxford community.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



CARES ACT Funding Application

Date 9-8-20

Organization: Oxford Seniors

Contact Information: Steve Schnabl, sschnabl@oxfordsenior.org, 513-523-8100

Service Area: City of Oxford and Talawanda School District

EIN: 31-0934786

Mission Statement: Dedicated to Serving Seniors and Strengthening Community

Amount Requested: \$46,500

Briefly describe the funds requested and how you will utilize these funds before December 28, 2020.

1. Buy van for Senior/Handicap Transportation that is both accessible and allows for distancing between driver and passenger, with storage space for groceries, walkers, etc. This will not be wheelchair accessible as are other vehicles in our fleet. Estimated cost \$30,000. Expand driving hours with any excess funds.
2. Install UV light cleansing units in Tollgate Building's four HVAC systems. Install automatic door openers on one set of doors at west entry to building where none exist now. (meets new state requirement that our clientele use separate entrance and exit to the building; allows same accessibility at each entry.) Buy temperature testing equipment, safety barriers, and other consumable cleaning/safety products. Estimated cost \$11,000. Increase custodial time with any remaining funds.
3. Improve older adults' access to virtual programming at the Tollgate Building and with loanable computer tablets. Technology upgrades estimated at \$5500.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF TWENTY SIX THOUSAND SIX HUNDRED DOLLARS (\$26,600.00) OF FEDERAL CARES ACT FUNDS WHICH SHALL BE USED FOR PUBLIC HEALTH UPGRADES WITHIN THE CITY OF OXFORD AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO.

WHEREAS, the Federal CARES Act has provided the City of Oxford \$643,296.24 to use toward the City's Coronavirus response; and

WHEREAS, these funds are to be used in the areas of Basic Needs, Educational Supports, Public Health and Economic Sustainability and must be used by December 28, 2020; and

WHEREAS, local community partners, department heads and City Council members submitted proposals for how the City of Oxford can best support its residents during the Coronavirus pandemic; and

WHEREAS, City Council discussed said proposals at their regular meeting on September 1, 2020 and reached a consensus on how to best utilize the Federal CARES Act funds.

WHEREAS, the City Manager recommends City Council authorize the expenditure of twenty six thousand six hundred dollars (\$26,600.00) of Federal CARES Act funds which shall be used for public health upgrades within the City of Oxford as set forth on Exhibit "A" attached hereto.

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

SECTION 1: Council accepts the recommendation of the City Manager and hereby authorizes the expenditure of twenty six thousand six hundred dollars (\$26,600.00) of Federal CARES Act funds which shall be used for public health upgrades within the City of Oxford as set forth on Exhibit "A" attached hereto.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	September 8, 2020
COUNCIL MEETING DATE:	September 15, 2020
AGENDA TITLE:	Final Plat - Right of Way Dedication and Street Naming – Lake Forest Drive – City of Oxford / Bayer Becker Engineers, Applicant
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRE 9/11/20</i>

Staff Summary:

As follow-up to Council action on October 15, 2019, a new public roadway is being constructed connecting U.S. 27 South to Southpointe Parkway, per a 2006 Development Agreement. Per Oxford Code Section 1101.203 a Final Plat/Dedication Plat/Record Plat must be approved by a City of Oxford Ordinance for this public land to be formally set aside for public use, removing the land from the tax roll.

Per the above code section cited, city staff have determined that the Final Plat submitted on behalf of the City, by Bayer & Becker Engineers, complies with Oxford Code of Ordinances. Specifically, the code requires that the plat “substantially correspond to the approved Preliminary Plat.” The approval, in this case, took place by another jurisdiction, Butler County/Oxford Township, in 2004, when the project was conceived and approved outside of the City corporate limits. The City of Oxford later accepted the approved PUD, as part of the 2006 annexation and development agreement. There are two main differences between the requested approval and the preliminary approval: **1)** right of way length and **2)** right of way width. **1)** The Tax Increment Financing funds for the roadway project are limited to the area of land being dedicated. **2)** The width has been reduced from 100 feet to 60 feet because the roadway is no longer planned to extend to S.R. 73.

Street names are approved, by default, as part of the approval of Subdivisions and Planned Developments per Chapter 101.404 and Chapter 149. Staff has researched the proposed name “Lake Forest Drive” and found no conflicts with other streets and facilities within the City of Oxford. The Annex used specific tree names at the request of Planning Commission. This plat was not required to go through Planning Commission because no new lots are being created at this time.

ORDINANCE NO.

AN ORDINANCE APPROVING THE FINAL DEDICATION AND EASEMENT PLAT FOR LAKE FOREST DRIVE IN THE CITY OF OXFORD.

WHEREAS, in accordance with Oxford Codified Ordinance Section 1101.203, the City of Oxford's Community Development Department received the Final Dedication and Easement Plat for Lake Forest Drive (Exhibit "A") on August 25, 2020 consisting of 3.108 acres; and

WHEREAS, the Community Development Director has reviewed the Final Dedication and Easement Plat and the approved Preliminary Plat and finds the Final Dedication and Easement Plat substantially corresponds to the approved Preliminary Plat; and

WHEREAS, the Community Development Director further finds that the Final Dedication and Easement Plat meets the requirements of Oxford Codified Ordinance Section 1101.203; and

WHEREAS, the City Manager and the Community Development Director recommend Council approve the Final Dedication and Easement Plat attached hereto as Exhibit "A" for Lake Forest Drive in the City of Oxford as submitted.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Community Development Director and further approves the Final Dedication and Easement Plat attached hereto as Exhibit "A" for Lake Forest Drive in the City of Oxford as submitted.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

DEDICATION STATEMENT:

THE UNDERSIGNED, BEING THE OWNERS OF 3.108 ACRES OF LAND AND BEING A PART OF LOT #3716 OF CONGRESS LANDS WEST OF THE MIAMI RIVER, SECTION 36, TOWN 5, RANGE 1, CITY OF OXFORD, BUTLER COUNTY, OHIO, DO HEREBY DEDICATE TO THE PUBLIC THE RIGHT OF WAY AND EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF A 3.108 ACRES OF LAND AND BEING A PART OF LOT #3716 OF CONGRESS LANDS WEST OF THE MIAMI RIVER, SECTION 36, TOWN 5, RANGE 1, CITY OF OXFORD, BUTLER COUNTY, OHIO, FOR THE PURPOSES OF THE DEDICATION STATEMENT.

OWNER: KLEIN DEVELOPMENT, LLC

PREPARED BY: KLEIN DEVELOPMENT, LLC

DATE: 8/25/2020

STATE OF: OHIO

COUNTY OF: BUTLER

CITY OF: OXFORD

SECTION: 36

TOWN: 5

RANGE: 1

CITY: OXFORD

COUNTY: BUTLER

STATE: OHIO

DATE: 8/25/2020

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DEDICATION & EASEMENT PLAT

FOR LAKE FOREST DRIVE

PART OF LOT #3716

CONGRESS LANDS WEST OF THE MIAMI RIVER

SECTION 36, TOWN 5, RANGE 1

CITY OF OXFORD, BUTLER COUNTY, OHIO

- NOTES:
1. BASED ON RECORDED OFFICIAL RECORD BOOK, PAGE 591.
 2. PRIOR DEED REFERENCES OFFICIAL RECORD BOOK, PAGE 591.
 3. ALL DOCUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
 4. LINES OF OCCUPATION ARE THE FIRST ANNUALLY ACRES WITH BOUNDARY.
 5. LINES UNLESS OTHERWISE SHOWN ON PLAT.
 6. REFERENCES: PLAT FINE ONE, PAGES 1 & 2.
 7. OFFICIAL RECORD BOOK, PAGE 591.
 8. OFFICIAL RECORD BOOK, PAGE 252.
 9. SURVEY VOLUME 48, PAGE 32.
 10. SURVEY VOLUME 48, PAGE 32.
 11. SURVEY VOLUME 48, PAGE 32.
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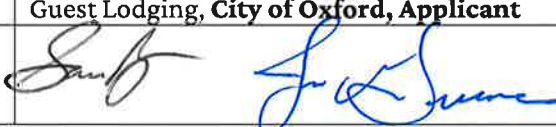
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C-96	115°56'41"W	115.17'	115.17'
C-97	115°56'41"W	115.17'	115.17'
C-98	115°56'41"W	115.17'	115.17'
C-99	115°56'41"W	115.17'	115.17'
C-100	115°56'41"W	115.17'	115.17'

Line	Radius	Length	Chord
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102	1000.00'	118.86'	529.22' S 71.1° W 118.86'
103	1000.00'	118.86'	529.22' S 71.1° W 118.86'
104	1000.00'	118.86'	529.22' N 71.1° E 118.86'
105	1000.00'	118.86'	529.22' N 71.1° E 118.86'
106	1000.00'	118.86'	529.22' S 71.1° W 118.86'
107	1000.00'	118.86'	529.22' S 71.1° W 118.86'
108	1000.00'	118.86'	529.22' N 71.1° E 118.86'
109	1000.00'	118.86'	529.22' N 71.1° E 118.86'
110	1000.00'	118.86'	529.22' S 71.1° W 118.86'
111	1000.00'	118.86'	529.22' S 71.1° W 118.86'
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113	1000.00'	118.86'	529.22' N 71.1° E 118.86'
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The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

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

Proposal Summary:

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

Background:

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



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

Discussion and Recommended Conditions:

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

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

Staff Follow-Up:

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



STAFF REPORT

Community Development | Planning Commission

APPLICATION DETAILS

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

PROPOSAL SUMMARY

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

BACKGROUND

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

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

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

PROPOSAL DESCRIPTION

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

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

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

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

DEPARTMENT COMMENTS

Below are comments from City departments:

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

Fire

John Detherage, Fire Chief

Returned without comments

Police

John Jones, Police Chief

Returned without comments

PUBLIC COMMENTS

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

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

DECISION STANDARDS

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

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

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

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

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

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

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

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

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

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

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

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

STAFF RECOMMENDATION

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

SUBMITTED BY:



Zachary Moore, AICP
Planner

DATE: July 28, 2020

EXHIBIT A

RELEVANT ZONING CODE PROVISIONS

Chapter 1135 governs amendments to the Zoning Code:

1135.01 – General.

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

1135.02 – Procedure.

- (a) Initiation.

A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.

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

 - (1) Referral to Planning Commission.

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

If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

 - (1) Contents of application.

The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

All applications:

 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

Also required for text amendments:

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

- location in the Code. (section numbers)
- C. A narrative statement that describes the expected effects of the proposed text.
- D. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Also required for map amendments:

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

(2) Reapplication.

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

(c) Planning Commission and Council Review.

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

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

(1) Decision standards.

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

Text Amendments

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

Map Amendments

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

(d) Action by Planning Commission and Council.

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

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

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

(e) Implementation of Amendment

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

EXHIBIT B

ONLINE COMMENT SUBMISSIONS

(ANONYMOUS, AS OF JULY 29, 2020)

Respondent 1

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

Respondent 2

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

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

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

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

Respondent 3

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

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

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

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

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

Respondent 4

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

Respondent 5

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

BED & BREAKFASTS; TRANSIENT GUEST LODGING

Proposed Zoning Text Amendments

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

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

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

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

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

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

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

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

- (1) Permitted uses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) **TRANSIENT**

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

(6) **TRANSIENT GUEST LODGING**

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

A. **TRANSIENT GUEST LODGING BOOKING**

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

B. **TRANSIENT GUEST LODGING HOST**

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

C. **TRANSIENT GUEST LODGING HOSTING PLATFORM**

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

ORDINANCE NO.

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

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

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

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

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

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

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

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

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

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

(c) Accessory Use Provisions for All Zoning Districts.

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

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

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

(5) Home Occupations.

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

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

residences).

M. Prohibited Home Occupations.

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

(6) Transient Guest Lodging

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



MEMORANDUM
Community Development Department
513-524-5204

TO: File

FROM: Zachary Moore, AICP
Planner

DATE: June 29, 2020

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

BACKGROUND

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

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

GENERAL DESCRIPTION

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

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

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

RELATION TO THE COMPREHENSIVE PLAN

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

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

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

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

AFFECTED CODES AND SECTIONS

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

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



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

Zoning Code Text Amendment Application

Applicant Information

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

Name *	Zachary Moore, AICP
Mailing Address *	15 S College Avenue
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5204
Email Address	zmoore@cityofoxford.org
Amendment Description *	Bed & Breakfasts / Transient Guest Lodging Text Amendments

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) Initiation. A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

- A. Application Fee.
- B. The name, mailing address, and telephone number of the applicant.
- C. A general description of the proposed amendment.
- D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
- E. A statement that identifies potential negative consequences of the proposed amendment.
- F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
- G. Any existing section number and text that is proposed to be deleted or amended.
- H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
- I. A narrative statement that describes the expected effects of the proposed text.
- J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Judith A. Moore

Date *

6/29/20

Submit Application, Submission Requirements and Documentation, and Fees

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

Send or drop off this application with required documentation as attachments and a check for the fee made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

ORDINANCE NO.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Permitted Uses.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

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

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

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

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

(b) Uses.

(1) Agricultural Services.

A. Potential Concerns.

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

B. Regulations.

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

(2) Airports and Landing Strips.

A. Potential Concerns.

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

B. Regulations.

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

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

A. Potential Concerns.

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

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

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

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

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

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

ORDINANCE NO.

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

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

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

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

1159.03 DEFINITIONS (BEGINNING WITH LETTER “B”).

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

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

(7) **BUILDING HEIGHT**

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

(8) **BUILDING LINE**

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

(9) **BUILDING, MAIN**

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

(10) **BUILDING PERMIT**

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

(11) **BUILDING, TEMPORARY**

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

(12) **BUSINESS**

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

A. Retail Business:

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

B. Wholesale Business:

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

C. Personal Service:

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

D. Business Services:

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

(13) **BUSINESS INCUBATOR:**

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

1159.21 DEFINITIONS (BEGINNING WITH LETTER "T").

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

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

(2) **THEATER**

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

(3) **TOWER**

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

(4) **TRAILER**

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

(5) **TRANSIENT**

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

(6) **TRANSIENT GUEST LODGING**

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

A. **TRANSIENT GUEST LODGING BOOKING**

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

B. **TRANSIENT GUEST LODGING HOST**

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

C. **TRANSIENT GUEST LODGING HOSTING PLATFORM**

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

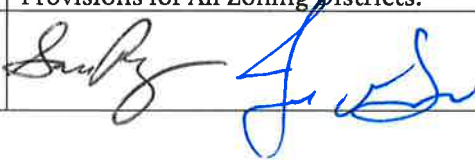
INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

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

Discussion:

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

Proposed Business Regulation Code Amendments

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

Chapter 743 shall be amended to read as follows:

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

743.01 DEFINITIONS

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

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

743.02 ANNUAL REGISTRATION REQUIRED.

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

743.03 ANNUAL REGISTRATION.

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

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

743.04 DIRECTOR AUTHORITY TO REVOKE REGISTRATION

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

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

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

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

743.99 ENFORCEMENT AND PENALTY.

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

ORDINANCE NO.

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

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

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

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

CHAPTER 743 Bed & Breakfasts; Transient Guest Lodging

743.01 DEFINITIONS

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

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

743.02 ANNUAL REGISTRATION REQUIRED.

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

743.03 ANNUAL REGISTRATION.

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

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

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

743.04 DIRECTOR AUTHORITY TO REVOKE REGISTRATION.

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

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

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

743.99 ENFORCEMENT AND PENALTY.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

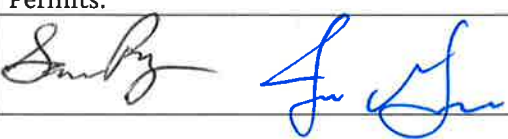
INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



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

STAFF REPORT

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

Discussion:

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

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

Proposed Property Maintenance Code Amendments

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

Section 310.1 shall be amended to read as follows:

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

Exceptions:

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

ORDINANCE NO.

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

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

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

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

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

SECTION 310 RENTAL PERMITS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

9/1/2020

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

9/9/2020

Date Prepared

Agenda Title: 2020 Supplemental Budget #6

Recommendation: Approve

Issue 1

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

Action Needed:

Revenue Side

Local Coronavirus Relief Fund (428)

214,432.36 CARES Receipts

Expense Side

Local Coronavirus Relief Fund (428)

214,432.36 Reimbursements for COVID-19 related expenditures

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

-

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

-

Breakdown by Fund

Local Coronavirus Relief Fund (428)

-

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

-

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] 9/9/20
1

ORDINANCE NO.

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

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

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

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

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

Local Coronavirus Relief Fund 428	214,432.36
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SECTION 3: The following increase/(decrease)in appropriations from unencumbered balances be made:

Local Coronavirus Relief Fund 428	214,432.36
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SECTION 4: In all other respects, Ordinance No. 3538 shall remain in full force and effect.

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MIKE SMITH

PREPARED BY: LAW (STAFF)